

“NOT NEGROES NOR SLAVES BUT FREE PEOPLE”: FREE PEOPLE OF COLOR
IN THE COLONIAL SOUTHEAST INDIAN TRADE.

by

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ABSTRACT

BRIAN WILLIAM CULLINAN. "Not Negroes nor Slaves but Free People": Free People of Color in the Colonial Southeast Indian Trade. (Under the direction of DR. JOHN DAVID SMITH)

This thesis examines the role of free people of color in the colonial Indian trade in England's southern American colonies, primarily Virginia and the Carolinas, from the 1640s to that trade's decline in the colonial southeast by the early 1770s. Free people of color participated in the Indian trade throughout the colonial period in substantial numbers, and sometimes became that trade's principal actors. At a time when race-based laws and prohibitive social conditions emerged alongside the development of southern slave society, the Indian trade—operated largely by a colorful cast of adventurers who often worked outside the reach of colonial government—offered free people of color unparalleled opportunities for economic and social ascendancy in a world increasingly shut off to them due to the inhibiting matters that attended their race. This thesis additionally examines how the geography of the Indian trade provides a key for understanding the movement of free people of color across the southern colonial frontier, as well as the isolated multi-racial communities they developed along their journey.

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DEDICATION

I dedicate my thesis work first and foremost to my wife Che' who endured many hours of my absence. She came to understand the meaning of the term "thesis widow," long before we married during the process of producing this study. I also dedicate this work to my mom, whose love and support throughout my life made this journey possible and to my dad, who I wish was here to share this moment.

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INTRODUCTION

During the first half of the seventeenth century, the colony of Virginia became home to a small but historically significant population of free Black African colonists. The first members of this population arrived outside of Jamestown in August 1619. Scholars are familiar with the story of these pioneering “20 and odd” Africans. Having arrived in English North America as slave captives aboard a foreign vessel prior to the codification of slavery in English law, Virginia leaders accepted the Africans into the Virginia colony as colony servants.¹ Jamestown’s free Black population continued to expand over the ensuing few decades as more Africans arrived sporadically. In total, the English imported 562 Africans into the colony prior to Virginia’s first laws to enshrine life-long race-based servitude in 1662.² These early African colonists formed the basis of a substantial free Black community in Virginia prior to the legal codification of slavery.

As colony servants, the Jamestown Africans served their assigned masters for a prescribed time period.³ Following the expiration of their term, the African servants—like White European colony servants with whom they toiled—received a small plot of land from the colony. Thereafter, these former servants became Virginia freeholders who, as English colonial subjects, fell under the protection of English law. Surviving colonial Virginia land and court records document the extent to which former Black colony servants successfully integrated themselves into Virginia society during the first half of the seventeenth century. Free Blacks such as Anthony Johnson, Manuel Driggus, and Francisco Payne not only subsisted, but amassed valuable property and found comity among their White neighbors.⁴ As relationships with those White neighbors grew, free

Black Virginians intermarried or otherwise produced offspring with Whites, thus producing an entirely new bi-racial class of colonial Virginians this study refers to as free people of color.⁵

Free people of color in early colonial Virginia occupied a loosely-defined legal and social space somewhere between White and Black. In its earliest days, the Virginia colony struggled to induce large numbers of English workers to make the perilous trip across the Atlantic to join a struggling colony that often faced starvation and war. The small number of African immigrants who came into the colony became welcomed additions to the colony's collective manpower. During this liminal period in North American racial history, blackness had not yet become a debilitating issue. Black and White servants worked alongside each other cultivating tobacco in harsh conditions under the hot Virginia sun. These servants often shared living spaces and thus developed lasting bonds that transcended race.⁶ Together, Black and White servants experienced the hardships of bonded labor and maintained common dreams of economic success and social ascendancy.

The gradual introduction of African slavery in Virginia by the middle of the seventeenth century initially had little direct effect upon the colony's free people of color. The British slave system at this time emphasized the "otherness" and non-Christian status of the individuals it enslaved.⁷ Virginia's free people of color practiced Christianity and had become regular, and often valued, members of colonial Virginia society. As Christians, they remained protected from enslavement under English law.⁸ These factors fortified the social and legal status of free people of color into the latter part of the seventeenth century, even as slavery developed around them. As race-based African

slavery grew to become the primary source of labor in the colonial South and Virginia began its transition from a society with Slaves into a slave society, free people of color increasingly saw their social and legal status brought into greater scrutiny.⁹

Early chroniclers of Virginia history tended to ignore the presence of free people of color in colonial Virginia. While most historians found it difficult to avoid mention of the historically significant “20 and odd” Africans who became the first permanent African settlers in British North America, they often reduced the African’s arrival to nothing more than a starting waypoint along the long timeline of North American slavery. African slavery, a monumental event of enormous importance in American history, tended to shape the historical investigation of colonial Black persons whether free or enslaved. This contributed to a scholarly blind spot that concealed the lives and accomplishments of early seventeenth-century free Blacks who had a more indirect relationship with slavery and did not fit neatly into the prevailing historical narratives. In the twentieth century, however, scholars such as Ira Berlin, Timothy Breen, Wesley Frank Craven, John Hope Franklin, Paul Heinegg, Stephen Innes, Winthrop Jordan, John Henderson Russell, and others helped to bring the stories of early colonial free Blacks out of history’s shadows; their scholarship expanded our understanding of this anomalous group of early colonial Virginians. What became of their progeny remains lesser known.

While Virginia’s early seventeenth-century free people of color enjoyed some amount of scholarly attention over the last fifty years, scholarship examining these people during the period of Virginia’s transition to a slave society in the late seventeenth and early eighteenth centuries remains largely non-existent. Yet, this crucial time for free people of color living within that society demands further study. The introduction of race-

based African slavery in British colonial North America in the middle seventeenth century, as well as that institution's sharp rise in the colonial South during the first two decades of the eighteenth century, produced a litany of race-based economic, legal, and social pressures that complicated the lives non-Whites. Virginia's free people of color who resided in the Tidewater region, where slavery grew exponentially, experienced the greatest impact of laws and social prohibitions designed to create a more impermeable color line.¹⁰ Tidewater free people of color may have relocated to areas where slavery had lesser impact during this time in order to avoid the legal and social strictures that increasingly attended their race.¹¹ The southern frontier offered such a space. Abundant evidence of the presence of free people of color in areas of the southern colonial frontier during the eighteenth century appears in court records, tax lists, militia rolls, and in several petitions put forward by free people of color demanding fair treatment in matters of taxation.¹² During this period, significant numbers of free people of color migrated out of the Tidewater region and into frontier areas of Southside Virginia and the Piedmont region of North and South Carolina.¹³ This movement into remote areas of the Southern colonial frontier begged the question: what specifically caused this migration? Did free people of color migrate to these frontier areas to avoid race-based legal pressures or did other factors come into play?

I hypothesized that two motives drove the movement of free Blacks into the frontier: 1). avoidance of the enforcement of race-based laws that attended slavery and 2). the quest for inexpensive and available frontier land. Both of these motives have merit. Beginning in 1660, the Virginia House of Burgesses enacted a series of Slave Codes meant not only to codify slavery in law but to cleave Virginia's people of color from

many of their rights as British subjects.¹⁴ Virginia legislators enacted these laws in order to reinforce that colony's burgeoning race-based African slave system with a hard color line that dispelled ambiguity and minimized the perceived threat of a slave uprising aided by Black freemen. Free people of color, seeing their rights slowly chiseled away via pressure brought by Tidewater slaveholders, undoubtedly saw the merit of removing to remote areas of the colonial frontier where slavery and government had lesser purchase. The colonial frontier also presented economic opportunity in the form of inexpensive and available land. When tobacco prices swelled during the mid-seventeenth century and arable land became more scarce, poor and middling colonists often looked to the colonial frontier to gain respite from rising land prices. Cognizant of the importance of land to their expanding colony, Jamestown's African settlers, like other colonists, regularly bought and sold outlying land parcels. As the Virginia colony grew beyond the Jamestown peninsula, first-generation Africans and their descendants purchased newly-opened Tidewater land along the York River, in the area of the Chesapeake Bay, and into Maryland. One might reasonably assume that free people of color continued acquiring new land as the frontier line expanded westward.

I set out to find evidence of the relationship between these two hypotheses and the movement of free people of color into the frontier. I endeavored to trace the movement of free people of color beginning in the late seventeenth century when race-based laws emerged, and frontier expansion opened up new available land. I chose to follow the migration of families of color through the use of property and court records that collectively illustrated how, where, and when they moved. As I began tracking their movement from the late seventeenth century to the early eighteenth century, a different

picture emerged. I had expected to find free people of color dispersed across the frontier favoring areas that contained inexpensive land, and where they might have less interaction with structured government and the legal systems.

I found instead a series of orchestrated movements made by concentrated groups of free people of color to very specific areas of the colonial frontier. These areas often did not contain the least expensive land. In fact, land records indicate that in order to locate themselves within these specific areas of concentration, many free people of color chose to purchase slightly more expensive land from private sellers. Free people of color made this choice despite the fact that the headright land grant system made more, and less expensive land available elsewhere.¹⁵ Unlike private land bought and sold at market value, Virginians could obtain headright land for no more than filing fees and the settler's commitment to occupy and cultivate the land in question within a three-year period.¹⁶ Headright land grants represented the least expensive means by which to obtain large parcels of land on the colonial frontier. Yet, groups of free people of color opted instead to purchase more expensive private land, ostensibly to locate themselves in very specific areas of the frontier. These areas must have possessed value to them. If so, what special value did these specific areas possess?

Likewise, the movement of free people of color did not always take them further away from the reach of government as I had hypothesized. As I later illustrate in this study through the story of Gideon Gibson, migration sometimes placed free people of color in areas that *increased* their level of contact with the colonial government, as well as their visibility. As I pieced together the movement of the families of color I tracked, it became apparent that some force other than inexpensive land purchase and maintaining

distance from the colonial government drove their movement. These families moved in unison and, unlike frontier Whites who moved sporadically as cheaper or more productive land became available, their movement appeared to follow a discernable pattern.¹⁷ What unseen force directed the movement of groups of free people of color in unison to specific areas of the frontier during specific periods of time?

I endeavored to gain a better understanding of this movement by further examining the areas where evidence indicated free people of color migrated to and concentrated within. What I discovered during that process informed the content and direction of this study. Evidence suggested that certain groups of free people of color located themselves among communities of individuals engaged in the trade between English colonists and Native Americans, also known as the Indian trade.¹⁸ As I took a step back and examined the location of the specific communities that these free people of color migrated to, it became apparent that their placement corresponded precisely with the geography of the Indian trade and its corresponding timeline. The evidence became clear: as political, economic, and environment factors shifted the geographic boundaries of the Indian trade, large groups of free people of color moved in unison with those boundary shifts. I further found that entire communities of free people of color undertook this movement. This suggests that these communities likely formed in order to support Indian trade activity.

Native commerce constituted a potent colonial economic engine that generated wealth and status for many of its early participants. Trade between English colonists and Native nations commenced shortly after the arrival of the first British settlers in North America. Early English colonists first traded with the local Natives for necessities such as

corn. Within the first decade of colonial settlement, the Native-colonist trade evolved to include animal furs and skins that produced considerable income as an export commodity. The enormous economic value of the peltry trade significantly impacted the development of England's colonial North American enterprise and profoundly shaped the future of Natives and colonists alike. The Indian trade provided the economic spark that allowed the colonies of Virginia and Carolina to reach permanency. While historians generally agree on the importance of the Indian trade in terms of the role it played in the development of the southern colonies, scholars have paid less attention to the individuals who actually plied that trade along remote stretches of the southern colonial frontier. Perhaps because of this, a striking feature of the southern colonial Indian trade has gone unnoticed: free people of color comprised a large number of its participants.

This thesis examines the role of free people of color in the colonial Indian trade in England's southern American colonies, primarily Virginia and the Carolinas, from the 1640s to that trade's decline in the colonial southeast by the early 1770s.¹⁹ Free people of color not only participated in the Indian trade throughout the colonial period in substantial numbers, and sometimes became that trade's principal actors. At a time when race-based laws and prohibitive social conditions emerged alongside the development of southern slave society, the Indian trade—operated largely by a colorful cast of adventurers who often worked outside the reach of colonial government—offered free people of color unparalleled opportunities for economic and social ascendancy in a world increasingly shut off to them due to the inhibiting matters that attended their race. This thesis additionally examines how the geography of the Indian trade provides a key for

understanding the movement of free people of color across the southern colonial frontier, as well as the isolated multi-racial communities they developed along their journey.

In the first section of this study, I examine the presence of free people of color in the English colonial South. Increased scholarly inquiry surrounding Virginia's early colonial free Black population beginning in the early twentieth century developed a picture of a resourceful, tightknit community that expressed agency and skillfully negotiated their place in a new world. Virginia's early African immigrants quickly and effectively acclimated themselves to their new environment. These charter generation free Blacks developed successful alliances amongst themselves and with White Europeans that provided economic, social, and political benefit. The Atlantic Creoles who comprised the charter generation passed along their colonial savvy to subsequent generations of free people of color.²⁰ Like their forefathers, free people of color in the late seventeenth century faced their own struggles as they attempted to make their way in an environment that became increasingly hostile to their race.

Denied the opportunity to pursue the more traditional route of colonial economic ascendancy as Tidewater planters, free people of color forged relationships with White Indian traders with whom they shared a similar hardscrabble background. The evidence suggests that these highly successful, symbiotic economic and social relationships often endured over generations and interlinked Black and White families along the frontier. The gumption, cultural savvy, and business acumen exhibited by Virginia's early Black colonists rendered them excellent candidates for the Indian trade which required similar skills. Influential members of colonial Virginia's governing elite who served as the Indian trade's principal financial backers often employed Free people of color in their

trade operations. Through these relationships, free people of color gained powerful allies who helped to defend their rights as free men when required.

In the second section of this study, I introduce the colonial Indian trade as it existed in England's southern colonies: Virginia, the Carolinas, and Georgia. The Indian trade significantly affected the development of England's colonial North American enterprise. In the English colonial South, Native commerce helped to support colonial expansion, solidified alliances with indigenous nations that checked Spanish and French territorial ambitions, and delivered a return on the investments made by Virginia's powerful financial backers in the metropole. By the early eighteenth century, deerskins sourced from the Indian trade became the second most valuable export commodity in the southern colonies.²¹ I argue that during the southern Indian trade's crucial early period, the economic, military, and political benefits it produced for colonial leaders and for imperial England far outweighed any considerations given to the social caste or ethnic makeup of its participants. As I examine, most of the leading figures in the southern colonial Indian trade came from the colonial periphery. In a world controlled by wealthy elites, hereditary power, and feudal institutions, the Indian trade became North America's first real economic meritocracy. Along the often-dangerous trading paths of the colonial South, trust and ability trumped race and class. The Indian trade represented a space where free people of color found some semblance of economic and social equality.

In the third section of this study, I examine frontier communities formed by Indian traders that contained populations of free people of color who participated in the Indian trade, directly and indirectly. Indian trade communities served as operational centers that provided logistical support for trade expeditions undertaken by Indian

traders. These expeditions often involved dozens of traders, hundreds of packhorses, and covered round-trip distances to distant Native trading villages of close to one thousand miles. A peripheral layer of laborers, horse handlers, tradesmen, and other supporting workers formed around Indian trade communities to provide support for these arduous trade journeys. Indian traders strategically positioned their trade communities at the foremost edge of primary trading paths and adjacent to navigable water courses below the Fall Line that facilitated the transportation of trade goods to Atlantic ports. I argue that these communities moved over time in unison with economic, environmental, and political shifts that altered relationships with Native trading partners and redrew the boundary lines of the geographic spaces Indian traders operated within. The degree of synchronicity between the placement and removal of these communities in response to the changing realities of the Indian trade offers evidence of their purpose. By additionally uncovering the social, economic and familial connections that underpinned colonial Indian trade communities, I illustrate an Indian trade continuum that connects Tidewater free Blacks to successive generations of free people of color who established isolated trade communities across disparate sections of the southern frontier over the course of a century.

In the fourth section of this study, I examine a specific example of how one group of Indian traders of color responded to redrawn Indian trade boundaries with movement and thus conducted a migration that formed a new community of color in South Carolina in the 1730s. Gideon Gibson, a third-generation Indian trader of color, led this movement and formed the nucleus of the Indian trade community along the Pee Dee River in the South Carolina frontier. Gibson's value as an Indian trader, as well as a key component to

South Carolina's plans for colonial expansion, allowed him to permeate South Carolina's otherwise impervious eighteenth-century color line. Gibson's Pee Dee settlement thereafter became a catalyst for the migration of other free people of color. The community of free people of color that Gibson gathered became the largest of its kind in South Carolina by the nineteenth century. I argue that this community, as well as related enclaves of free people of color that branched off and spread up the Little Pee Dee River into the borderlands of North Carolina, developed as a result of the Indian trade.

Introduction Endnotes

¹ John Henderson Russell forcibly and convincingly argued in 1913 that Virginians treated early Africans migrants as servants and not slaves. See John David Smith, *An Old Creed for the New South: Proslavery Ideology and Historiography, 1865-1918* (Westport, CT.: Greenwood Press, 1985; Carbondale, IL.: Southern Illinois University Press, 2008), 150–51. Citations refer to the Southern Illinois University Press edition; John Henderson Russell, *The Free Negro in Virginia 1619-1865* (Baltimore: Johns Hopkins Press, 1913), 16–41.

² Wesley Frank Craven, *White, Red, and Black: The Seventeenth-Century Virginian* (Richmond, VA.: University of Virginia Press, 1971; New York: W. W. Norton & Company, 1977), 85. Citations refer to the W. W. Norton & Company edition.

³ Imported White English indentured servants normally served for a period of seven to ten years at this time. Many of the early seventeenth-century Africans taken into the Virginia as servants on an ad hoc basis lacked formal indenture contracts. Evidence provided by early freedom lawsuits suggests that Africans servants may have experienced slightly higher service terms. For an exhaustive analysis of the indenture system in early colonial Virginia. See James Curtis Ballagh, *White servitude in the Colony of Virginia: a study of the system of indentured labor in the American colonies* (Baltimore: Johns Hopkins Press, 1895), and Warren M. Billings, “The Law of Servants and Slaves in Seventeenth-Century Virginia.” *Virginia Magazine of History and Biography* 99, no. 1 (January 1991): 45–62.

⁴ Timothy H. Breen and Stephen Innes. *Myne Owne Ground: Race and Freedom on Virginia's Eastern Shore, 1640-1676*, 25th Anniversary Edition (1980; repr., New York:

Oxford University Press, 2005), 68–69. Citations refer to the Oxford University Press edition.

⁵ Proponents of the African colonization movement first put the term “free people of color” into use within their literature during the early nineteenth century. In an era where numerous words existed to describe individuals of varying African descent (i.e., “negro,” “mulatto,” “quadroon,” “octaroon,” and “quintroon”), the term “free people of color” provided economy as a catchall phrase that for use in describing all. While the terms “free Black” or “free mulatto” might also describe the subjects of this paper, “free people of color” has more utility as a phrase. More recently, this term has expanded to encompass a wide variety of non-White ethnicities. Here and henceforth, I use this term in its original historical sense to refer specifically to the descendants of Virginia’s early free Black community. These individuals possessed various degrees of African ancestry. Most had some degree of White ancestry. A much smaller number had fractional Native American ancestry. Collectively, Virginia society viewed these individuals as Black and therefore “non-White” both in the eyes of and for the purposes of adjudicating colonial law.

⁶ Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America* (1998; repr., Cambridge: Belknap Press of Harvard University, 2003), 46.

⁷ Edmund S. Morgan used the term “outlander” to describe colonial attitudes toward enslaved Native Americans and emphasized the use of the words “brought by shipping” in Virginia statutes during the awkward attempt made by Virginia legislators to draw the distinctions necessary to automatically render all individuals slaves for life. See Edmund

S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia*, (New York: W.W. Norton & Company, Inc., 1975), 329–30.

⁸ Warren M. Billings, *The Old Dominion in the Seventeenth Century: A Documentary History of Virginia, 1606-1689* (Chapel Hill, NC.: University of North Carolina Press, 1975), xi; Warren M. Billings, “The Cases of Fernando and Elizabeth Key: A Note on the Status of Blacks in Seventeenth-Century Virginia,” *William and Mary Quarterly* 30, no. 3 (July 1973): 467–74.

⁹ Berlin, *Many Thousands Gone*, 6–12.

¹⁰ Geologists refer to the geographic area of low-lying coastal plain that extends along the Atlantic seaboard from southern Maryland and the Chesapeake Bay to northeastern North Carolina as the Tidewater region. The Tidewater region’s interior boundary extends to the Fall Line—the geographic boundary that separates North America’s piedmont and coastal plain regions. England restricted colonial settlement beyond the Fall Line until the Treaty of Middle Plantation in 1677. The Tidewater region therefore became associated with early colonial settlements. The region derives its name from the effect of changing tides on its watercourses.

¹¹ Tim Hashaw, *The Birth of Black America: The First African Americans and the Pursuit of Freedom at Jamestown* (New York: Carroll & Graf Publishers, 2007), 183.

¹² One example of the records left by free people of color in frontier areas comes from a 1771 petition filed by free people of color in western Granville County, North Carolina, that addressed the unfavorable tax status afforded to their wives. Surnames linked to their Jamestown African forbearers such as Chavis, Bass and Gwin (Going) appear among the

signatories. See William L. Saunders, ed., *The Colonial Records of North Carolina* (Raleigh: P. M. Hale, Printer to the State, 1888), 6:982–83.

¹³ Hashaw, *The Birth of Black America*, 183.

¹⁴ Thad W. Tate Jr., *The Negro in Eighteenth Century Williamsburg* (Williamsburg, VA.: Colonial Williamsburg, Inc., 1965), 4–8.

¹⁵ The headright land grant system made newly-opened land available to individuals willing to populate unoccupied colonial land. The Virginia government awarded settlers who applied for headright land grants during this period fifty acres of land for every member of a settler's household or "head" that would occupy the prospective land. See Fairfax Harrison, *Virginia Land Grants: A Study of Conveyancing in Relation to Colonial Politics* (Richmond, VA.: Old Dominion Press, 1925), 16, 35–37.

¹⁶ *Ibid.*, 39–40.

¹⁷ French observer Alexis de Tocqueville famously commented on this frenetic land speculation and constant movement along the North American frontier during a later period in his work, *De La Démocratie en Amérique* (1835-1840). Rampant land speculation and lack of attachment to place in a way that might be more familiar to Europeans such as de Tocqueville had long been a feature of American frontier life. For further information on the culture surrounding colonial frontier land speculation and movement see Ray Allen Billington, "The Origin of the Land Speculator as a Frontier Type." *Agricultural History* 19, no. 4 (October 1945): 204–12.

¹⁸ Although I refer to the indigenous people within this study as "Natives," and the English colonials as "colonists," I have chosen to use the term "Indian trade" to refer to the commercial trade conducted between English colonists and individual Native nations.

The term “Indian trade” permeates the historiography. I chose not to use the term “Anglo-Indian trade”—a race-based binary term that excludes the non-White subjects of this thesis.

¹⁹ This primarily includes the colonies of Virginia, Carolina (later South Carolina and North Carolina), and, to a lesser extent, Maryland (the early Chesapeake trade), and later Georgia.

²⁰ Ira Berlin argues that the charter generation—Africans that arrived on American shores between 1619 and roughly 1660—represented a distinct group whose experience as Atlantic Creoles, individuals who circulated in-between African, European, and Caribbean worlds, provided them with the ability to better navigate the British North American colonial landscape. See Berlin, *Many Thousands Gone*, 29–46.

²¹ Verner W. Crane, *The Southern Frontier: 1670-1732* (Durham, NC.: Duke University Press, 1928), 110–11.

CHAPTER 1: FREE PEOPLE OF COLOR

This chapter examines the conditions that gave rise to free people of color as a distinct legal and social group in seventeenth-century Virginia: from the arrival and subsequent economic and social integration of their African immigrant forebearers into Virginia's yeoman class, to their marginalization following the emergence of the race-based laws that accompanied the rise of slavery. The freedom status afforded to free Blacks prior the rise of race-based chattel slavery provided many with enough social and economic mobility to elevate themselves out of servitude. Free Blacks often conducted the journey from servant to colonial freeholder alongside similarly-situated White servants with whom they shared common cause and developed abiding economic and social relationships. When those relationships became sexually intimate and produced biracial offspring, a new racial class of colonist emerged: free people of color.

Free people of color initially utilized their indeterminate legal status to boost themselves into the Virginia yeomanry. Throughout the seventeenth century, free people of color owned land, undertook lawsuits against Whites in Virginia courts, and sustained themselves economically in a manner similar to other working-class colonists. Early seventeenth-century Virginia law lacked many of the racial distinctions that accompanied the late-seventeenth century rise of race-based chattel slavery. Colonial authorities leery of the potential threat free people of color presented to Virginia's burgeoning slave society eventually acted to curb their rights. This, however, occurred after a considerable number of free people of color established themselves, both socially and economically, beyond Virginia's increasingly rigid color line.

1.1: ARRIVAL

An all too familiar letter from John Rolfe to Sir Edwin Sandys provided the first documentary evidence for the existence of Black Africans at Jamestown. Rolfe's letter described the arrival of "20. and odd Negroes" in "the later part of August" in 1619.¹ Captain John Smith later recollected this event in his personal diary.² Generations of scholars dutifully documented the arrival of these first permanent Black African settlers in English colonial North America.³ As Wesley Frank Craven observed centuries later, over time the arrival and presence of the Africans in the Virginia colony became "so well established that no author bothers to burden his text with a footnote."⁴ As the 400th anniversary of the African's arrival approached, scholars responded with a spate of scholarship centered upon this seminal event in American history. This new scholarship included the widely-recognized 1619 Project launched by the New York Times.⁵ Yet, for all the attention given to the 1619 arrival date, scholars know little about what became of the "20. and odd Negroes" who disembarked on Virginia soil that year, and even less about what became of their descendants.

Many early scholars simply assumed that slavery brusquely overtook the descendants of Virginia's early seventeenth-century free Blacks when that institution became an irresistible force in Virginia. Recent scholarship, however, has presented a different and more nuanced picture. Scholars such as Timothy Breen and Stephen Innes in *Myne Owne Ground: Race and Freedom on Virginia's Eastern Shore, 1640-1676* (1980) and Walter Milteer in *North Carolina's Free People of Color 1715-1885* (2020) illustrated how free Blacks often found higher degrees of freedom by banding together in communities. In *The Road to Black Ned's Forge: A Story of Race, Sex, and Trade on the*

Colonial American Frontier (2014), Turk McCleskey additionally demonstrated how free people of color could gain acceptance in White society by producing economic value through the practice of certain high-value occupations, especially along the less codified colonial frontier.

Virginia's first Black immigrants arrived at a dire time when able-bodied colonists, regardless of race, commanded value. During this time, the English had not yet developed a stable colony in North America. England's early colonial exploits in the New World had proved disastrous. The failed Roanoke expedition in 1587 resulted in the loss of all 115 colonists.⁶ Although many English leaders doubted the efficacy of supporting additional North American colonial adventures, the quest for New World riches, as well as the need to check French and Spanish colonial ambitions, propelled England forward. In 1607, the newly-formed Virginia Company commissioned three ships to carry 104 settlers across the Atlantic to form a permanent settlement they named Jamestown. Ill prepared, over half of the colonists perished within the first year.⁷

The surviving English colonists mostly relied upon trade with local Native nations, such as the Powhattan, for provisions. When tensions increased between settlers and Natives, the trade for food ended. This initiated a gloomy phase of Jamestown history known as "The Starving Time." During this period, the colony lost approximately eighty-percent of its settlers.⁸ Recent evidence suggests that conditions became dire enough for some settlers to turn to cannibalism.⁹ Fortunes improved in 1610 with the arrival of a new governor who brought fresh provisions and 150 new immigrants.¹⁰ Although the colonists reached an uneasy truce with their Native neighbors to restore the trade for food and stabilize the colony, disease and lack of experience producing agriculture in an unfamiliar

climate presented major challenges. As the first Africans arrived in Virginia, they entered a beleaguered colony weakened by mismanagement, political-infighting, starvation, and the near-constant threat of Native attacks. In this dreadful state, the colony benefitted from the addition of 20 able-bodied immigrants. John Rolfe only casually noted the African's race upon their arrival; the Virginians simply integrated them into their colony as the first of their kind in English North America without fanfare or further elaboration in colonial records.

English experiences with Africans likely also played a role in their unremarkable introduction into Virginia. The English people had prior interaction with Africans. Historian Martha Warren Beckwith posited that Africans appeared in modern England as early as 1440.¹¹ In her pioneering work, *Black Tudors: The Untold Story* (2008), Miranda Kaufmann found evidence of the presence of at least 360 Africans in early Renaissance England.¹² Historian Imtiaz Habib found various evidence of Blacks residing in England as servants, musicians, and mercenaries throughout the sixteenth century, thus constituting a sizeable but unrecognized Black presence in the early modern period.¹³ The existence of Blacks in England at that time mostly resulted from the efforts of King James I of England to expand England's global horizons. Upon his ascension to the English throne in 1603, James endeavored to create a more cosmopolitan atmosphere in the English court.¹⁴ James believed that England had become overly provincial under his predecessor, Queen Elizabeth I, and therefore lacked the global awareness needed to compete with other European powers in newly discovered parts of the world. James saw the gains made by England's Portuguese and Spanish rivals in Africa and the Americas and sought to open his insular kingdom to new cultures.¹⁵ In order to develop new

political and commercial ties within Africa, James invited Black West African dignitaries into his court in a manner consistent with how the courts of southern Europe welcomed them.¹⁶

Africa and Africans became curiosities that appeared in early seventeenth century English popular culture. Shakespeare's *Othello*, written about 1603, featured a Moorish army general who married Desdemona, a wealthy White Venetian woman.¹⁷ Shakespeare cast Othello as a tragic figure whose rash actions at least partially stemmed from the perceived limitations of his race. Never-the-less, Shakespeare also styled Othello as an affluent and intelligent individual who his seventeenth-century male audience could at least partially relate to. Othello's bi-racial marriage ended when he succumbed to the influence of the play's antagonist, Iago, and murdered Desdemona in a jealous rage. Thus, Othello exhibited the stereotypical passions and barbarity Englishmen of this period prejudicially associated with non-Christian Moors. Yet, Othello also elicited sympathy. If not for the intrigue of the envious Iago, Othello and Desdemona might have continued their blissful interracial marriage. *Othello* reinforced English stereotypes regarding "blackness" while simultaneously opening English minds to the possibility of Africans as civilized and capable human beings.

Englishmen during the Elizabethan era also encountered Africans in the military. African mercenaries, often prized for their fighting ability, occasionally served in the private military forces of English and Scottish nobles.¹⁸ Some Black soldiers ascended to positions of status. Lord Protector Edward Seymour, Duke of Somerset, listed a gentleman styled "Sir Peter Negro" among the list of knights and nobles he cited for

special honors following England's decisive victory over Scotland at the Battle of Pinkie Cleugh in 1547.¹⁹

As England's fascination with exploration and the wider world grew during the late sixteenth century, English writers such as Richard Hakluyt published popular works that extolled the wonders of exotic cultures and fired the imaginations of would-be explorers such as future Jamestown leader Captain John Smith.²⁰ In 1600, Hakluyt sponsored the publication of an English translation of Leo Africanus's *A Geographical Historie of Africa* (1550).²¹ This 984-page description of Africa provided inquisitive Englishmen, such as Smith, with their first glimpse of African culture. Angolans made up the bulk of charter generation African immigrants in Virginia during this time.²² Africanus spoke at length about Angola's dealings with the Portuguese and generally portrayed them, in comparison to other African nations, as civilized and acclimated to dealing with Europeans.²³ Africanus also considered the Angolans mostly Christianized.²⁴ Nevertheless, Africanus exhibited the keystones of racial prejudice against Black Africans in his writing.²⁵ Africanus viewed Africans, specifically sub-Saharan Africans, collectively as a crude and barbarous people whose skin tone reflected their supposed dark and unenlightened nature. Likewise, many sixteenth-century English writers used the word "fair" to describe both light skin and virtue saw the opposite in dark skin.²⁶ Yet, the English encountered all manners of "barbarous" peoples during the seventeenth century as they traversed the globe, developed trade, and colonized new lands. The colonists learned through their experience with Native Americans that they could forge mutually-beneficial relationships with others, even "barbarous" people the English viewed as their inferiors.

Despite often unflattering descriptions of Black Africans and the general disfavor surrounding blackness in sixteenth-century England, the English harbored no particular animosity towards Black people themselves.²⁷ John Blanke, a Black musician, served in the courts of Henry VII and Henry VIII of England and earned wages that exceeded most servants and agricultural workers of his day.²⁸ When Blanke married a White woman, Henry VIII paid for the wedding.²⁹ Famed English Explorer Sir Francis Drake employed a former Spanish slave named Diego as an advisor, guide, and interpreter. Drake valued Diego highly enough to name a fort he constructed in the Americas, Fort Diego, after him.³⁰ Diego accompanied Drake on his voyages to Africa and South America and resided in Plymouth, England when not at sea.³¹ A Portuguese prisoner taken by Drake reported that Drake's fleet contained other former Black slaves with at least one who claimed that he had "made a contract with Francis Drake" and thus worked for Drake as a wage-earning member of his crew despite his former condition.³² English explorers who initially ventured into Africa saw Black Africans simply as people strikingly different from themselves.³³ The Black Africans who arrived in Virginia during the early seventeenth century represented merely another example of the many different types of people circulating into the English world during this age of exploration and contact between disparate cultures.

In the absence of slavery, the English lacked the impetus for developing a legal color line such as those adopted by European slave nations such as Portugal's *Ordenações Manuelinas* or the later *Dutch East India Ordinances* (1622).³⁴ English law treated Black servants no differently than White servants during the early seventeenth century. Richard Jobson summed up the opinion of many Englishmen in 1623 when he

responded to a solicitation to purchase slaves: “We were a people, who did not deal in any such commodities, neither did we buy or sell one another or any that had our owne shapes.”³⁵ Despite such platitudes, the English eventually became substantially engaged in the African slave trade, albeit much later than other European colonial powers and well after the arrival of the first generation of Africans in Virginia.

England’s most notable attempt to effect racial classification in law during the early modern period came in the form of an open letter issued to the English Parliament by Queen Elizabeth I of England. Elizabeth’s letter, which she wrote in 1596, stated her desire to see “divers blackmores brought into this realm” “deported.”³⁶ Elizabeth clarified her intentions with a second letter issued in 1601. In that letter, Elizabeth specifically ordered the deportation of “blackmores” considered “infidels, having no understanding of Christ or his Gospel.”³⁷ Many of England’s Black residents simply claimed Christian conversion to avoid the letter of the law. Thus, Elizabeth’s edict ultimately succeeded in removing very few Blacks from England.³⁸ At the time, the English viewed one’s religious status, not race, as the benchmark to judge “otherness.” In the words of theologian Rufus Burrow, “one *learns* to be a racist.”³⁹ The English had no prior experience in Africa as colonizers and had not yet developed a domineering attitude toward Africans. England established its first permanent settlement on the African continent at James Island in the Gambia River decades later in 1661.⁴⁰ Notwithstanding English notions regarding their superiority over all cultures, the English people as a whole simply lacked the reason to develop specifically hard attitudes toward Black Africans.

Most importantly for the arriving Africans, English law did not recognize slavery.⁴¹ When race-based slavery became firmly entrenched in Virginia during the latter half of the seventeenth century, slaveholders weaponized racial distinctions to justify African enslavement. Throughout the long history of enslavement, societies tended to enslave outsiders.⁴² By branding enslaved Black Africans as outsiders, Virginia's slave holders established a rationale for their debasement. Prior to the widespread establishment of racial slavery as Virginia's dominant system of labor, Virginia leaders had no compelling motive to reinforce distinctions and accentuate division between Whites and Blacks. After the establishment of racial slavery, Virginia leaders feared the development of sympathy for slaves among similarly-situated poor Whites and acted to create more pronounced racial separation.

Late seventeenth-century Virginia slave holders had reason to fear a bi-racial alliance among the lower ranks of Virginia society. In 1676, Black and White bonded servants revolted together against the planter establishment during Bacon's Rebellion.⁴³ Racial slavery's color line created a wedge that disrupted that nascent Black-White servant alliance. With the creation of a new enslaved class occupied by Black Africans, Virginia leaders elevated White servants out of the bottom rung of Virginia society—a position they had once shared with Black servants. Racial slavery additionally provided White servants with a new means to achieve economic ascendancy. Enterprising White servants imagined that they too might enter the planter class with the acquisition of land and a few slaves. Thus, poor and middling Whites replaced the common dreams they once shared with similarly-situated Black servants with a new form of self-interest. By the close of the seventeenth century, White Virginians from across the socio-economic

strata coalesced around race. A series of race-based laws passed Virginia leaders beginning in 1662 established a hard color line that served as the bulwark to reinforce racial slavery.⁴⁴ Thereafter, Black Virginians became that society's outsiders. At the time of the arrival of the first Africans in Jamestown, however, Virginia's Black settlers prospered in an environment less oriented around race.

Early Virginia—an outpost on the edge of the English empire that attracted a wide variety of fortune seekers—possessed a cosmopolitan character that aided the acclamation of foreigners such as the Africans. Although Englishmen comprised the majority of the colony's inhabitants, Jamestown also contained a substantial number of non-English residents. The second supply of colonists to Jamestown included eight Germans and Poles and a number of Dutch settlers.⁴⁵ Over the next decade, settlers from a variety of ethnic backgrounds followed. Colonist Albiono Lupo, a musician, came from a family of Sephardic Jews who immigrated to England from the Iberian Peninsula.⁴⁶ Albiono Lupo's brothers, Peter and William, joined him in 1621.⁴⁷ George Sandys wrote in his diary in 1623 about the presence of Italians among passengers aboard a ship bound for Jamestown.⁴⁸ Sixteen of the Italian settlers constructed a glass works in 1621.⁴⁹ The 1624/25 Jamestown census noted the presence of Irish and Scottish settlers.⁵⁰ Native Americans, some residing in Jamestown as servants or mission converts, became omnipresent in Jamestown society. As a busy port exchanging trade goods with other British colonies in the New World, diverse elements of transatlantic culture frequented Jamestown, including Black sailors.⁵¹ The population of Jamestown, like many English port cities reflected England's increasing contact with various cultures during the early modern period.

The precarious position of the Virginia colony, its diverse makeup, and nonchalant English attitudes regarding Black persons in general, all helped to shape the environment that greeted Virginia's early seventeenth-century Black Africans. For many years, scholars lacked insight into how the African's origins additionally aided their acceptance in Virginia. In 1992, historian Engel Sluiter uncovered documentary evidence that illuminated the specific origins of Virginia's first Black colonists. While conducting research at Spain's Archivo Histórico Nacional, Sluiter discovered seventeenth-century maritime insurance documents that detailed the voyage the *São João Batista*—a Spanish slave ship that Sluiter uncovered as the vessel that transported the “20. and odd” Jamestown Africans to the New World.⁵² According to those documents, the *São João Bautista* had originally departed from Sao Paulo de Loanda, the capital of the Portuguese colony of Angola.⁵³

Sluiter's groundbreaking discovery sparked the curiosity of James Thornton and Linda Heyward—historians specializing in Africa, and the study of sixteenth-seventeenth century Portuguese Colonization along Africa's west coast. Thornton, in his 1998 article entitled “The African Experience of the ‘20. and Odd Negroes’ Arriving in Virginia in 1619,” posited that the first Africans brought into Virginia were prisoners of war captured by the Portuguese in the highlands of Angola and then sold to coastal slave merchants who intended to export them to Mexico.⁵⁴ Thornton and Heyward delved into the African origins of Virginia's first Black settlers further in their more exhaustive monograph, *Central Africans, Atlantic Creoles, and the Foundation of the Americas, 1585-1660* (2007). In that work, Thornton and Heyward established that the “20. and odd” Africans, along with the majority of Africans introduced into Virginia during the

first half of the seventeenth century, originated from the Ndongo kingdom, a large vassal state of the Kingdom of Kongo, in an area of west central Africa that later became part of Portuguese Angola.⁵⁵

The Ndongo formed part of the Mbundu ethnolinguistic group that dominated present-day north-central Angola. The Ndongo had a monetary system, along with a centralized government that levied taxes, collected tolls, coordinated road maintenance, and maintained a sizeable army.⁵⁶ Many Ndongo people lived in urbanized settings. The Ndongo, like all Mbundu peoples, excelled at raising cattle. The Ndongo also practiced advanced metallurgy and produced high-quality iron tools and weapons.⁵⁷ Portuguese explorer Diogo Cão made the first European contact with Ndongo people in the late fifteenth century.⁵⁸ By the time the *São João Batista* sailed with its African captives, the Ndongo had lived and traded with Europeans for several decades.⁵⁹

The Kingdom of Kongo had long-established ties to Portugal and Christianity. Nzinga a Nkuwu, the overarching Kongolese ruler of the Mbundu people, forged diplomatic relations with Portugal during the late fifteenth century. Thereafter, the courts of Nzinga a Nkuwu and João II of Portugal exchanged diplomats. The Portuguese later constructed trade outposts along the Angolan coast. By 1488, the success of these trade sites led the Portuguese to employ Mbundu intermediaries to solicit commerce with other nations along the west coast of Africa.⁶⁰ Portuguese Catholic missionaries arrived soon after the two nations established diplomatic ties.⁶¹ On May 3, 1491, Nzinga a Nkuwu converted to Christianity and took the Christian-Portuguese name “João I”.⁶² Thereafter, Christianity slowly spread throughout Kongo and its vassal states including

Ndongo.⁶³ Portuguese Jesuit missionaries reported widespread conversion efforts throughout most of Portuguese-occupied coastal Angola by 1540.⁶⁴

Portuguese missionaries established schools throughout the Kingdom of Kongo following the conversion of Nzinga a Nkuwu.⁶⁵ These schools brought Kongolese children into Christianity and taught them the Portuguese language. Evidence of the Christianization of Jamestown's early Africans presents itself in the many Christian forenames possessed by Blacks present in the 1624/25 Jamestown census.⁶⁶ Many of these Christianized Africans additionally adopted Portuguese surnames—an indication of the creolization that took place as the two cultures traded, mingled, and cohabitated along the Angolan coast.⁶⁷ One of the earliest Kongolese Christian converts, a nobleman known as Kasuta, took the Christian forename “João” and the Portuguese surname, “da Silva.”⁶⁸ The widespread use of Portuguese surnames among Virginia's sixteenth-century free Blacks such as Chavis, Francisco, and Driggus (Rodriguez) may have stemmed from this cultural melding.⁶⁹ Newly-arrived Africans in Virginia likely accentuated their Christian-Portuguese identity once they ascertained that English law afforded favorable treatment to “civilized” Christians. Until 1667, English law prohibited the enslavement of Christians, irrespective of race.⁷⁰ Thus, the prior Christianization of the Angolans inadvertently exposed a favorable loophole in English law—one that allowed Virginia's early Black immigrants to enjoy some element of legal protection as fellow Christians.

The favorable treatment extended to Virginia's Christianized Black colonists continued through most of the seventeenth century. As African slavery took root in English North America toward the mid-seventeenth century, colonial authorities based their justification of slavery around religious and cultural distinctions and not race.⁷¹ In

1667, an enslaved man, known only as Fernando in Virginia court records, petitioned Lower Norfolk County court for freedom from servitude “for his lifetime.”⁷² Fernando asserted his status as “a Christian” who “had been several yeares in England.”⁷³ The court additionally noted that Fernando had produced documents to support his claim. The court clerk, however, stated that Fernando’s documents appeared written “in Portugell” and he therefore could not verify their authenticity. There exists no record of the final dispensation of Fernando’s case. Fernando’s defense strategy, however, reveals that as late as this time, enslaved individuals still placed reliance upon their status as Christians to achieve freedom in Virginia under English law.⁷⁴ In September 1667, the Virginia House of Burgesses acted affirmatively to shut off this pathway to freedom by enacting legislation that ended the ability of enslaved Blacks to sue for freedom based on their Christian status.⁷⁵ The new law greatly curbed the ability of enslaved individuals to secure freedom and join the ranks of Virginia’s free Blacks. This, however, had little effect on the overall growth of Virginia’s free Black population. By 1667, established free Black families had passed into their second and third generations, thus steadily increasing the size of Virginia’s free Black population by natural increase.

1.2: SUSTAINED EXISTENCE

The “20. and odd” Africans brought to Virginia represented the vanguard of the free Black population that developed in Virginia over the course of the early seventeenth century. Evidence suggests that many, if not all, of the Africans brought into Virginia in 1619 survived long enough to create a sustained Black population that continued to grow into the later part of the seventeenth century. The Second Anglo-Powhatan War (1622)

erupted shortly after the arrival of the first Africans and subsequently killed roughly a third of Virginia's colonists. No Black colonists appear on the lists taken of the dead—an indication that the original lot of “20. and odd” Africans survived past this catastrophic event that killed approximately one-quarter of the population of the Virginia colony.⁷⁶

Tim Hashaw, in *The Birth of Black America: The First African Americans and The Pursuit of Freedom at Jamestown* (2007), speculated that Virginia's Black colonists may have avoided slaughter due to the familiarity they developed with the Powhatan through frequent small-scale trade.⁷⁷ For whatever reason the Powhatan spared Black colonists, their population survived the massacre and endured into the 1620s. Twenty-three Black colonists appeared in the census taken in Jamestown 1624/1625, indicating that Virginia's Black population grew slightly during this otherwise calamitous period.⁷⁸

Virginia's free Black population additionally expanded through the steady arrival of Blacks transported into the colony as part of Virginia's headright land grant system. Virginia's headright land grant applications illustrate the sporadic arrival of additional Black colonists between 1620 and 1650.⁷⁹ Some of these Black immigrants may have arrived as the result of privateering operations in a manner similar to the first Africans.⁸⁰ Historians Linda Heywood and John Thornton have argued that privateering played a substantial role in populating the first generation of Africans in Virginia.⁸¹ This argument provides a key to understanding how many of Virginia's African immigrants acclimated so quickly to colonial life. Black prisoners captured by English or Dutch privateers from Portuguese and Spanish vessels came from a variety of backgrounds. Black captives taken by privateers may have included free Black sailors who had already acclimated to life among Europeans.⁸²

Other Black immigrants may have trickled in from the English colony of Barbados where enslaved Africans began to appear as early as 1627.⁸³ Some Blacks arrived directly from England alongside White English servants. John Pedro, listed as “a Neger” in the 1625 census, arrived in 1623 with a group of white English servants from England aboard the *Swan*.⁸⁴ Wealthy merchant George Mynifie obtained 3,000 acres of bounty land for the transportation of sixty persons into the colony in 1635, including twenty-three “negroes I brought out of England with me.”⁸⁵ The majority of headright claims involving Black transportees listed no associated origin. Captain Henry Browne imported four Black men, : “Mingo”, “Fr.”, “Franc.”, and “Jon.,” along with “two negro women.”⁸⁶ John Upton obtained bounty land in July 1635 for the transportation of thirty-three persons, including two individuals, “Antho.” and “Mary” noted as “Negroe.”⁸⁷ William Ewins imported twenty-two persons in 1643 including: “Michael a negroe, Katherine his wife, John Grasheare a negroe, Matthew a negroe.”⁸⁸ In 1638, William Banister redeemed a headright grant purchased from George Downes that included an award for the transport of twenty persons including “Bas a Negar.”⁸⁹ In total, 562 Blacks entered the Virginia colony prior to 1660.⁹⁰ These Black immigrants and their offspring added to Virginia’s small but growing Black population at a time prior to the legal codification of slavery.

Over the centuries that followed the arrival of Virginia’s first Black immigrants, Scholars have debated their status within the colony. Many early scholars argued that Virginia’s early seventeenth-century Black population experienced some form of *de facto* enslavement prior the legal codification of slavery in Virginia in 1662.⁹¹ Hugh Jones demonstrated this line of thinking in perhaps the first historical work that mentioned the

presence of free Blacks in colonial Virginia. In *The Present State of Virginia* (1724), Jones cast doubt on the ability of Blacks to maintain a meaningful existence as free men by exclaiming: “when they are free, they know not how to provide so well for themselves.”⁹² Jones made a clear implication: even if the law allowed for their freedom, Black colonists could not sustain their existence as free individuals and, therefore, naturally drifted into ever-extended periods of servitude before haplessly becoming engulfed by slavery. Writing during the eighteenth century when “Black” had become synonymous with “slave” in the minds of many Whites, early chroniclers of Virginia’s seventeenth-century Black population, most like Jones who sympathized with slavery, left little or no room for the meaningful existence of free Black colonists.

The substantial presence of free Blacks during the early days of the Virginia colony, as well as the fact that many became as successful as their White neighbors, additionally challenged one of the core justifications used by southern slaveholders to support African slavery: the notion of inherent Black inferiority and the need for paternalistic control by Whites. In an effort to use history to reinforce contemporary white supremacy, many early southern historians simply reduced all seventeenth-century Black Virginia immigrants to slaves, by law or custom. This prevailing narrative among early Southern historians sadly stymied the investigation of colonial free Blacks and caused a lack of curiosity regarding the disposition of their descendants. For many years, scholars viewed Virginia’s early seventeenth-century free Blacks as nothing more than a small and insignificant anomaly who collectively achieved little.

During the Antebellum period, the national debate surrounding Slavery largely shaped scholarship on Virginia’s first African settlers. Southern scholars—the

predominate chroniclers of early Virginia history during this time—remained staunch supporters of the degraded position of Virginia’s Black colonists from their first arrival, thus supporting slavery apologists who viewed slavery as the natural, preordained condition for Africans.

Scholars with a more favorable disposition towards the Black race did little better. Richard Hildreth, a nineteenth-century historian and abolitionist, made no mention of Virginia’s seventeenth-century free Black colonists when he attempted to illustrate Southern race animus and the brutality of plantation slavery. For Hildreth, the Africans who arrived in 1619 came into Virginia not as “indentured servants for a term of years but as slaves for life.”⁹³ Pioneering Black historian George Washington Williams argued that slavery existed “without any sanction of law” beginning with the arrival of the first Africans in Virginia.⁹⁴ Likewise, a treatise on Black American history produced by The American Colonization Society, *Claims of the Africans: or, History of the American Colonization Society* (1832), simply made the assumption that every African transported into the British colonies became enslaved upon arrival.⁹⁵ While scholar James W. C. Pennington decried “we suffer much from the want of the collection of historical facts,” his work, *A Textbook of the Origin and History of the Colored People* (1841) contained no account of Virginia’s seventeenth-century free Blacks.⁹⁶ Edward A. Johnson devoted only a single paragraph to Virginia’s early colonial black population in his work, *History of the Negro Race in America from 1619 to 1880* (1890).⁹⁷ In the over two hundred years that passed between the arrival of British North America’s first permanent African colonists in 1619 and the American Civil War (1861), scholars had mostly downplayed or ignored Virginia’s seventeenth-century free Black population.

The end of the Civil War and Emancipation offered little respite from these attitudes. Many southern scholars renewed and doubled-down on the old pro-slavery arguments that cast Blacks as incapable inferiors as a way of protesting the presence of freedman among them.⁹⁸ Sweeping judgements made by many pre-twentieth-century scholars regarding the legal status of Blacks ignored the personal circumstances, local variations, and nuance that contributed to the differing freedom conditions experienced by Virginia's seventeenth-century Blacks.

Philip Alexander Bruce, a Virginia historian with strong Lost Cause sentiments, produced the most detailed study of seventeenth-century Black Virginians in *Economic History of Virginia in the Seventeenth Century* (1896).⁹⁹ Although Bruce dismissed all seventeenth-century Blacks as slaves and went to great lengths to disparage Blacks throughout his work, he conducted a thorough examination of primary source records and diligently, if inaccurately, attempted to divine importation figures for the number of Africans brought into Virginia during the first half of the seventeenth century. Despite his attention to detail, Bruce failed to comment on instances Black colonial property ownership or other evidence of freedom present in the source documents he had so meticulously consulted.

At the dawn of the twentieth century, James C. Ballagh challenged the prevailing scholarship on servitude and slavery in the early colonial period. After a careful examination of documentary evidence, Ballagh found a level of detail other scholars had ignored. Ballagh proposed that "Negro and Indian servitude...preceded negro and Indian slavery."¹⁰⁰ Thus, Ballagh introduced a new historical layer to the Black experience in seventeenth-century Virginia. He regarded servitude, and not lifelong slavery, as the early

seventeenth-century norm. In his dissertation, *White Servitude in the Colony of Virginia* (1895), Ballagh argued that early seventeenth-century Black and White indentured servants shared a similar legal status.¹⁰¹ Ballagh additionally found that all forms of colonial servitude stemmed from a common thread; he broke away from scholars such as Bruce and Lyon G. Tyler by arguing for the interconnected nature of colonial servitude, including that of White indentured servants, as part of an overarching progression that formed the pathway to Virginia's slave society.¹⁰² Here, Ballagh additionally laid important groundwork for the future study of interracial interaction among colonial servants. For Ballagh, slavery did not simply appear and immediately take hold; slavery had gradually developed over time. By retarding slavery's introduction on the timeline of the colonial Black experience, Ballagh overturned a century of scholarly dogma and created space for the investigation of the pre-slavery condition of Black colonial Virginians.¹⁰³

John Henderson Russell, a student of Ballagh, built upon Ballagh's diligent and pioneering work.¹⁰⁴ Unlike Ballagh, who generally focused upon servitude, Russell specifically focused on free Blacks. Russell produced the first comprehensive monograph on Virginia's free Blacks: *The Free Negro in Virginia* (1913). In this groundbreaking work, Russell furthered Ballagh's argument for the late development of slavery by providing a deeper analysis on both the legal and customary basis for slavery. In doing so, Russell cited evidence for a gradual transition from Black servitude to Black slavery, 1640-1662.¹⁰⁵ Russell investigated court, parish, and property records and uncovered numerous free Blacks who had successfully exited servitude to become land owners, with some of them reaching moderate levels of prosperity. Russell devoted an entire chapter of

his work to “the origin of the free negro class.”¹⁰⁶ In that chapter’s opening, Russell addressed the “misconceptions” present in prior scholarship that he hoped to correct. The first misconception, Russell argued, stemmed from the belief that all Africans entering Virginia during the early colonial period “were from the very outset regarded and held as slaves for life.”¹⁰⁷ Russell additionally challenged the longstanding opinion held by many scholars that all Africans who entered Virginia could only achieve freedom through emancipation, thus tethering all early free Blacks to slavery.¹⁰⁸ Russell found this misconception particularly damaging because it had caused scholars to turn a blind eye to the many free Blacks who never experienced enslavement in Virginia.¹⁰⁹

Russell also found nuance in the interactions free Blacks had with Virginia’s legal institutions. He presented the 1653 case of John Casor in order to demonstrate how some black servants found freedom and relative success in mid-seventeenth century Virginia while others fell into the dreadful advance of enslavement. Casor, a Black indentured servant, claimed that his master, Anthony Johnson, held him illegally past his term of indenture.¹¹⁰ Johnson, a free Black man, successful planter, and a cattle breeder who owned 250 acres of land, possessed five servants including Casor, along with four Whites.¹¹¹ A neighboring planter, John Parker, convinced Casor to flee Johnson so that Casor might serve him instead. Johnson subsequently filed suit against Parker in Northampton County, Virginia, to gain Casor’s return. Johnson disputed Casor’s accusation; he claimed that he held Casor “for his life.”¹¹² After initially finding for Parker, the court later reversed its judgment and ordered Parker to return Casor to Johnson.¹¹³ Thus, the case of John Casor presents evidence that local Virginia courts during this time prior to the legal codification of slavery sometimes recognized lifetime

servitude as a possible condition for Black servants. Yet, at the same time, the Casor case illustrates how Johnson, a prosperous free Black planter, used Virginia's court system to successfully sue a White neighbor and gain the return of a servant he claimed as his property. The stark disparity between the lives of Casor and Johnson, both Black Virginia colonists, reinforces Russell's and Ballagh's arguments for the disjointed and uneven application of slavery among Black Virginia servants during this period of transition. Ballagh and Russell showed the variability in the Black experience in mid-seventeenth century Virginia; some Black Virginians experienced lifetime servitude while others remained free.

One explanation for the differing treatment of Africans in Virginia during the first half of the seventeenth century comes from the presence of individuals previously enslaved by foreign nations and then sold as slaves to Virginia buyers. Although England did not explicitly engage in the African slave trade until 1663, Virginia planters sometimes purchased Black slaves from foreign merchants. In 1659, the Virginia General Assembly moved to encourage this practice in order to address labor shortages. In that year, the Virginia Assembly granted special export privileges to Dutch traders and "all strangers of what Xpian nation soever in amity with the people of England" who exchanged African slaves for Virginia tobacco.¹¹⁴ The Second Anglo-Dutch War (1665-1667), as well as the introduction of the Second Navigation Act (1660), hampered the effort to encourage the purchase of enslaved African from the Dutch.¹¹⁵ Yet, some Virginia planters had established relationships with Dutch slave traders by this time and regularly conducted clandestine trade. In 1655, a wealthy Virginia planter travelled to Manhattan in order to purchase a group of slaves from Dutch merchants.¹¹⁶ Enslaved

Blacks purchased from foreign slave traders and then brought into Virginia had no claim as English subjects and therefore faced difficulty arguing for protection as such under English law. Furthermore, their masters could produce clear documentation of their purchase as slaves for life. Even at a time before England legally recognized slavery, English Common Law supported the property claims of slave owners, thus providing some basis for them to claim Black slaves purchased from foreigners as slaves for life.¹¹⁷

Although the evidence suggests that some instances of lifelong servitude existed as a matter of practice prior to slavery's legal recognition, no evidence exists to suggest that *all* Black Virginians experienced this condition. Some Black Virginians faced the threat of enslavement while others did not. Statutes, court cases, and colonial charters reveal slavery's gradual and disjointed legal development in Virginia.¹¹⁸ These records clearly indicate that prior to the 1630s, Virginia's legal system treated Blacks in a manner similar to Whites. Virginia courts regularly recognized Black colonists as land owners in property deeds and occasionally called upon them to provide testimony—both indications of their status as free men.¹¹⁹

The case of John Punch in 1640 presents the first legal recognition of lifetime servitude issued to a Black servant. Punch, a Black servant, ran away from his master along with two White servant companions.¹²⁰ Following their apprehension, the Virginia Governor's Council sentenced the three runaway servants to “thirty stripes apiece.”¹²¹ The Governor's Council additionally sentenced the two White servants who accompanied Punch to serve one added year with their master and a further three years as servants to the colony.¹²² Conversely, the Governor's Council sentenced Punch to “serve his said master or his assigns for the time of his natural Life.”¹²³ Several years later, the Virginia

Assembly heard a different case involving a “Mulata” servant named Manuel who his master claimed as a “slave For-ever.”¹²⁴ In Manuel’s case, the Virginia Assembly reached a different conclusion: they viewed Manuel as a “Christian servant.” As such, the Assembly advised that Manuel’s master could not claim him as a slave for life under English law.¹²⁵ The different outcomes reached in the cases of Punch and Manuel illustrate the fluid landscape upon which the free status of Virginia’s Black servants rested during this period.

While some Blacks fought to avoid enslavement along the increasingly murky margins of Virginia’s developing slave society, others achieved freedom and found some semblance of prosperity. In *Myne Owne Ground: Race and Freedom on Virginia’s Eastern Shore, 1640-1676* (1980), historians Timothy Breen and Stephen Innes investigated seventeenth-century free Blacks in Northampton and Accomack Counties, together know as Virginia’s Eastern Shore. Breen and Innes uncovered a prosperous free Black community within that area that had gone mostly overlooked by previous scholars.

Breen and Innes challenged previous arguments surrounding the condition of seventeenth-century Virginia Blacks made by scholars such as Carl Degler that tended emphasize their degraded status and accept it as universal.¹²⁶ Degler argued that “the status of the Negro in the English colonies was worked out within a framework of discrimination; that from the outset, as far as the available evidence tells us, the Negro was treated as an inferior to the white man, servant or free.”¹²⁷ Breen and Innes, in part, responded to the call of Wesley Frank Craven when he decried that “American historians have been so largely concerned with the question of the Negro’s status...as to be indifferent to other questions they may have investigated.”¹²⁸

The work of Breen and Innes marked an important conceptual advance in the study of seventeenth-century free Blacks. Rather than examining free Blacks through how colonial institutions acted upon them, Breen and Innes investigated individual lives within the small free Black community they brought into focus. By utilizing this more rudimentary framework, Breen and Innes developed new insights into how, and to what extent, seventeenth-century free Blacks enjoyed lives as freeholders and expressed agency as individuals. They determined that local economic and social relationships had, by far, the greatest impact on the lives of their subjects. This important breakthrough in scholarship introduced the idea that many colonial free Blacks successfully existed within the caustic legal environment that emerged alongside racial slavery. Through their fruitful individualized study, Breen and Innes challenged prior scholarship that placed outsized emphasis on overarching free Black relationships with colonial institutions as a class of people. This scholarship tended to produce a more monolithic, and ultimately less insightful, view of colonial free Black existence. By focusing upon a specific group of individuals rather than the free Black population at large, Breen and Innes uncovered layers of detail that yielded important insight into how, despite the creeping presence of laws that attended race, seventeenth-century Eastern Shore free Blacks amassed property, conducted business with neighboring Whites, and became fixtures in Eastern Shore society.

Many modern scholars have since followed the methodology introduced by Breen and Innes and adopted a more granular focus in order to yield new and better insights on the lives of free people of color. This recent scholarship includes: Adele Logan Alexander's *Ambiguous Lives Free Women of Color in Rural Georgia 1789-1879* (1991);

Melvin Patrick Ely's *Israel on the Appomattox: A Southern Experiment Black Freedom from the 1790s through the Civil War* (2004); Kirt Von Daacke's *Freedom Has a Face Race, Identity, and Community in Jefferson's Virginia* (2012); Turk McCleskey's *The Road to Black Ned's Forge: A Story of Race, Sex, and Trade on the Colonial American Frontier* (2014) and Warren Milteer's *Beyond Slavery's Shadow Free People of Color in the South* (2021). These works have avoided emphasis on group homogeneity and instead highlight the nuance present in the individual lives of free people of color and their everyday interactions within their greater communities.

Breen and Innes presented an example of how the study of free Blacks on a local and personal level might produce new insight through their investigation of Anthony Johnson, an Eastern Shore free Black land owner who had received previous attention from scholars.¹²⁹ Ballagh and Russell mentioned Johnson in their work many decades earlier. Ira Berlin also included Johnson in his brief chapter devoted to colonial-era free Blacks in *Slaves without Masters: The Free Negro in the Antebellum South* (1974).¹³⁰ Breen and Innes, however, delved deeper into court and county records to reveal further detail regarding Johnson's everyday interactions with White society. This investigation yielded evidence that, for many years, Johnson's White neighbors and the Eastern Shore institutions with which he interacted treated him no differently than others. Moreover, Breen and Innes uncovered Johnson's connection to a wider community of free Black landowners concentrated along the Eastern Shore. This concentrated community, connected to powerful White patrons through economic ties, provided essential mutual support and acted to uphold the collective free status of its members.

By 1647, Anthony Johnson and his wife Mary lived among a cluster of free Blacks along Pungoteague Creek in Northampton County that included free Black property owners such as Philip Mongum, Frances Payne, Emanuel Driggus, Anthony Longo, and others. These families intermarried and often supported each other in lawsuits and business transactions. Johnson's former master, Richard Bennett, moved to Pungoteague Creek during the 1640s and Johnson likely followed.¹³¹ Bennett, a powerful and wealthy Virginian, served as the governor of that colony from 1652 to 1655.¹³² Bennett owned a considerable amount of land on Virginia's eastern shore and, on behalf of his uncle—a wealthy London merchant and owner of a fleet of ships—did business with Indian trader William Claibourne.¹³³ Bennett's daughter married Charles Scarborough—the son of Colonel Edmund Scarborough, a one-time Speaker of the House of Burgesses, member of the Governor's Council, and a militia colonel. Johnson likely enjoyed some level of protection through his connection to this powerful family.¹³⁴

Johnson steadily increased his wealth in the years following his arrival in Northampton with the purchase of land and cattle. In February 1653, Anthony and Mary Johnson petitioned the Northampton County, Virginia court for financial relief following “great losses” incurred as the result of a fire.¹³⁵ In a sign of how well Northampton County authorities respected the Johnsons—or perhaps their powerful friends—the court graciously granted the Johnsons relief from paying taxes.¹³⁶

Johnson's temporary run of good fortune, however, took a turn for the worse not long after this time when something apparently soured the relationship between Johnson and his influential friends. In 1657, Edmund Scarborough sued Johnson for debt. The court awarded Scarborough 100 acres of Johnson's land to pay off the alleged debt.

Scarborough continued his quest to acquire more of the Johnsons' land. In a 1659 land patent deposition, Scarborough made the bizarre claim that John Johnson, the son of Anthony Johnson, who held 250 acres of land adjacent to his land, had "no relation to John Johnson Negro whose patent it."¹³⁷ If true, this meant that John Johnson held his land unlawfully, in which case county officials could order the land forfeited—no doubt to the benefit of Scarborough who also attempted to acquire other nearby land.

In the years that followed Anthony Johnson's death, his children lost most of the land he had acquired. At some point they simply abandoned the family land at Pungoteague Creek and dispersed to other parts of Virginia, Maryland, and Carolina.¹³⁸ The Johnson family apparently no longer enjoyed the support of their powerful benefactors and succumbed to the pressure of neighboring Whites who desired their land.¹³⁹ This illustrates an important aspect of successful free Black existence as their environment changed during the rise of racial slavery in the second half of the seventeenth century. Powerful White patrons sometimes aided free Blacks, usually in return for some positive value received by the White patron that justified their effort.¹⁴⁰ Prosperous free Blacks might find their property and standing in their community threatened when their powerful Patrons abandoned that protection.

Other Virginia free Blacks also managed to elevate themselves out of the servant class and enjoy some modicum of success during the mid-seventeenth century. Bashaw Fernando, Emanuel Driggus, and John Graweere became financially-successful cattle herders—a skill likely handed down to them from their Ndongo ancestors.¹⁴¹ Driggus used the cattle he raised and sold to fellow colonists to aid other Black servants.¹⁴² Driggus married a White woman—a not uncommon phenomena among colonial

Virginia's prosperous free Blacks—and amassed cattle and horses.¹⁴³ Mihil Gowen, a “negro” servant, petitioned for his freedom after completing his term of service.¹⁴⁴ After Gowen's release in 1657, he also obtained freedom for his young son, William, whose mother remained enslaved.¹⁴⁵ Less than four months later, Gowen patented 37 acres of land in James City County and thus, Gowen began a new life as a Virginia freeholder.¹⁴⁶ Gowen, Driggus, Graweere and Fernando, as with other mid-seventeenth-century free Black Virginians, frequently used Virginia courts to gain the repayment of debts and protect their rights, much like any other colonist.

1.3: FREEDOM AND THE RISE OF SLAVERY

England entered the African slave trade much later than its European rivals. The English first possessed African slaves as war captives. During the mid-sixteenth century English privateers seized African slaves from looted Spanish vessels. The most prolific of these privateers, John Hawkins, delved further into the African slave trade by conducting a series of four slave-trading expeditions to Sierra Leone between 1564 and 1569.¹⁴⁷ Hawkins, however, conducted this business privately and sold the enslaved Africans he acquired to Spanish merchants in Hispaniola. Despite other European nations aggressively embracing African slavery during this period, the English remained mostly uninterested in developing African slavery on English soil. Over time, and with the success of their European rivals, the English became more intent upon exploring African commerce. This placed England on a course that eventually intersected with the African slave trade.

Following the Restoration of 1660, King Charles II of England moved more aggressively to establish English commerce in Africa. Later that year, Charles chartered

the Company of Royal Adventurers Trading into Africa, also known as the Royal African Company. Although the Royal African Company primarily concerned itself at first with the search for gold, by 1663, the English government updated its charter to additionally encompass trade for African slaves.¹⁴⁸ A number of catastrophes suffered by the English during this time, including naval defeats during The Second Anglo-Dutch War (1665-1667), the Great Plague of London (1665-1666), and the Great Fire of London (1666) forestalled the development of England's African trade operations and caused the company to falter. The Royal African Company of England succeeded the Royal African Company after it became insolvent in 1672.¹⁴⁹ By the 1680s, the Royal African Company of England transported roughly 5,000 enslaved people per year from Africa to the Atlantic colonies.¹⁵⁰ Virginia and Carolina planters, vexed by a rising labor shortage at that time, welcomed this new supply of labor.

The introduction of race-based chattel slavery in the mid-seventeenth century presented a new dynamic in the relationships between the Virginia colony and its free Black population. Virginia planters who invested in African slave labor became increasingly leery of the presence of free Blacks who they assumed might harbor sympathy toward fellow Africans held in bondage.¹⁵¹ In response to those concerns, and in an attempt to codify enslavement based on race, Virginia passed its first slave code in 1662.¹⁵² In 1668, Virginia additionally prohibited free Blacks from owning White servants.¹⁵³ Fear of a slave insurrection prompted the passage of a 1672 Virginia law that prohibited servants and natives from aiding Black slaves for the purpose of rebellion, thus furthering the separation between slave and servant and reinforcing the association between slavery and race.¹⁵⁴

Calamities in England during the mid-1660s interrupted the flow of White bond laborers to the North American colonies. War, great fires, and famine caused population declines that stabilized England's unemployment rate. New opportunities for work at home made New World indenture contracts less attractive. Population decline, coupled with England's low mid-century birth rate, created a period of worker-scarcity that threatened the economic stability of England's North American colonies. From 1659 to 1662, Virginia experienced steady immigration declines.¹⁵⁵ The English government sought to address the resulting shortage of available White indentured servants by increasing the forced transportation of criminals, prisoners from the late English Civil War, paroled Irish and Scottish rebels, and unemployed vagrants.¹⁵⁶ English courts compelled these individuals into servitude as bond servants. Colonial planters purchased the vast majority of these individuals and put them to work in degraded conditions together with Black servants, enslaved Natives, and others of their class.

1.4: ETHNOGENESIS

Black and White servants who toiled alongside each other and shared the deprivations of colonial servitude in seventeenth century Virginia inevitably formed bonds derived from their common experience. These bonds, often forged in the cauldron of suffering produced by cruel and dishonest masters, deplorable working conditions, and a high mortality rate, often transcended race. Virginia court records during this time document the relationships formed between Black and White servants through their many attempts to abscond from their service together. For example, in July 1640, five White servants and a "Negro" servant conspired to run away together to the "Dutch plantations."¹⁵⁷ Such occurrences happened commonly enough for the Virginia General

Assembly to enact a law in 1661 that punished White and Black servants that conspired to “run away in company” with each other.¹⁵⁸ James Revel, a convicted criminal transported to Virginia, wrote one of the few surviving accounts of life as a White indentured servant during the seventeenth century. In his account, Revel recalled that upon arrival in Virginia his master stripped off his European clothes and gave him a “canvas shirt and trowsers” of a style worn by both servants and slaves.¹⁵⁹ Revel continued: “We and the negroes both alike did fare, of work and food we had an equal share.”¹⁶⁰ During the first half of the seventeenth century, Virginia’s Black and White servants coexisted together on the less fortunate side of the colonial class divide. Prior to the rise of Virginia’s slave society and the hard racial lines that colonial authorities developed in order to reinforce it, class, not race, dictated each colonist’s position within Virginia’s highly-stratified social order.

Given their shared experiences, as well as the close conditions they worked within, Black and White servants often formed intimate sexual relationships. Seventeenth-century Virginia court records indicate that unions between free Black men and White women occurred frequently.¹⁶¹ Sometimes, these relationships extended to legally-recognized marriage. A White English servant named Hester married and had several children with a “negro” servant by the name of James Tate.¹⁶² Francis Payne, a Black man, married a White woman who deeded him a horse in 1656.¹⁶³ Scholar Paul Heinegg, in his epic work, *Free African Americans of North Carolina, Virginia and South Carolina From the Colonial Period to About 1820* (1992), traced the genealogies of 504 different family groups that descended from colonial free people of color. Heinegg documented over 10,000 such individuals who resided in North Carolina, South Carolina,

and Virginia prior to 1820. Heinegg argued that the vast majority of the free people of color he studied descended from colonial-era sexual unions between White women and free or enslaved Black men.¹⁶⁴ Although many scholars have attempted to fit colonial free people of color into a single narrative, these figures clearly illustrate that this group's size allowed for great amounts of diversity in economic condition and social status.

Virginia's colonial leaders often gave no special attention to interracial relationships during the first half of the seventeenth century.¹⁶⁵ In 1640, The General Court of Virginia accused Robert Sweat of having "begotten with child a negro woman servant."¹⁶⁶ The court ordered Sweat to "do public penance for his offence" the following day at the church in James City.¹⁶⁷ The punishment given to Sweat generally aligned with the English legal proscription for fornication. The court ordered a whipping of the unidentified female servant "at the whipping post."¹⁶⁸ The General Court of Virginia may have treated the female servant more harshly because of her non-Christian status. Virginia court officials did not believe that non-Christian slaves could perform religious penance and therefore often sentenced them exclusively to corporal punishment.¹⁶⁹ William, the child born to Sweat and the unidentified female servant, took his father's surname, remained free, and fathered several bi-racial children that became the progenitors of families of that name that spread to other areas of Virginia and to the Carolinas.¹⁷⁰

By 1666, the bi-racial population in English colonial America had grown large enough for Virginia leaders to add the word "mulatto" to their race-based laws.¹⁷¹ Mulatto, a pejorative term borrowed from the Spanish, derived from the Latin word for "Mule"— a domestic hybrid between a donkey and a horse. The word comes from the

Iberian Peninsula where the Spanish first used it to describe the offspring of an Arab father and a non-Arab mother.¹⁷² In the Americas, the Spanish used the term to refer to the bi-racial offspring of Black and White parents. The Spanish used another term, “Mestizo,” to refer to the bi-racial offspring of Native American and White parents. Seventeenth-century Virginians adopted this crude term and also used it to describe bi-racial individuals. The English applied these calqued words in much the same way as the Spanish, although in some cases the English used the term mulatto more expansively in the colonial era to describe tri-racial individuals of Black, Native American, and White origin.¹⁷³

Mulattoes—specifically, mixed-race individuals deemed at least partially Black by English colonial officials—became a distinct ethnic class in English colonial North America. The legal status of multi-racial individuals remained ambiguous as Virginia’s hard color line began to take hold in the mid-seventeenth century. In 1655, Elizabeth Key, the bi-racial daughter of a White English father and a Black mother, sought to clarify her status as a free woman.¹⁷⁴ Despite Key’s birth outside of wedlock, her father acknowledged Key as his legitimate daughter and supported her during his lifetime. Key’s father ensured her Christian baptism as a way to affirm her place in Virginia society. After falling gravely ill, Key’s father appointed a legal guardian to care for her after his death. The arrangement with Key’s guardian included a provision for a limited-term indenture for Key until she came of age. Illegitimate children, both Black and White, customarily entered into indenture contracts in order to provide for their upkeep. Key’s guardian later sold her indenture contract to a third party, John Mottrom—a Northern Neck, Virginia, Indian trader. Like many masters of Black servants at this time,

Mottrom attempted to take advantage of the legal ambiguity associated with Key's race to declare her his slave for life.

Upon Mottrom's death, his heirs claimed Key, along with a son born to her during her servitude, as their slave property. Key's age indicated that her service had already extended approximately ten years past the customary age of release for indentured illegitimate children. Mottrom's heirs called attention to the uncertainty surrounding the status of Key's mother, a Black servant. They argued that Key did not qualify as a freeborn English subject, and therefore the protection of English law, because of her mother's status as a servant who had no claim to English citizenship. After a series of extended legal battles, the court upheld Elizabeth Key's free status. On the day the court adjudicated her case, Key and William Grinsted, a White man who had acted as her attorney-in-fact, announced their intention to marry.¹⁷⁵ Despite their mixed race, the children later born to Key and Grinsted lived as free people. One of Key's sons, William, testified as a witness against a White man in a 1686 Northampton County court case—an indication that court officials accepted him as a free English subject whose status qualified him to testify in court.¹⁷⁶ Key had obtained both her own freedom, and the acceptance of her mixed-race children within their community.

Following Elizabeth Key's successful legal battle to win her freedom, Virginia legislators acted to clarify the ambiguity surrounding legal status of bi-racial individuals. In 1662, The Virginia House of Burgesses passed a law declaring that any children born to an enslaved mother would themselves remain enslaved.¹⁷⁷ This law derived from *partus sequitur ventrem*—a legal doctrine borrowed from Roman law meaning “That which is born follows the womb.”¹⁷⁸ This new law also eliminated freedom claims based

on the basis of Christianity—an often-used pathway to freedom utilized by many enslaved individuals to escape slavery.¹⁷⁹ For Virginia’s free people of color, however, the 1662 law had little direct affect. The vast majority of free people of color throughout the seventeenth century came from white mothers and Black or bi-racial fathers, both free and enslaved.¹⁸⁰ Children born as a result of those unions remained free under the new law. So long as the extant population of free people of color avoided unions with enslaved women, their offspring remained free.

In 1691, Virginia’s General Assembly passed that colony’s first comprehensive slave code, entitled: “An act for suppressing outlying slaves”¹⁸¹ Virginia legislators crafted this law in order to address unruly behavior among enslaved persons who the assembly claimed “absent themselves” and “hid and lurk in obscure places” committing “injuries to the inhabitants of this dominion.”¹⁸² Unlike other early British Colonial Slave codes, such as Barbados’ 1661 “Act for the Better Ordering and Governing of Negroes,” Virginia’s 1691 law went further to limit manumissions—an indication of the unease felt by Virginia authorities in response to alleged slave conspiracies in 1687 and 1688, and the possibility of future uprisings aided by sympathetic free Blacks.¹⁸³ The 1691 law took the further step of outlawing interracial marriages by declaring: “Whatsoever English or other white man or woman being free shall intermarry with a negro, mulatto, or Indian man or woman bond or free shall within three months after such marriage be banished and removed from this dominion forever.”¹⁸⁴ This law seemingly presented a hard blow for many free people of color who, during the prior half century, frequently married Whites. The law, however, did not specify what defined a “mulatto.” The legal application of that term soon became contested.

The prohibition against interracial marriage received its first recorded test on August 16, 1705, when the Virginia Governor's Council reviewed the case of John Bunch and Sarah Slaydon. Bunch and Slaydon filed a petition with the Council after a local official denied their right to marry. The minister of Blissland Parish in New Kent County, Virginia, had refused to marry Bunch to Slaydon, a White woman, because he considered Bunch a "mulatto."¹⁸⁵ This case represents an important investigation of the terminology of race in late seventeenth century Virginia: the difference between words such as "Negro," "mulatto," "Indian," and "White," as terms used to describe the physical characteristics of race versus the use of those words as terms to describe one's legal status, and subsequent treatment under Virginia law. Bunch's community likely viewed him as a mixed-race individual in terms of his ethnic makeup and, perhaps, his physical appearance. Did the legislators who crafted the law intend to apply the term "mulatto" only to the bi-racial offspring of Black and White parents or also to any person with any amount of Black ancestry regardless of how fractional?

Over the course of the seventeenth century, many of Virginia's free people of color intermarried with Whites, thus increasing the percentage of White ethnicity in each subsequent generation. Bunch, the offspring of a White mother and a "mulatto" father, challenged his "mulatto" classification on the basis of his majority White ancestry.¹⁸⁶ The Virginia General Assembly did not define the precise meaning of the term "mulatto" when they enacted the anti-miscegenation provision in their 1691 Virginia law. The exact ethnic makeup that constituted classification as a "mulatto" therefore remained unclear. Local authorities, such as parish ministers, simply followed their own interpretation of the term. In Bunch's case, the minister of his parish classified him a "mulatto" due to his

fractional Black ancestry. Bunch's petition therefore represented a substantive challenge to Virginia's evolving late seventeenth-century color line.

Earlier in the seventeenth century, Virginia authorities had most often used the term "mulatto" in reference to children born to a White mother and an enslaved Black father.¹⁸⁷ For the most part, seventeenth-century Virginia legislators established laws attending race around one's free status, not ancestry. The development of Virginia's hard color line changed the application of laws attending race. Individuals such as Bunch faced a new test based on ancestral makeup that threatened to transform their legal status. The Bunch case presented the Virginia Governor's Council with the challenge of determining where mixed-race individuals such as Bunch fell on Virginia's emerging color line.

Virginia legal precedent leaned toward the application of "mulatto" status for bi-racial individuals only. Applying the term more broadly represented something entirely new, at least in law. The Virginia Governor's Council demurred and decided to refer Bunch's case to the Virginia's Attorney General, Stevens Thompson, in the hope he would "report his opinion whether the Petitioners case be within the intent of the Law to prevent Negroes and White Persons intermarrying."¹⁸⁸ Upon initial review, Thompson also found confusion regarding whether or not the court should consider Bunch a "mulatto." After a protracted period of consideration, Thompson returned his finding:

I am of opinion & do conceive that ye sd Act being Penal is Coercive or restrictive no further than the very letter thereof, and being wholly unacquainted with the Appellations given to ye issue of such mixtures, cannot resolve whether the issue begotten on a White woman by a Mulatto man can properly be called a Mulatto, that name as I conceive being only appropriated to the Child of a Negro man begotten upon a white woman, or by a white man upon a negro woman, and as I am told the issue of a Mulatto by or upon a white Person has another name viz that of, Mustee; which if so, I conceive it wholly out of the Letter (tho it may

be conjectured to be within ye intent) of the sd act, The which (as absolved being Penal) is, as I conceive not to be construed beyond ye letter thereof.¹⁸⁹

Thompson's confused response indicates the disconnect among Virginia's governing elite regarding race; he clearly had very little personal or judicial experience with the topic. Never-the-less, Thompson had pointed out to the Governor's Council that the legal definition of the term "mulatto" remained ambiguous and open to degrees of interpretation, including his own that would have excluded Bunch from legal classification as a "mulatto."

Thus, Virginia leaders failed to clarify the legal definition of the term "mulatto." The Governor's Council, upon reading the opinion returned by Thompson, order that "the Petition of the said Bunch and Slaydon be referred till next General Court for Mr. Attorney to argue the reasons of his opinion before his Excellency and ye Council."¹⁹⁰ No record exists that indicates the outcome of that hearing. Virginia leaders perhaps quietly allowed Bunch, who fathered bi-racial children at about this time, to proceed with his marriage.¹⁹¹

In the succeeding years, the Virginia legislature acted to clarify its legal definition of race. Legislators subsequently included the following legal definition for the term "mulatto" within a 1705 law declared that "the child of an Indian and the child, grandchild, or great grandchild, of a negro shall be deemed, accounted, held and taken to be a mulatto."¹⁹² This new legal definition set Virginia's legal standards involving persons of mixed-race ancestry around blood quantum. Virginia law thereafter considered any free person of color with one-eighth or more Black ancestry a "mulatto."

Virginia's late-seventeenth century race-based laws had mixed implications for free people of color. New manumission restrictions did not affect people of color

previously classified as free persons. The updated marriage restrictions likewise had minimal affect. By the late-seventeenth century, most free people of color tended to avoid relationships with enslaved Blacks; they mostly married other free people of color or Whites.¹⁹³ The most deleterious affect race-based laws had on free people of color in Virginia came more indirectly: the manner in which these laws changed Virginia's social climate. Race-based laws emphasized free people of color as the "other." These laws furthered the ostracization of free people of color and set the tone for discrimination within the realm of everyday dealings. Scholars have faced difficulty tracking these subtle changes due to the often-imperceptible shifts in the attitudes of ordinary people that mostly went unrecorded. This behavior, however, did sometimes materialize in legal disputes involving the ownership of coveted property.

The Going family, a free family of color residing in Stafford County, Virginia, during the late seventeenth century, earned the envy, and enmity, of their White neighbors due to their fine horses and their "lavish" ways.¹⁹⁴ The Going family bred high-caliber race horses that competed for profit alongside those of Virginia's planter-gentry. Thomas Going, the scion of this family, possessed over 1,200 acres of prime land along the Potomac River.¹⁹⁵ Although Going held this land by patent, his ownership became the subject of dispute during the first decade of the eighteenth century.¹⁹⁶ Depositions from a property lawsuit illuminate how Going's White neighbors turned on him. A deponent in the lawsuit, Charles Griffith, recalled a conversation he had heard as a child regarding the Going family. Griffin stated that he heard Phillip Noland, an overseer employed by Robert Alexander, a wealthy Stafford County land owner, claim that members of the Going family had "taken up land" that belonged to Alexander.¹⁹⁷

Griffin further stated that Alexander, upon hearing this news from his overseer, “swore he would make them (the Going family) suffer” and added that he “had a great mind to turn the mulatto rascals off his land.”¹⁹⁸ Griffin went on to recount a horse race where the Goings “had running horses and that the old people were talking about the Goings taking up Alexanders land and selling it.”¹⁹⁹ Griffin added that “the people was laughing and said if it were not for the Alexander’s land” the Goings “would not be so lavish of their money of which they seemed to have a great plenty at that time.”²⁰⁰ For the Going family, economic success and protection under the law did not guarantee equal social treatment. Within a decade, the Going family sold their prime land and permanently departed Stafford County for Southside Virginia.²⁰¹ The next generation of the Going family chose to live in a more hospitable environment among other free families of color in Granville County, North Carolina.²⁰²

The predicament faced by the Going family in Stafford County, Virginia, illustrates the precarious position prosperous property-owning free people of color increasingly found themselves in within established areas at the dawn of the eighteenth century. As tobacco prices rose during the mid-seventeenth century, arable land became scarcer. Land-covetous Virginia planters had no compunction using the courts to pilfer valuable land from free people of color they deemed vulnerable. The heirs of Mihil Gowen, who possessed 37 acres of land at the time of his death, lost that land in a questionable court action in 1717.²⁰³ Despite Gowen having several living children in Virginia at the time of his death, a James City Court determined that he had died intestate and escheated his property. Gowen’s White neighbor immediately purchased the escheated land. The Johnson family of Northern Neck encountered similar misdealing.

After Anthony Johnson's death in 1670, county officials in Accomack and Northampton Counties undertook proceedings to confiscate 250 acres of land Johnson held within those counties.²⁰⁴ An Accomack County jury found that Johnson "was a Negro and by consequence an alien," and as a consequence he could not hold property at the time of his death. The jury therefore concluded that the county should escheat Johnson's land.²⁰⁵

The Johnson family, like the Going family, eventually chose to leave their contested land behind and depart Virginia. Anthony Johnson's widow, Mary, and the couple's son, John, moved over the border into Somerset County, Maryland.²⁰⁶ In 1677, John's son, John Johnson Jr., paid tribute to his grandfather's African origins by naming his newly-acquired plantation "Angola."²⁰⁷ Anthony and Mary Johnson's grandson, William, migrated to the Albemarle region in what later became North Carolina.²⁰⁸ Members of the Driggus family also left Virginia's Eastern shore and joined their former Johnson neighbors in North Carolina during the early eighteenth century.²⁰⁹ Although the prosperous Johnson and Driggus families chose to leave the Virginia's Eastern Shore to seek better opportunities, many other free people of color, mostly small-scale farmers who began to fall into poverty, remained.²¹⁰ In 1723, Accomack and Northampton Counties' significant population of free people of color caused a group of White Eastern Shore planters to complain to the Virginia General Assembly about the "dangerous" presence of free Blacks in their community.²¹¹ Free people of color without the means to escape areas less affected by racial slavery saw their opportunities limited and remained the objects of scorn and suspicion for many years.

Given the potential peril faced by free people of color who acquired large amounts of land, pursuing success as a planter—the means by which most Virginians

obtained wealth at this time—appeared impossible. Many free people of color in Virginia continued to farm small plots of land unmolested. If they resided within communities that accepted their presence and valued them as neighbors, they might live out their lives and enjoy modest success as sustenance farmers. The Going and Johnson families had reached for more and by doing so, they found that although Virginia’s White society could abide their freedom, they could not tolerate their success. For these families, movement became a necessity.

1.5: NORTH CAROLINA

By the beginning of the eighteenth century, small numbers of free people of color migrated out of Virginia and moved into Albemarle County in the Carolina Province. These settlers migrated with other Virginians who began settling in this area as early as 1655.²¹² By 1701, court records list free people of color among voters and litigants in the Albemarle district.²¹³ In 1712, the Albemarle district became part of the newly-created Province of North Carolina. During the early-eighteenth century, the Albemarle region remained sparsely settled and loosely governed.²¹⁴ The region’s lack of navigable harbors, limited roads, and inhospitable coastline inhibited rapid colonial development. These obstacles forestalled large-scale agricultural exploitation which, in turn, delayed the widespread introduction of racial slavery. North Carolina’s enslaved population numbered only about 800 in 1712.²¹⁵

Without a large enslaved population, North Carolina leaders lacked the impetus for developing race-based laws. North Carolinians, however, became more receptive to such laws as increasing numbers of Virginia settlers brought more enslaved individuals into their province. The end of the Tuscarora War and the peace that followed in February,

1715, opened new North Carolina land for settlement. This sparked a renewed wave of immigration by Virginians seeking available plantation land. Later that year, The North Carolina General Assembly passed a sweeping series of race-based laws meant to establish the colony's first color line. These laws denied voting rights to any "negro, mulatto or Indian," prevented large gatherings by free people of color, and called for the expulsion of manumitted slaves with six months of their emancipation.²¹⁶ Later that year, the Assembly banned interracial marriage.²¹⁷ In 1723, the North Carolina Assembly additionally acted to make all free females of color tithable.²¹⁸ Although North Carolina's sparsely settled and loosely-governed spaces had once presented a favorable legal environment to free people of color, by the 1720s its race-based laws generally mirrored those of Virginia.

Free people of color who served as bonded servants also faced increasing challenges to their free status during the 1720s. In 1724, free "Negro" Phillip Laneer petitioned the North Carolina General Court to recognize his free status as a bonded servant. In a case that resembled that of Elizabeth Key, Laneer claimed that the administrator of his deceased master's estate unlawfully ignored his service contract and attempted to hold him "as a slave."²¹⁹ When North Carolina Governor Richard Everard later intervened and ordered the Chief Justice of the North Carolina General court to "cause a fair Tryall" for Laneer, some North Carolina slaveholders, defending their absolute right to hold Black persons as slave property without question, lashed out. Chowan County slave owner Edmund Porter publicly insulted and threatened Governor Everard after complaining: "by the same rule he has done that he may take my Bed, my horse, or my Oxe."²²⁰ The race-based laws enacted in North Carolina between 1715 and

1723, as well as the challenges to the free status of Black servants such as Phillip Lanier, reflected an increasing leeriness on the part of North Carolina slave owners over the presence of free people of color alongside their growing slave population.²²¹

Despite the significant shift that took place in North Carolina's race-based laws and prohibitions from 1715 to 1723, a substantial group of free people of color left Virginia and migrated to North Carolina during this period. These individuals settled within a specific area around the Oconeechee neck section of the Roanoke River.²²² The free people of color who came to this area included multiple members of the Gibson, Bunch, Kersey, Locklear, Chavis, and Bass families.²²³ Without exception, all purchased land from private sellers at prices that exceeded the cost of freely-available headright land.²²⁴ By the 1730s, this community within Bertie Precinct in north-central North Carolina held the largest concentration of free people of color in the English colonies south of Virginia.²²⁵ This Roanoke River settlement served as the parent community for other nearby enclaves containing similarly large concentrations of free people of color. These extended communities spanned parts of Granville, Edgecombe, Halifax, and Northampton Counties in north-central North Carolina and endured until Emancipation.²²⁶

Scholars who have chronicled North Carolina's free people of color recognized these historically-significant communities, as well as their roots to the State's colonial past. Historian John Hope Franklin brought attention to North Carolina's colonial-era free people of color in his groundbreaking work, *The Free Negro in North Carolina, 1790-1860* (1943). In that work, Franklin recounted a petition aimed at overturning a 1723 law that made free women of color tithable that pointed to the presence of a substantial

community of color residing in Granville, Edgecombe, and Northampton Counties.²²⁷

Franklin's work, however, focused mainly on North Carolina's antebellum-era free Blacks and he investigated these colonial-era petitioners no further. Walter Milteer's broader work, *North Carolina's Free People of Color, 1715-1885* (2020), delved more extensively into the colonial-era. Milteer acknowledged the outsized presence of free people of color in Bertie and Granville counties throughout the mid-eighteenth century, as well as the unique and isolated communities of color they formed.²²⁸ Milteer stressed that these communities formed purposely around kinship networks.²²⁹ Milteer, however, did not examine whether these kinship networks pre-existed the eighteenth century north-central North Carolina communities of color he examined, nor did he explain the deeper connections these families had to seventeenth century communities of color in Virginia.

Although these early North Carolina free people of color formed an important bridge between seventeenth century free Black communities in Virginia and later communities of color that spawned across the southern frontier during the eighteenth century, scholarship pertaining to them has generally suffered from a lack of focus on the colonial era. Franklin, while acknowledging the presence of a noteworthy colonial-era free Black population, declared: "information concerning the free negro in the earlier period is wholly inadequate for any kind of detailed treatment of the subject."²³⁰ Almost all of Milteer's study focused upon the Early National and antebellum periods. The first work produced on this subject, Charles W. Chesnutt's 1902 article "The Free Colored People of North Carolina," skipped the colonial era entirely. In fact, no detailed study of North Carolina's colonial-era free people of color exists. As I examine in the third section of this study, the Roanoke River settlement founded by early North Carolina free people

of color who migrated to that place from Virginia served as a hub for the development of other communities of color, such as the Pee Dee River community in South Carolina that formed later in the eighteenth century. Understanding how and why the Roanoke River settlement formed, who formed it, and how, over time, descendants of this community migrated across the colonial frontier and built other communities of color is therefore vital to the overall understanding of free people of color in the colonial South.

A deeper examination of the free families of color who founded the Roanoke River settlement reveals the purpose behind their migration. These families worked within the Indian trade and migrated to a small span of the Roanoke River in order to establish themselves among a greater Indian trade community developed at that time and precisely in that place. Indian traders such as John Green, Mathew Sturdivant, Arthur Kavanaugh, and Robert Lang formed this Indian trade settlement during the early 1720s to support their trade activities and to take advantage of the area's strategic position along a major Native trade route. The community that developed around this core group of Indian traders grew to include other Indian traders, such as members of the Gibson and Bunch families, as well as laborers who supported the day-to-day work of the Indian trade. The third section of this study reveals how these communities became vital to the conduct of the Indian trade. As such, when the geographic boundaries of the Indian trade changed over time, these communities moved in response. When this occurred, the free people of color who worked within these communities or otherwise enjoyed the protection or kinship they provided, moved with them.

In the next section, I review the history of the Indian trade in the colonial South in order to frame how the geography, economics, and political forces that guided Native

commerce shaped Indian trade communities such as the Roanoke River settlement.

Additionally, I examine how free people of color introduced themselves into the Indian trade during its earliest days, and thereafter became some of its most important participants.

Chapter 1 Endnotes

¹ Virginia Company of London, *The Records of the Virginia Company of London*, ed. Susan M. Kingsbury, and Herbert L. Osgood (Washington: G.P.O., 1906), 3: 241–48.

This letter contains an account of the African’s arrival and indicates their acceptance into the colony as servants. A Virginia law passed earlier the same month in response to individuals arriving into Virginia without service contracts gave masters one month to record the terms of service negotiated with each servant with the Virginia Secretary of State; H. R. McIlwaine, ed., *Journals of the House of Burgesses, 1619–1776* (Richmond, VA.: Virginia State Library, 1915), 1:13–14.

² John Smith, *Travels and Works of Captain John Smith: President of Virginia and Admiral of New England, 1580–1631*, ed. Edward Arber and A. G. Bradley (Whitefish, MT.: Kessinger Publishers, 2007), 2:541.

³ Scholars noted this event in many of the first historical works produced during the first part of the eighteenth century, including: Beverley, *History and the Present State of Virginia*, 37; Jones, *The Present State of Virginia*, 22; and William Stith, *History of the First Discovery of Virginia*, (Williamsburg, VA.: William Parks, 1747; New York: Joseph Sabin, 1865), 153–54. Citations refer to the Joseph Sabin edition.

⁴ Wesley Frank Craven, *White, Red, and Black: The Seventeenth-Century Virginian* (Richmond, VA.: University of Virginia Press, 1971; New York: W. W. Norton & Company, 1977), 77.

⁵ The 1619 Project launched in August 2019 in order to commemorate the 400th anniversary of the arrival of the first Africans in Virginia. The project included a book, podcasts, a televised documentary, a special issue newspaper, and a curated curriculum

designed for primary and secondary schools. See Nikole Hannah–Jones, “The 1619 Project,” *New York Times*, August 14, 2019, <https://www.nytimes.com/interactive/2019/08/14/magazine/1619americaslavery.html>; and Nikole Hannah–Jones, *The 1619 Project: A New Origin Story* (New York: One World, 2021). Other works centered upon the arrival of Virginia’s first Africans in 1619 published in conjunction with that event’s 400th anniversary include: James Horn, *1619: Jamestown and the Forging of American Democracy* (New York: Basic Books, 2018); Paul Musselwhite, and Peter C. Mancall, and James Horn, eds., *Virginia 1619: Slavery and Freedom in the Making of English America* (Chapel Hill, NC.: University of North Carolina Press, 2019).

⁶ George Bancroft, *History of the Colonization of the United States*, vol. 1 (Boston: C.C. Little & J. Brown, 1841), 46–54.

⁷ Karen Ordahl Kupperman, *The Jamestown Project* (Cambridge: Harvard University Press, 2007), 225–55.

⁸ Peter C. Mancall, “Savagery in Jamestown” *Huntington Library Quarterly* 70, no. 4 (December 2007): 661–70.

⁹ *Ibid.*

¹⁰ James Horn, *A Land As God Made It: Jamestown and the Birth of America* (New York: Basic Books, 2005), 180–183; James Horn, *A Kingdom Strange: The Brief Tragic History of The Lost Colony of Roanoke* (New York: Basic Books, 2010), 245–48.

¹¹ Martha Warren Beckwith, *Black Roadways: A Study of Jamaican Folk Life* (New York: New American Library, 1970), 3.

¹² Miranda Kaufmann, *Black Tudors: The Untold Story* (2017; repr. London: Oneworld Publications, 2021), 265.

¹³ Imtiaz Habib, *Black Lives in the English Archives, 1500–1677: Imprints of the Invisible* (2008; repr. London: Taylor & Francis, 2017), 1, 8, 129, 270. Citations refer to the Taylor & Francis edition; Imtiaz Habib, “Othello, Sir Peter Negro, and The Blacks of Early Modern England,” *LIT: Literature Interpretation Theory* 9, no. 1 (January 1998): 15–30.

¹⁴ Tim Hashaw, *The Birth of Black America: The First African Americans and the Pursuit of Freedom at Jamestown* (New York: Carroll & Graf Publishers, 2007), 4–11.

¹⁵ April Lee Hatfield, *Atlantic Virginia: Intercolonial Relations in the Seventeenth Century* (Philadelphia: University of Pennsylvania Press, 2007), 7.

¹⁶ *Ibid.*, 9.

¹⁷ Scholars have debated Othello’s ethnicity. Shakespeare left the door open to the possibility of Othello’s sub-Saharan African origin. See Habib, “Othello, Sir Peter Negro, and The Blacks,” 15–30.

¹⁸ Habib, *Black Lives in the English Archives, 1500–1677*, 36.

¹⁹ Richard Grafton, *Grafton's Chronicle, Or History of England: To which is Added His Table of the Bailiffs, Sheriffs and Mayors of the City of London from the Year 1189, to 1558, Inclusive: in Two Volumes*, vol. 2 (London: G. Woodfall, 1809), 502–03. Scholars have debated Peter’s origin. See Miranda Kaufmann, “Sir Pedro Negro: What Colour Was His Skin?” *Notes and Queries* 55, no. 2 (June 2008): 142–46. In a letter written by a Scottish noblewoman familiar with Peter Negro, she refers to him as a “Mour.” See Lady Mariotta Haliburton Home, “Lady Home to the Queen Dowager,” in *The Scottish*

Correspondence of Mary of Lorraine, ed. A. I. Cameron (Edinburgh: T. and A. Constable, Ltd., 1927), II:296–97.

²⁰ Winthrop Jordan, *White Over Black: American Attitudes Towards the Negro, 1550-1812*, 2nd ed., Kindle ed. (1968; repr., Chapel Hill, NC.: University of North Carolina Press, 2012), 3. Citations refer to the Kindle edition. For more on Hakluyt’s influence on Smith. See Arthur R. Bauman, *The Historical Background of Captain John Smiths Travels* (Bloomington, IN.: Author House, 2014), 23–26; Richard Hakluyt, *The Principall Navigations, Voiages, and Discoveries of the English Nation...etc.* (London: George Bishop, 1589), 413.

²¹ Johannes Leo Africanus, *A geographical historie of Africa*, ed. John Pory (London: George Bishop, 1600).

²² Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America* (1998; repr., Cambridge: Belknap Press of Harvard University, 2003), 19.

²³ *Ibid.*, 37–40, 375.

²⁴ *Ibid.*, 390–413, 416.

²⁵ Mary Floyd–Wilson, *English Ethnicity and Race in Early Modern Drama* (Cambridge: Cambridge University Press, 2003), 141. Africanus believed in the inherent “beastliness” of sub-Saharan Africans and wrote that they existed “without reason.” He did not, however, extend this dim view to Christianized Africans.

²⁶ Thomas Foster Earle, and K. J. P. Lowe, eds., *Black Africans in Renaissance Europe* (Cambridge: Cambridge University Press, 2005), 95–102.

²⁷ Alden T. Vaughan, and Virginia Mason Vaughan, "Before Othello: Elizabethan Representations of Sub-Saharan Africans," *William and Mary Quarterly* 54, no. 1 (January 1997): 19–44.

²⁸ Kaufmann, *Black Tudors*, 8.

²⁹ *Ibid.*, 29–30.

³⁰ Cassander L. Smith, *Black Africans in the British Imagination: English Narratives of the Early Atlantic World* (Baton Rouge, LA.: Louisiana State University Press, 2016), 76–77.

³¹ Kaufmann, *Black Tudors*, 67–68, 70–71.

³² Zelia Nuttall, ed., *New Light on Drake, A Collection of Documents Relating to His Voyage of Circumnavigation, 1577-1580* (London: Printed for the Hakluyt Society, 1914), 325.

³³ Jordan, *White Over Black*, 5–6.

³⁴ Kaufmann, *Black Tudors*, 16; John L Vogt, "The Lisbon Slave House and African Trade, 1486-1521," *Proceedings of the American Philosophical Society* 117, no. 1 (February 1973): 1–16; F.N. Zaal, "Roman Law and the Racial Policies of the Dutch East India Company: An Exploration of Some Historical Inter-Connections," *The Comparative and International Law Journal of Southern Africa* 29, no. 1 (March 1996): 31–48.

³⁵ Bruce David Baum, *The Rise and Fall of the Caucasian Race: A Political History of Racial Identity* (New York: New York University Press, 2006), 44–45.

³⁶ “Open letter by Elizabeth I to the mayors of England”, July 11, 1596, *The British National Archives*, accessed May 14, 2023,

nationalarchives.gov.uk/education/resources/elizabethmonarchy/openletterbyelizabethi/

³⁷ Emily C. Bartels, “Too Many Blackamoors: Deportation, Discrimination, and Elizabeth I,” *Studies in English Literature, 1500-1900* 46, no. 2 (Spring 2006): 316.

³⁸ *Ibid.*, 307.

³⁹ Rufus Burrow, *Extremist for Love: Martin Luther King Jr., Man of Ideas and Nonviolent Social Action* (Minneapolis: Fortress Press, 2014), 214.

⁴⁰ Thomas Southorn, “The Gambia: Earliest British Settlement in West Africa,” *Journal of the Royal Society of Arts* 91, no. 4647 (September 1943): 532–33.

⁴¹ Timothy H. Breen and Stephen Innes. *Myne Owne Ground: Race and Freedom on Virginia’s Eastern Shore, 1640-1676*, 25th Anniversary Edition (1980; repr., New York: Oxford University Press, 2005), 1–3.

⁴² Stanley L. Engerman, “Slavery Without Racism, Racism Without Slavery: Mainland North America and Elsewhere,” *Journal of Global Slavery* 5, no. 3 (October 2020): 322–56.

⁴³ Thomas Grantham, the captain of a Royal Navy ship that English authorities had dispatched to help Governor Berkeley tidy up the remnants of Bacon’s Rebellion, provided evidence of Black and White servants conspiring together during that event. Grantham reported the presence of “about 80 negroes” among a party of “about 400” holdouts he encountered near the end of the rebellion. See Don Jordan and Michael Walsh, *White Cargo: The Forgotten History of Britain’s White Slaves in America* (2007;

repr., New York: New York University Press, 2008), 210. Citations refer to the 2008 edition.

⁴⁴ *Infra.*, 42–43.

⁴⁵ Frank E. Grizzard and D. Boyd Smith, *Jamestown Colony: A Political, Social, and Cultural History* (Santa Barbara: ABC–CLIO, 2007), 226.

⁴⁶ Virginia M. Meyer, and John Frederick Dorman, eds., *Adventurers of Purse and Person, Virginia, 1607–1624/5* (1956; repr., Baltimore: Genealogical Publishing Company, 2005), 496. Citations refer to the 2005 edition.

⁴⁷ *Ibid.*, 497; The presence of these Portuguese men also suggests that some of Jamestown’s inhabitants had familiarity with the Portuguese language, thus providing a linguistic bridge for Portuguese-speaking Angolans.

⁴⁸ Virginia Company of London, *The Records of the Virginia Company of London*, 499; see also Martha W. McCartney, *Documentary History of Jamestown Island: Biographies of Owners and Residents* (Williamsburg, VA.: Colonial Williamsburg Foundation, 2000), 73, 183, 380.

⁴⁹ Henry Chandlee Forman, “The Bygone Subberbs of James Cittie” *William and Mary Quarterly* 20, no. 4 (October 1940): 475.

⁵⁰ Virginia Center for Digital History, *Virtual Jamestown*, “Jamestown 1624/5 Muster Records,” accessed May 18, 2018, <http://www.virtualjamestown.org/Musters/muster24.html>.

⁵¹ Kaufmann, *Black Tudors*, 74, 196–218.

⁵² Engel Sluiter, “New Light on the ‘20. and Odd Negroes’ Arriving in Virginia, August 1619,” *William and Mary Quarterly* 54, no. 2 (April 1997): 397.

⁵³ Ibid., 395–98.

⁵⁴ John Thornton, “The African Experience of the ‘20. and Odd Negroes Arriving in Virginia in 1619,” *William and Mary Quarterly* 55, no. 3 (July 1998): 421–34.

⁵⁵ Ibid., 5–8.

⁵⁶ Hashaw, *The Birth of Black America*, 14; “Ngola,” the title bestowed on the Mbundu’s leader and used to form the word “Angola,” translates to “iron maker.”

⁵⁷ Linda M. Heywood, and John K. Thornton, *Central Africans, Atlantic Creoles, and the Foundation of the Americas, 1585-1660* (New York: Cambridge University Press, 2007), 144.

⁵⁸ David Birmingham, *Trade and Conflict in Angola: The Mbundu and Their Neighbours Under the Influence of the Portuguese, 1483-1790* (Oxford: Clarendon Press, 1966), 21.

⁵⁹ Heywood and Thornton, *Central Africans*, 64–107.

⁶⁰ Daniel Boorstin and Clare Boothe Luce, *The Discoverers* (New York: Random House, 1983), 172.

⁶¹ John Thornton, “The Development of an African Catholic Church in the Kingdom of Kongo, 1491–1750,” *Journal of African History* 25 (1984): 147–67.

⁶² Ibid., 148.

⁶³ Birmingham, *Trade and Conflict*, 21–22.

⁶⁴ Dauril Alden, *The Making of an Enterprise: The Society of Jesus in Portugal, Its Empire, and Beyond: 1540–1750* (Stanford, CA.: Stanford University Press, 1996), 3–16, 21.

⁶⁵ Peter C. Mancall, *The Atlantic world and Virginia, 1550-1624* (Chapel Hill, NC.: University of North Carolina Press, 2007), 220.

⁶⁶ Virginia Center for Digital History, *Virtual Jamestown*, “Jamestown 1624/5 Muster Records,” accessed May 18, 2018, <http://www.virtualjamestown.org/Musters/muster24.html>.

⁶⁷ Heywood and Thornton, *Central Africans*, 276–80.

⁶⁸ *Ibid.*, 60.

⁶⁹ Portuguese surnames found among sixteenth–Century free blacks include: Chavis, Driggus/Driggers (Rodriguez), and Francisco. A fascinating history exists regarding the adoption of Christian and Portuguese names among Africans who resided in Portuguese Angola. See John Thornton, “Central African Names and African-American Naming Patterns.” *William and Mary Quarterly* 50, no. 4 (October 1993): 727–42; Linda M. Heywood, *Central Africans and Cultural Transformations in the American Diaspora* (Cambridge: Cambridge University Press, 2002), 102–03.

⁷⁰ William Blackstone, *Commentaries on the Laws of England: In Four Books*, vol. 1, ed. George Sharswood (Oxford: Clarendon Press, 1765; Philadelphia: G.W. Childs, 1870), 332–36, 422–25. Citations refer to the G.W. Childs reprint edition; W.O. Blake, *The History of Slavery and the Slave Trade, Ancient and Modern ... The African Slave Trade and the Political History of Slavery in the United States. Compiled from Authentic Materials* (Columbus: H. Miller, 1862), 383–85.

⁷¹ Baum, *The Rise and Fall of the Caucasian*, 45.

⁷² Warren M. Billings, *The Old Dominion in the Seventeenth Century: A Documentary History of Virginia, 1606-1689* (Chapel Hill, NC.: University of North Carolina Press, 1975), xi; Warren M. Billings, “The Cases of Fernando and Elizabeth Key: A Note on the

Status of Blacks in Seventeenth-Century Virginia,” *William and Mary Quarterly* 30, no. 3 (July 1973): 467–74.

⁷³ Fernando’s claim of English residency perhaps provides evidence of another shifting bar in the legal framework of Virginia law: the adjudication of who Virginia courts deemed a subject of the English king in a colonial space populated by many immigrants and strangers. Fernando’s claim of prior residency in England would appear to buttress the argument that he had status as an English subject and as such held all of the rights and privileges granted to English colonists.

⁷⁴ Warren M. Billings, “The Cases of Fernando and Elizabeth Key: A Note on the Status of Blacks in Seventeenth-Century Virginia,” *William and Mary Quarterly* 30, no. 3 (July 1973): 467–74.

⁷⁵ William Waller Hening, ed., *The Statutes at Large; Being a Collection of All the Laws of Virginia from the First Session of the Legislature, in the Year 1619* (New York: R. & W. & G. Bartow, 1823), 2:260.

⁷⁶ Virginia General Assembly, “Lists of The livinge & Dead in Virginia, February 16, 1623” and “A list of those killed in the massacre of March 22, 1622,” in *Colonial Records of Virginia*, ed. R.F. Walker 37–54, 61–66 (Richmond, VA.: Clemmitt & Jones, Printers, 1874).

⁷⁷ Tim Hashaw, *The Birth of Black America*, 159. Hashaw also speculated that the Powhattan spared Black colonists due to their belief that Africans possessed spiritual power. Other historians noted the location of the plantations that contained most of the Black colonists and pointed out that those plantations received no great harm during the 1622 attack.

⁷⁸ Robert Beverley, *The History of Virginia, in Four Parts*, vol. 1, ed. Charles Campbell, 2nd ed. (London: R. Parker, 1705; Richmond, VA.: J.W. Randolph, 1855), 37. Citations refer to the J.W. Randolph edition.

⁷⁹ Other Black migrants possibly arrived outside of the transportation process as a result of privateer seizure, much like the first Africans who arrived in August 1619.

⁸⁰ Gregory E. O'Malley, *Final Passages: The Intercolonial Slave Trade of British America, 1619–1807* (Chapel Hill, NC.: University of North Carolina Press, 2014), 88–94; Julian Alvin Carroll Chandler and Travis Thames Butler, *Colonial Virginia* (Richmond, VA.: Times-Dispatch Company, 1907), 125.

⁸¹ Heywood and Thornton, *Central Africans*, 5–48.

⁸² See 27.

⁸³ Simon P. Newman, *A New World of Labor: The Development of Plantation Slavery in the British Atlantic* (Philadelphia: University of Pennsylvania Press, 2013), 55.

⁸⁴ Virginia Center for Digital History, *Virtual Jamestown*, “Jamestown 1624/5 Muster Records,” accessed May 18, 2018, <http://www.virtualjamestown.org/Musters/muster24.html>.

⁸⁵ Nell Marion Nugent, *Cavaliers and Pioneers: Abstracts of Virginia Land Patents and Grants, 1623–1666* (Baltimore: Genealogical Publishing Company, 1963), 118.

⁸⁶ Ibid., 61. Notably, three of the four Blacks imported had Christian forenames. Records list their names as: “Mingo”, “Fr.”, “Franc.”, and “Jon.” “Mingo” likely derived from the Spanish forename “Domingo,” which means Sunday. West Africa Wolof people of modern Senegal also use a phonetic version of this name so it may have a Christian or African origin. See Walter C. Rucker, *The River Flows On: Black Resistance, Culture,*

and *Identity Formation in Early America* (Baton Rouge, LA.: Louisiana State University Press, 2008), 249; Nic Butler, “Recall Their Names: The Personal Identity of Enslaved South Carolinians,” *Charleston County Public Library*, accessed October 2, 2020, <https://www.ccpl.org/charlestontimemachine/recalltheirnamespersonalidentityenslavedsouthcarolinians>; Cheryl Ann Cody. “‘There Was No Absalom’ on the Ball Plantations: Slave Naming Practices in the South Carolina Low Country, 1720-1865,” *American Historical Review* 92, no. 3 (June 1987): 563–96; Hennig Cohen, “Slave Names in Colonial South Carolina.” *American Speech* 28, no. 2 (May 1952): 102–07; John C. Inscoe, “Carolina Slave Names: An Index to Acculturation.” *Journal of Southern History* 49, no. 4 (November 1983): 527–54.

⁸⁷ Ibid., 25; Scholars mostly agree that this couple represents Anthony Johnson and his wife Mary who later settled in Northern Neck, Virginia and Maryland.

⁸⁸ Ibid., 146.

⁸⁹ Ibid., 94. This entry reveals a potential phonetic connection to the Bass surname found among many free people of color across the American South.

⁹⁰ Craven, *White, Red, and Black*, 85; Earlier, in 1955, James H. Brewer consulted court and property records and came to a lower total of approximately 300 Blacks residing in Virginia during this time. See James H. Brewer “Negro Property Owners in Seventeenth-Century Virginia,” *William and Mary Quarterly* 12, no. 4 (October 1955): 575.

⁹¹ Notable early histories of Virginia produced during the first part of the eighteenth century, including *History and the Present State of Virginia, In Four Parts* by Robert Beverley (1705) and *The History of the First Discovery and Settlement of Virginia* by

William Stith (1747); each provided a cursory mention of the arrival of Virginia's first Blacks before resigning them to slavery.

⁹² Hugh Jones, *The Present State of Virginia* (London: J. Clarke, 1724; New York: Joseph Sabin, 1865), 40. Citations refer to the Joseph Sabin edition.

⁹³ Raymond Starr, "Historians and the Origins of British North American Slavery," *Historian*, 36, no. 1 (November 1973): 2.

⁹⁴ Ibid; also see George Washington Williams, *History of the Negro race in America*, vol. I (New York: Bergman Publishers, 1882; New York: Arno Press, 1968), 116–23. Citations refer to the Arno Press edition.

⁹⁵ Sarah Tuttle, *Claims of the Africans: or, History of the American Colonization Society* (Boston: Sabbath School Union, 1832).

⁹⁶ James W. C. Pennington, *A Textbook of the Origin and History of the Colored People*. This work is widely recognized by scholars as the first history of Black Americans. Pennington escaped slavery in Maryland in 1827 at the age of nineteen. He fled to Pennsylvania where he learned to read and write. Pennington later attended Yale Divinity School, but as a non-matriculating student due to that school's policy against admitting Black students at that time. By the 1840s, Pennington rose to become one of the most prominent Black intellectuals in the United States. For more on Pennington's incredible life. See James W. C. Pennington, *The Fugitive Blacksmith; or, Events in the History of James W. C. Pennington, Pastor of a Presbyterian Church, New York, Formerly a Slave in the State of Maryland, United States* (London: Charles Gilpin, 1849).

⁹⁷ Edward A. Johnson, *History of the Negro Race in America from 1619 to 1880* (Raleigh: Edwards and Broughton, Printers & Binders, 1890), 12–14. In the short amount

of space Johnson did dedicate to the discussion of Virginia's early seventeenth century Blacks, he acknowledged that no legal basis for slavery existed prior to 1662. Johnson, arguably North Carolina's most notable early Black historian, also wrote *A School History of the Negro Race in America* (1891)—the first school textbook written by a Black author approved by the North Carolina State Board of Education for use in that state's schools.

⁹⁸ John David Smith, *An Old Creed for the New South: Proslavery Ideology and Historiography, 1865-1918* (Westport, CT.: Greenwood Press, 1985; Carbondale, IL.: Southern Illinois University Press, 2008), 19–22.

⁹⁹ Philip Alexander Bruce, *Economic History of Virginia in the Seventeenth Century: An Inquiry into the Material Condition of the People, Based upon Original and Contemporaneous Records*, vol. 2 (New York: McMillan & Company, 1896), 65–79.

¹⁰⁰ Raymond Starr, "Historians and the Origins of British North American Slavery," *Historian* 36, no. 1 (November 1973): 3; James Curtis Ballagh, *White servitude in the Colony of Virginia: a study of the system of indentured labor in the American colonies* (Baltimore: Johns Hopkins Press, 1895), 91; James C. Ballagh, *A History of Slavery in Virginia* (Baltimore: Johns Hopkins Press, 1902), 32, 37–44.

¹⁰¹ Ballagh, *White Servitude*, 89.

¹⁰² Tyler took umbrage with Ballagh's use of the term "servitude" in describing the condition of both Black and White indentured servants in seventeenth-century Virginia. Tyler, who believed that Whites never reached equilibrium with Blacks in their capacity as indentured servants, preferred the term "service" for colonial Whites. Tyler's review of *White Servitude in the Colony of Virginia* exemplifies the historiographical chasm that

existed between old guard, proslavery historians such as Tyler and a new wave of scientifically-trained historians represented by Ballagh that began to chip away at old south historical dogma. See Lyon G. Tyler, review of *White Servitude in the Colony of Virginia* by James C. Ballagh in *American Historical Review* 1, no. 1 (October 1895): 156–58.

¹⁰³ Smith, *A New Creed for The Old South*, 147–49.

¹⁰⁴ *Ibid.*, 150–51, 155.

¹⁰⁵ John H. Russell, *The Free Negro in Virginia: 1619-1865* (Baltimore: Johns Hopkins Press, 1913), 29–31. Russell disagreed with his mentor, Ballagh, in this area. Russell noted that Ballagh had relied too heavily on statutory law to develop his transition timeline. Russell favored the use of local court records, mainly probate claims and lawsuits, that he believed ultimately had more relevance and showed a disjointed path to slavery.

¹⁰⁶ Russell, *The Free Negro in Virginia*, 16–41.

¹⁰⁷ *Ibid.*, 16–17.

¹⁰⁸ *Ibid.*, 16.

¹⁰⁹ *Ibid.*

¹¹⁰ Billings, *The Old Dominion in the Seventeenth Century*, 180–81.

¹¹¹ Breen and Innes, *Myne Owne Ground*, 11.

¹¹² Billings, *The Old Dominion in the Seventeenth Century*, 180–81.

¹¹³ Breen and Innes, *Myne Owne Ground*, 93–95.

¹¹⁴ Henning, *The Statutes at Large*, I:540.

¹¹⁵ John Raithby, ed., *The Statutes of the Realm* (London: Dawsons of Pall Mall, 1819; St. Andrews: Tanner Ritchie Publishing, 2018), 5:246–50. Citations refer to the Tanner Ritchie edition. The English Parliament designed The Navigation Acts, also known as the Acts of Trade and Navigation, to help develop and promote English shipping. They accomplished this by enacting strict prohibitions on foreign trade with England’s colonies and stronger regulation of domestic maritime activities. England aimed the law’s provisions against foreign trade with its colonial possessions specifically at the Dutch with whom the English fought several trade-related wars during this time. England enacted The Navigation Acts in 1651 but they remained underenforced by the Commonwealth government as England sought a Protestant alliance with the Dutch. Charles I Stuart favored the protection of English shipping and renewed enforcement of the Navigation Acts. Hence, the Second Navigation Act became enacted following the Restoration. English legislators further reinforced and broadened The Navigation Acts in 1663, 1673, and 1696.

¹¹⁶ Bruce, *Economic History of Virginia*, 76–77.

¹¹⁷ Holly Brewer, “Creating a Common Law of Slavery for England and its New World Empire,” *Law and History Review* 39, no. 4 (November 2021), 765–834.

¹¹⁸ Randall M. Miller, and John David Smith, eds., *Dictionary of Afro-American Slavery* (Westport, CT., Greenwood Press, 1988; Westport, CT.: Praeger Publishing, 1997), 393. Citations refer to the Praeger Publishing edition.

¹¹⁹ *Ibid.*

¹²⁰ H.R. McIlwaine, ed., *Minutes of the Council and General Court of Colonial Virginia: 1622-1632, 1670-1676, with notes and excerpts from original Council and General court records, into 1683, now lost* (Richmond, VA.: The Colonial Press, 1924), 466.

¹²¹ Ibid.

¹²² Ibid.

¹²³ Virginia Governor's Council Records do not elaborate further on why Punch received such a harsh and disproportionate sentence. In the absence further detail, generations of scholars have assumed that Punch's much harsher treatment resulted from his race, thus presenting the first legal distinction between White and Black servants made by Virginia courts, pointing to a shift towards lifelong servitude for Blacks as early as 1640. Yet without further information, scholars have no way to conclusively determine why the court treated Punch differently. Punch had run away before, caused some further amount of damage during his escape, or served as the ringleader of this group and therefore deserved a harsher sentence in the eyes of the Council. Other rulings issued by courts in Virginia during this period further complicate the use of the John Punch as evidence of the uniformed introduction of race-based slavery in Virginia. In the same month the court adjudicated the Punch case, another Virginia court heard the case of "Emanuel the Negro." The court convicted Emanuel of having run away from his master along with six White accomplices. Emanuel's sentence resembled that of his White accomplices. Unlike John Punch, Emanuel did not receive a sentence of servitude for life.

¹²⁴ Catterall Helen Tunncliff, and James J. Hayden, and David Maydole Matteson, eds., *Judicial Cases Concerning American Slavery and the Negro* (Washington, D.C.: Carnegie Institution of Washington, 1926), 58.

¹²⁵ Ibid.

¹²⁶ Ibid., 10–11.

¹²⁷ Carl N. Degler, “Slavery and the Genesis of American Race Prejudice,” *Comparative Studies in Society and History* 2, no. 1 (October 1959): 52.

¹²⁸ Breen and Innes, *Myne Owne Ground*, 21; Craven, *White, Red, and Black*, 6, 76.

Craven additionally argued that historians leaned too heavily upon “legislative and judicial actions” when examining Black colonial life.

¹²⁹ Breen and Innes, *Myne Owne Ground*, 7–18.

¹³⁰ Ira Berlin, *Slaves without Masters: The Free Negro in the Antebellum South* (1974; repr. Cambridge: Belknap Press of Harvard University Press, 2003), 4–5. Citations refer to the Belknap Press edition.

¹³¹ Breen and Innes, *Myne Owne Ground*, 10–11.

¹³² Lothrop Withington, *Virginia Gleanings in England: Abstracts of 17th and 18th-Century English Wills and Administrations Relating to Virginia and Virginians: A Consolidation of Articles from Virginia Magazine of History and Biography* (1980; repr., Baltimore: Clearfield Publishing, 1998), 448. Citations refer to the Clearfield edition.

¹³³ J. Fausz, “Richard Bennett (bap. 1609–ca. 1675),” *Encyclopedia Virginia*, accessed June 21, 2022, <https://encyclopediavirginia.org/entries/bennett-richard-bap-1609-ca-1675>.

¹³⁴ Breen and Innes, *Myne Owne Ground*, 11–12, 33–34.

¹³⁵ Ibid., 11.

¹³⁶ Ibid., 12.

¹³⁷ Northampton County, Virginia, Court Clerk, *Court Orders and Minutes, Deeds, Wills, 1657-1666* (1947; repr., Richmond, VA.: Virginia State Library, 1950), 4:57–58.

Citations refer to the 1950 reprint edition.

¹³⁸ Breen and Innes, *Myne Owne Ground*, 5; John Thornton argued that European slave traders specifically marketed Africans from cattle-raising societies, such as the Angolans, as experts in animal husbandry. See John Thornton, *Africa and Africans in the Making of the Atlantic World: 1400-1800* (1992; repr., New York: Cambridge University Press, 2017), 135.

¹³⁹ Breen and Innes, *Myne Owne Ground*, 107-09. Breen and Innes additionally argued that the status of free Black persons on Virginia's Eastern Shore "deteriorated" by the 1680s and that this also helped to propel migration. They believed that two factors contributed to this: the poor state of Eastern Shore land and the "massive influx of alien Black workers" that came with the development of racial slavery and subsequently "exacerbated racial tensions."

¹⁴⁰ Breen and Innes, *Myne Owne Ground*, 32–34, 100.

¹⁴¹ Hashaw, *The Birth of Black America*, 174–75.

¹⁴² *Ibid.*, 175. The evidence suggests that Driggus and other free Africans specifically aided fellow Bantu-speaking people. They organized this effort around their ethnicity, not race.

¹⁴³ *Ibid.*, 177; Records also refer to Mihil Gowen as Mihil "Goen." This name continued to morph over subsequent generations and became commonly "Goin", "Goins", or "Going," as well as half-a-dozen other similar phonetic variants.

¹⁴⁴ *Ibid.*, 543.

¹⁴⁵ Ibid.

¹⁴⁶ Virginia, Secretary of the Colony, *Virginia Land Patents, 1623-1774*, vol. 6 (Richmond, VA.: Virginia State Library Photographic Laboratory, 1949), 209.

¹⁴⁷ Habib, *Black Lives in the English Archives*, 65–66.

¹⁴⁸ Charles II of England, “Royal Charter granted to the Royal English Merchant Adventurers Company trading to Africa, London, 1663,” *British Library*, accessed September 14, 2021, <https://www.bl.uk/collectionitems/chartergrantedtothecompanyofroyaladventurersofenglandrelatingtotradeinafrica1663>.

¹⁴⁹ With the establishment of this new venture, England aimed to more aggressively position itself in the African slave trade. The Royal African Company of England’s charter directed the construction of trade forts, factories, and military garrisons in order to gain trade by conquest. Influential Royal African Company of England investors, such as the Duke of York, the brother of the king, ensured that England’s revised African venture received greater support than the government had previously offered to its predecessor.

¹⁵⁰ Hugh Thomas, *The Slave Trade: The Story of the Atlantic Slave Trade: 1440-1870* (1997; repr., New York: Simon & Schuster, 2013), 203. Citations refer to the 1997 edition.

¹⁵¹ Berlin, *Slaves without Masters*, 5–6; Jordan, *White Over Black*, 3–43.

¹⁵² Hening, *The Statutes at Large*, 2:170.

¹⁵³ Hening, *The Statutes at Large*, 2:280–1.

¹⁵⁴ Ibid., 299–300.

¹⁵⁵ Craven, *White, Red, and Black*, 15.

¹⁵⁶ Jordan and Walsh, *White Cargo*, 147–57.

¹⁵⁷ McIlwaine, *Minutes of the Council and General Court of Colonial Virginia*, 467. This case came before the General Court of Virginia exactly thirteen days after the same court heard the case of John Punch.

¹⁵⁸ McIlwaine, *Journals of the House of Burgesses*, 2:13–14.

¹⁵⁹ James Revel, “The Poor Unhappy Transported Felon’s Sorrowful Account of His Fourteen Years Transportation at Virginia in America,” ed. John Melville Jennings, *Virginia Magazine of History and Biography* 56, no. 2 (April 1948): 191.

¹⁶⁰ *Ibid.*

¹⁶¹ James Martin Wright, *The Free Negro in Maryland, 1634–1860* (New York: Longmans, Green & Co., 1921), 31.

¹⁶² A.B. Wilkinson, *Blurring the Lines of Race and Freedom: Mulattoes and Mixed Bloods in English Colonial America* (Chapel Hill, NC.: University of North Carolina Press, 2020), 65–66.

¹⁶³ Breen and Innes, *Myne Owne Ground*, 101.

¹⁶⁴ *Ibid.*, Heinegg further argued that less than one percent of the population of colonial free people of color descended from the emancipated children of White fathers and enslaved Black mothers.

¹⁶⁵ Juxtaposed to the relatively light sentence given to Robert Sweat, the court gave far harsher treatment to Hugh Davis in 1630. Davis received a “sound whipping” for “defiling his body in lying with a negro.” The court further censured Davis for “abusing himself to the dishonor of God and shame of Christians.” This incendiary religious tone may explain why the earlier tribunal issued a harsher penalty for the same act. See

Hening, *The Statutes at Large*, 1:146; the difference in treatment may have also stemmed from differences between Virginia courts on a local level. See Rebecca Anne Goetz, *The Baptism of Early Virginia: How Christianity Created Race* (Baltimore: Johns Hopkins University Press, 2016), 9.

¹⁶⁶ McIlwaine, *Minutes of the Council and General Court*, 477; see also Hening, *The Statutes at Large*, 1:552.

¹⁶⁷ Ibid.

¹⁶⁸ Some scholars have identified the unnamed woman as Margaret Cornish, an individual who later married or cohabitated with Sweat. Rebecca Goetz argues otherwise. See Goetz, *The Baptism of Early Virginia*, 73, 191.

¹⁶⁹ Goetz, *The Baptism of Early Virginia*, 72.

¹⁷⁰ Paul Heinegg, *Free African Americans of North Carolina, Virginia and South Carolina From the Colonial Period to About 1820*, 5th ed. (1992; repr., Baltimore: Clearfield, 2005), 1118–119. Citations refer to the 5th edition.

¹⁷¹ Winthrop D. Jordan, “American Chiaroscuro: The Status and Definition of Mulattoes in the British Colonies,” *William and Mary Quarterly* 19, no. 2 (April 1962): 183–200.

¹⁷² Edward A. Roberts, *A Comprehensive Etymological Dictionary of the Spanish Language with Families of Words Based on Indo-European Roots*, vol. 2 (Bloomington, IN: Xlibris, 2014), 235.

¹⁷³ A more detailed investigation of the uses of these terms by the English in the American colonies exceeds the scope of this study. Most scholars have tended to overemphasize the interchangeability of these terms in the colonial South. While conflation of these terms often occurred on an institutional level—in colonial law and tax

and census categorizations—this almost never happened on a local level. Local officials tended to apply far more precision in their use of racial categorizations. After examining many local records describing nonwhite individuals, I found no instances of Natives Americans referred to as a “Mulatto” or “Negro,” or Black persons referred to as “Mestizo” during the colonial period. Local officials knew, often on a personal level, the members of their small communities they recorded in their records. They applied that knowledge to their recordkeeping. Furthermore, descriptions of race on a local level often involved court or property records. These records usually described race in good detail. An individual reporting a runaway servant or describing slave property did not benefit from ambiguity. These terms became more fluid and contested during the late eighteenth and nineteenth century.

¹⁷⁴ Warren M. Billings, “The Cases of Fernando and Elizabeth Key: A Note on the Status of Blacks in Seventeenth-Century Virginia,” *William and Mary Quarterly* 30, no. 3 (July 1973): 467–74.

¹⁷⁵ Brent Tarter, “Elizabeth Key (fl. 1655–1660),” *Dictionary of Virginia Biography*, accessed September 5, 2022, http://www.lva.virginia.gov/public/dvb/bio.asp?b=Key_Elizabeth_fl_1655-1660.

¹⁷⁶ Ibid.

¹⁷⁷ Henning, *The Statutes at Large*, 2: 170.

¹⁷⁸ Alejandro De La Fuente and Ariela J Gross, *Becoming Free, Becoming Black: Race, Freedom, and Law in Cuba, Virginia, and Louisiana* (New York: Cambridge University Press, 2020), 7, 18, 33.

¹⁷⁹ See 30–31.

¹⁸⁰ Heinegg, *Free African Americans*, 3–6.

¹⁸¹ Hening, *The Statutes at Large*, 3:86–88.

¹⁸² See 53.

¹⁸³ Walter Rucker, “Westmoreland Slave Plot (1687),” *Encyclopedia Virginia*, accessed April 10, 2022, <https://encyclopediaivirginia.org/entries/westmorelandslaveplot1687>.

¹⁸⁴ H.R. McIlwaine, ed., *Executive journals of the Council of Colonial Virginia* (Richmond, VA.: Virginia State Library, 1925), 3:28, 31.

¹⁸⁵ Mary Marshall Brewer, ed., *York County, Virginia Deeds, Orders, and Wills 1705-1706* (Berwyn Heights, MD.: Heritage Books, 2019), 269–70.

¹⁸⁶ McIlwaine, *Executive Journals of the Council of Colonial Virginia*, 3:31.

¹⁸⁷ Paul Heinegg, “Introduction,” *Free African Americans in Colonial Virginia, North Carolina, South Carolina, Maryland, and Delaware*, accessed May 20, 2022, <https://freeafricanamericans.com/introduction.htm>.

¹⁸⁸ McIlwaine, *Executive Journals of the Council of Colonial Virginia*, 3:28.

¹⁸⁹ *Ibid.*, 3:31.

¹⁹⁰ McIlwaine, *Executive Journals of the Council of Colonial Virginia*, 3:28, 31.

¹⁹¹ See 135–36. Bunch later moved to North Carolina.

¹⁹² Hening, *The Statutes at Large*, 3:250–52. This law measured blood quantum differently between an “Indian,” who fell under this law only if they had one “Indian” parent and a “mulatto” who fell under this law if they had a Black ancestor as far back as their great-grandparent.

¹⁹³ Paul Heinegg found in his exhaustive review of wills and tax lists that the majority of free people of color during the colonial era “married other free African Americans.” See Heinegg, *Free African Americans*, 11.

¹⁹⁴ Heinegg, *Free African Americans*, 544–45.

¹⁹⁵ Ibid.

¹⁹⁶ A neighbor sued Thomas “Goen” for a matter involving “a horse race for twelve hundred pounds of tobacco.” See John Frederick Dorman, ed., *Westmoreland County Court Orders: 1698–1705* (1962; repr., Washington: John Dorman, 1978), 254. Citations refer to the 1978 reprint edition.

¹⁹⁷ Heinegg, *Free African Americans*, 544–45.

¹⁹⁸ Ibid.

¹⁹⁹ Ibid; see also C. B. Rose, “A Glimpse of Arlington in the Eighteenth Century” *Arlington Historical Magazine* 1, no. 2 (October 1958), 19, 28.

²⁰⁰ Ibid.

²⁰¹ Heinegg, *Free African Americans*, 544–66.

²⁰² Ibid.

²⁰³ Lindsay O. Duvall, *York County, Virginia Deeds, Orders, and Wills*, vol. 3 (Greenville, SC.: Southern Historical Press, 1978), 16.

²⁰⁴ Jennings Cropper Wise, *Ye Kingdome of Accawmacke, Or, The Eastern Shore of Virginia in the Seventeenth Century* (Richmond, VA.: Bell Book and Stationery Company, 1911), 285–86.

²⁰⁵ Heinegg, *Free African Americans*, 534.

²⁰⁶ Breen and Innes, *Myne Owne Ground*, 108.

²⁰⁷ Heinegg, *Free African Americans*, 706–07, 710.

²⁰⁸ *Ibid.*, 710.

²⁰⁹ *Ibid.*, 430, 434–36.

²¹⁰ Breen and Innes, *Myne Owne Ground*, 109.

²¹¹ *Ibid.*

²¹² Francis Yeardley, the wealthy son of a former Virginia governor, funded an expedition by Indian trader Nathaniel Batts to explore the Albemarle region in order to facilitate trade with coastal Native nations. Batts ventured into the Albemarle by 1655. He constructed a house and trading post near the mouth of the Chowan River and thus became the first permanent English settler in the Albemarle region of the Province of Carolina. Settlers from Virginia moved across the border and occupied land in the Albemarle region during the late seventeenth century.

²¹³ Jonathan Edward Barth, "The Sinke of America": Society in the Albemarle Borderlands of North Carolina, 1663-1729." *North Carolina Historical Review* 87, no. 1 (2010): 1–27.

²¹⁴ Noleen McIlvenna, *A Very Mutinous People: The Struggle for North Carolina, 1660–1713* (Chapel Hill, NC.: University of North Carolina Press, 2009), 13.

²¹⁵ John Spencer Bassett, *Slavery and Servitude in the Colony of North Carolina* (Baltimore: Johns Hopkins Press, 1896), 188.

²¹⁶ William L. Saunders, ed., *The Colonial Records of North Carolina* (Raleigh: P. M. Hale, Printer to the State, 1888), 2: 214–15. Although North leaders intended discourage interracial marriage with this new anti-miscegenation law, it inadvertently contained a flaw that provided a reasonable workaround. The penalty portion of the law directed that

each of the offending parties—the married couple and the person that officiated over the marriage—paid a £50 fine. Mixed-race couples could simply pay the fine and faced no further legal action. Since the law only provided for a fine, the marriage remained recognized. In addition, the law stated that the court paid half of that fine to the informant as a reward. Consequently, if one of the parties in question informed on themselves, they became entitled to that reward. In 1725, Edenton minister John Blacknall dutifully turned himself in to North Carolina authorities after performing a mixed-race marriage. The court fined Blacknall £50 as the perpetrator and then awarded him £25 as the informant, effectively cutting the cost of violating this law in half.

²¹⁷ Ibid., 23:62–66.

²¹⁸ See 228.

²¹⁹ Saunders, *The Colonial Records of North Carolina*, 2:550, 551, 555, 557; The court later dismissed Laneer's petition on the grounds that they did not recognize the legitimacy of the papers he presented to support his freedom claim.

²²⁰ Saunders, *The Colonial Records of North Carolina*, 2:687–90.

²²¹ Ernest James Clark, "Aspects of The North Carolina Slave Code, 1715–1860," *North Carolina Historical Review* 39, no. 2 (April 1962): 156.

²²² This area presently lies in Northampton County, North Carolina, on the north bank of the Roanoke River. The town of Halifax, North Carolina, sits across from Occoneechee Neck on that river's south bank.

²²³ See 141–43.

²²⁴ For example, John Bunch paid £1-2 per acre and Gideon Gibson paid £1 per acre for several tracts of land they acquired near the Occoneechee Section of the Roanoke River

during the 1720s. See Mary Best Bell, ed., *Colonial Bertie County North Carolina Deed Books A-H*, 2nd ed. (Greenville, SC.: Southern Historical Press, Inc., 1979), 43, 71. By contrast, headright land available in other areas of the North Carolina frontier would have cost £.0375 per acre after the payment of fees. This figure assumes the acquisition of 640 acres, the maximum headright allotment at that time, and the following fees: Governor's fee: 10 shillings, secretary's seal fee: £5, 15 shillings, under-clerk's fee: 1 shilling, registration fee: fivepence Clerk of the Court of Claims fee: 8 shillings, Auditor's fee: £3 for Attorney General's fee: £2; for further information on headright fees see Margaret M. Hofmann *Colony of North Carolina, 1735-1764. Volume 1: Abstracts of Land Patents* (Weldon, NC.: Roanoke News Company, 1982), 1–2.

²²⁵ North Carolina contained fifteen precincts by 1735. Of those precincts, only Bertie, Chowan, Currituck, Edgecombe, Perquimans, Pasquotank, and Tyrrel had significant settler populations by 1730. The English government ordered a reassessment of quitrents following the Crown takeover of the North Carolina Province in 1729. The North Carolina government conducted their new quitrent survey between September 29, 1729 and March 1732. Local officials returned lists for the eight populated precincts. Data from those lists informed my conclusion. The lists contain no evidence of significant groups of free people of color living outside of Bertie Precinct. See Walter Clark, ed., "Arrears of Quit Rents," in *The State Records of North Carolina*, XXII (Goldsboro, NC.: Nash Brothers, 1907), 240–59; Paul Heinegg in *Free African Americans* found only scattered families of color living outside of Bertie Precinct during this period. Heinegg additionally found no family groups of free people of color living in South Carolina prior to the arrival of Gideon Gibson in 1731; South Carolina had a provision for slave

manumission for meritorious service beginning in 1702. Records indicate that some enslaved Black persons received their freedom during this time. Walter Milteer, however, found these manumissions “unusual” and occurred under “atypical circumstances.” See Walter Milteer, *Beyond Slavery's Shadow: Free People of Color in the South*, Kindle ed. (Chapel Hill, NC.: University of North Carolina Press, 2021), 16–17. Citations refer to the Kindle edition.

²²⁶ Warren Eugene Milteer Jr., *North Carolina's Free People of Color, 1715-1885* (Baton Rouge, LA.: Louisiana State University Press, 2020), 127–28.

²²⁷ John Hope Franklin, *The Free Negro in North Carolina, 1790-1860* (1943; reprint, Chapel Hill, NC.: University of North Carolina Press, 2009), 10.

²²⁸ Milteer, *North Carolina's Free People of Color*, 6–7, 31–32, 42–45, 128–29.

²²⁹ *Ibid.*, 128–30.

²³⁰ Franklin, *The Free Negro in North Carolina*, 7.

CHAPTER 2: FREE PEOPLE OF COLOR IN THE INDIAN TRADE

Virginia's charter generation of free Blacks initially came into contact with the Indian trade shortly after their arrival. In the early days of the Virginia colony, Native commerce served an essential function. Colonists from across Virginia's social strata frequently participated in this commerce.¹ During times of peace, local Powhatan regularly visited individual Virginia colonists to conduct small-scale trade outside of the official trade channels.² For a time, Virginia leaders encouraged free trade between colonists and local Natives. Although Virginia law prohibited indentured servants from engaging in trade with Natives, lax enforcement and modest fines for offenders helped to enable a considerable black-market. This small-scale trade provided indentured servants with a rare opportunity to earn income. The Virginia government eventually banned small-scale trade, but not before a generation of indentured servants developed relationships with individual Native trading partners and learned the particulars of the Indian trade.³ The professional class of Indian traders who rose to dominate the Indian trade during the late seventeenth century in Virginia primarily came from the ranks of former indentured servants who likely first honed their trading skills as small-scale, illicit traders.⁴

Early sixteenth-century Virginia leaders recognized the Indian trade's vital importance to the survival and success of their colony.⁵ Initially, the trade for food conducted between colonists and nearby Powhatan villages augmented the colonist's low agricultural output and helped to sustain the struggling colony.⁶ By the 1620s, trade between colonists and Natives expanded to include animal skins and pelts. These high-value products, when sold to overseas buyers, provided critical revenue for colonial

expansion. In addition, profitable fur and skin exports revived the interest of English leaders, merchants, and investors whose support for the colony began to wane following unsuccessful attempts to discover mineral wealth.⁷

The development of Virginia's peltry trade addressed a host of important economic and political needs both in England and Virginia. Animal fur and skin products, derived from North America's vast forests, provided a seemingly limitless source of colonial income.⁸ The peltry trade with Natives additionally opened new markets for the export of English manufactured goods, provided valuable raw materials for English manufacturers, and converted potential Native adversaries into trading partners that became solidified as allies through their dependent on English trade.⁹ Good trade relationships with Natives ensured peace and allowed the colony to gain a foothold. The Indian trade solved many of the young colony's critical problems while also producing a promising source for future colonial profit. The small cadre of individuals who risked their lives to carry out that trade became immensely valuable to colonial officials.

In the early days of Native commerce, Native traders exchanged animal skins and pelts of various types, often for glass beads.¹⁰ As the Native-colonist trade expanded after the first decade of settlement, Natives began demanding more sophisticated manufactured goods. Native trading partners increasingly sought to acquire guns, powder, shot, hatchets, kettles, blankets, cloth, and cutlery.¹¹ Colonial traders continued to trade for animal skins and pelts but also sought trade for Native captives to supply the developing colonial market for slave labor.¹²

English colonists began enslaving Natives shortly after the founding of Jamestown in 1607. George Percy, one of Jamestown's original settlers, provided the first written account of a Native enslaved by Virginians in a letter written between 1609 and 1612.¹³ The English did not introduce the concept of slavery to Native Americans. Native American societies regularly practiced a form of enslavement with their prisoners of war prior to European contact.¹⁴ The English did, however, fuel a dramatic expansion of Native enslavement through trade enticement. Historian Allan Galloway has described this expansion "a frenzy of slaving" driven by the English demand for Native slaves.¹⁵ Prior to the later introduction of African slavery, indentured colonists and enslaved Natives made up the whole of Virginia's agricultural workforce.¹⁶ As the demand for agricultural labor increased during Virginia's mid-seventeenth century tobacco boom, so did the demand for enslaved Natives. Virginia Indian traders enticed Native allies to conduct warfare and raids against other Native nations in order to produce captives for the colonial slave trade.¹⁷ Some Native nations, such as the Westo, organized themselves almost entirely around slaving ventures so that they might expand their trade for English firearms.¹⁸ The violence, destruction, and displacement that occurred as a result of this slaving activity wreaked havoc on Native societies across the American southeast.¹⁹

The Native slave trade became an important component of the economic development of England's southern American colonies during the seventeenth century, as well as a component of the imperial wars between Britain, France, and Spain.²⁰ The damage inflicted by this exchange on Native societies, however, eventually threatened to destabilize the Virginia's already precarious Native relationships. Fearing another Native war, the Virginia government attempted to curb Native enslavement. In 1658, the

Virginia Assembly outlawed the purchase of Native captives from Natives traders.²¹ An additional law in 1661 dictated that Virginians could not hold bonded Native servants “for any longer time than English of the like ages.”²² These prohibitions, however, did not affect the trade for Native slaves sold to England’s Caribbean plantations. That trade had developed into a lucrative business by the mid-seventeenth century.²³ Likewise, Virginia’s Native slave trade prohibitions did not apply to trade conducted by Virginia traders in the new Carolina province where the trade for enslaved natives continued feverishly until 1715.²⁴

Virginia Indian traders remained engaged in Native slave trading outside of Virginia long past their colony’s 1661 Native enslavement ban. Virginia Indian trade merchant Cadwallader Jones noted in a letter to Lord Baltimore in 1682 that he received a quantity of “indyan children prisoners” along with deerskins and animal furs from trade outside of Virginia with southwest Natives.²⁵ When the Virginia House of Assembly finally and definitively acted to outlaw the Native slave trade in 1683, the trade with Native nations became primarily focused on deerskins.²⁶

During the early eighteenth century, deerskins became one of the most valuable export commodities in English colonial North America.²⁷ Manufacturers utilized Deerskins, principally sourced from the southern colonies’ abundant whitetail deer population, as a source for raw leather. In an age before synthetic materials, English manufacturers used leather in a wide variety of high-demand consumer goods including: shoes, saddles, gloves, belts, and jackets.²⁸ Deerskin demand in England increased exponentially at the beginning of the eighteenth century due to the popularity of fashionable “Carolina hats” made from deerskin and worn by trendy Londoners.²⁹

Essential commercial goods such as work aprons, bellows, saddle bags, horse collars, straps, and fasteners also required leather as their key raw material.³⁰ In 1657, an observer of England's manufacturing economy identified England's leather industry as one of that nation's "cheife richyes".³¹ Economic historian David MacPherson estimated the value of England's leather industry in the late eighteenth century second only to that of woolen cloth among English manufactured goods.³² Macpherson also noted that the leather industry employed a significant number of English workers across a wide variety of towns.³³ In Gloucester, England, for example, leather-workers comprised eleven percent of the early seventeenth-century work force.³⁴ Thus, leather served as an important catalyst for maintaining employment across diverse segments of the English economy.

During the seventeenth century, English manufacturers primarily sourced raw leather from the hides of domestically-raised cow, oxen, and sheep. These domestic sources nearly disappeared during the first half of the eighteenth century. Between 1709 and 1725, Europe suffered a major panzootic that devastated its cattle herds.³⁵ Scholars have estimated that 1.5 million cattle perished as a result of this catastrophic event between 1711 and 1714 in England and Western Europe.³⁶ England acted to suppress the spread of infection by slaughtering large numbers of cattle, burning their corpses, and restricting cattle movement.³⁷ As the plague spread throughout continental Europe, it caused cattle in some areas to disappear from the landscape almost entirely.³⁸ The disease that caused this devastating event, later identified as the Rinderpest virus, continued to circulate around Europe throughout the eighteenth century, reaching England on at least

four separate occasions.³⁹ Estimates place Europe's cattle losses to Rinderpest at as many as 200 million head during this period.⁴⁰

The dwindling number of domestic animal hides available to supply the needs of England's leather industry due to the cattle plague, coupled with the sustained demand for fashionable leather products in Europe, created an enormous opportunity for the export of deerskins from England's American colonies.⁴¹ Deerskin imports sourced from the colonial Indian trade became a key component in the growth of English manufacturing during the first half of the eighteenth century. Merchants on both sides of the Atlantic who bought and sold deerskins enjoyed considerable profit.

The value of England's Native American commerce went beyond the marketable goods it produced. England's southern colonies often entered into military alliances with their Native trade partners as a condition of trade. Outlying Native nations brought into alliance by trade formed a buffer zone beyond the pale of English colonial settlement that helped to maintain the integrity of frontier borders.⁴² In an extension of this role, Native allies, such as the Catawba, also acted as slavecatchers.⁴³ In the event of conflict, colonial authorities might additionally call upon Native allies to augment colonial militias and to provide guides for military expeditions.⁴⁴ This aspect of Native alliances had particular value because it formed an important part of the English colonial defense strategy that protected against invasion by hostile Native nations and by European adversaries.⁴⁵ By bringing Native partners exclusively into England's sphere of influence, the English also denied those relationships to adversaries and thwarted rival colonial projects. By the late seventeenth century, the Indian trade became an invaluable component of England's overall colonial defense and development strategy.

Despite the enormous value Native commerce to England and its colonies in the American South, a relatively small number of colonists conducted direct business with Native villages. At the height of the Indian trade during the early eighteenth century, only a few hundred English Indian traders operated along the southern colonial frontier between the Savannah River to the Tennessee River.⁴⁶ The business they conducted required skilled, seasoned individuals who understood the intricacies of Native culture. Most Indian traders, as well as the laborers who accompanied them on their journeys, spoke one or more Native languages.⁴⁷ Many of these individuals spent months or years living among the Natives they traded with in order to seal alliances, gain trust, and better understand their Native partners. Few colonists possessed the knowledge, skill, or inclination to balance these complex social relationships while risking their lives many miles from home within an alien culture.

Upon arrival at their trading destinations, Indian traders shed their colonial identities and melded into Native culture. Native hosts expected their colonial guests to conform to their social and cultural practices.⁴⁸ Native villages often accepted trusted traders as residents of their community.⁴⁹ Traders who took up residence customarily married native wives and fathered bi-racial children who remained among their mother's clan.⁵⁰ Many traders entered into these marriages despite also maintaining families within the colonial sphere. A trader's Native wife and children might work to gain status within their village and thereby help to further the trader's status and business relationships.⁵¹ As extended members of a village community, Indian traders also occasionally accompanied village warriors on military expeditions against their enemies.⁵² Prospective Indian traders often worked within the Indian trade for many years before gaining the ability to

advance and successfully conduct business among Native villages and lead their own expeditions.⁵³

The Indian trade had not always centered itself around professionalism. In the early days of English colonial settlement, a variety of colonists conducted petty exchange with local natives they befriended.⁵⁴ Although the Virginia government required Indian traders to obtain licenses in order to conduct their business, many colonists simply ignored the law and continued to trade with nearby Natives. Private and unlicensed Indian traders oftentimes committed offenses against local Natives that threatened the stability of colonial-Natives peace. In 1660, a group of private Indian traders seized and imprisoned the King of the Weyanokes for debt. The Virginia House of Burgesses later determined that the debt derived from “disadvantageous bargaines” and ordered the king’s release.⁵⁵ Inflammatory events such as this reminded Virginia leaders that private Indian traders acting in their own interest often placed the colony at peril.⁵⁶ Those leaders came to realize that their laissez-faire attitude toward the Indian trade might produce dire consequences. Too many Indian traders operated too freely, and often with little or no supervision by colonial authorities.

The Virginia House of Assembly acted in 1662 to rein in the Indian trade.⁵⁷ Assembly members acknowledged that “many underhand and unlicensed traders doe truck and trade with the Indians,” and that had contributed to “mutuall discontents, complaints, jealousies and ffeares.”⁵⁸ The law passed by the Assembly, the act “Concerning Indians” (1662), strengthened Virginia’s prohibitions against unlicensed commerce with Natives by adding a hefty fine that amounted to three times the value of any goods exchanged in unlicensed trade.⁵⁹ The new law additionally streamlined the

procedure for prosecuting illegal traders by allowing accusers to present charges against them “at any court.”⁶⁰ These legal changes began the process of consolidating and professionalizing the Indian trade in Virginia. The responsibility of licensing Indian traders fell to Virginia’s governor who issued Indian trade licenses sparingly. A small group of well-connected Indian traders thereafter took control of Virginia’s trade with Native nations.⁶¹ In the aftermath of these changes, the Indian trade consolidated and became more clannish; its participants, even within its lowest ranks, hailed from a web of interconnected families, who mostly possessed deep multi-generational ties to the Indian trade.

Qualified individuals who possessed trading acumen and a tolerance for dangerous, difficult, and often lonely work, became a rare commodity among English colonists. In the years following the seventeenth-century tobacco boon, most yeoman colonists contented themselves with the acquisition of inexpensive land and eked out a safe and respectable living as tobacco planters. Indian trader James Adair recalled dangers present during Indian trade expeditions that would “chill the blood of many.”⁶² Individuals engaged in the Indian trade differed substantially from the average colonist. Indian traders possessed a higher level of risk-tolerance and comfort outside of the bounds of the colonial mainstream. Britain’s outcasts disproportionately composed the ranks of the Indian trade by the eighteenth century. Those who gravitated to this occupation included exiled Jacobite Scots, native Irish, and former indentured servants.⁶³ Together, Indian traders comprised a unique collective community in the southern colonial sphere—a meritocracy where the ability to conduct the complex business of the Indian trade, often under extreme circumstances, superseded race, gender, and social

caste.⁶⁴ Eighteenth century observer Baron Von Graffenried noted that Carolina's Indian traders produced "great profit," even from meager beginnings in "small trade," and that they "have throve as fast as any Men, and the soonest raised themselves of any People I have known in Carolina."⁶⁵

Indian traders understood their worth to the colonial enterprise and often used their favored status to press the limits of acceptable colonial behavior. Robert Hicks, a man who eventually became one of the most prolific Virginia Indian traders of his era, found himself at odds with colonial authorities in 1693 for "appearing drunk in court."⁶⁶ Hicks made multiple appearances in Charles City court records during his lifetime for variety of legal infractions. William Byrd II, a powerful member of Virginia's governing elite and one of the principal financiers of the Indian trade in Virginia, often spent time ingratiating the traders in his employ, including Hicks. In his diary, Byrd recalled a meeting with Hicks at Byrd's plantation where he "had the patience to hear him talk very foolishly" for several hours as the two men shared a meal.⁶⁷ Indian traders, especially operatives such as Hicks who carried out much of the hard work of the trade in the field, possessed high value. Men such as Byrd therefore occasionally went out of their way to appease them. This sometimes included shielding them from legal trouble. When a fellow member of the Virginia gentry, Richard Fitzwilliam, sought to punish Hicks for perceived insolence in 1727, Byrd sided against Fitzwilliam, a member of his own class, and with the hardscrabble Hicks who he vociferously defended.⁶⁸ In 1694, a neighbor sued Hicks for his failure to deliver a horse as promised. Although the court found that Hix never delivered the horse, the judge, perhaps in deference to Byrd, who wielded great local influence, acquitted Hicks and ordered his accuser to pay the court costs.⁶⁹

The neighbors of Herman Geiger, a South Carolina Indian trader, called him a “useless man” “who swore and cursed.” Geiger’s neighbors celebrated his departure from their community in 1740 when he moved his trade operations to a nearby town.⁷⁰ Yet to the South Carolina government, Geiger possessed great value as an interpreter and emissary to the Catawba and Cherokee. When Geiger bravely lost his life defending fellow South Carolina traders along the trading path to the Cherokee in 1751, South Carolina leaders praised him as a hero.⁷¹ Local colonial authorities regularly admonished Indian traders for theft, licentiousness, drunkenness, and not always adhering to laws and prohibitions designed to bring some semblance of order to their profession. Yet despite their many transgressions, instances of punishment delivered to Indian traders rarely appear in colonial records.⁷²

Indian traders also challenged colonial social norms regarding interracial relationships. Whites in the Indian trade and members of their immediate family often married or otherwise engaged in intimate relationships with Black persons at a rate higher than that of other Whites in colonial society.⁷³ In 1752, James Francis, the militia commander for the Ninety-Six Settlement, complained to South Carolina Governor James Glenn about the household of Cherokee trader John Vann. According to Francis, John Vann’s household contained “no less than three Negroes, one Mulatto, and a half-bred Indian,” all of whom lived intimately with Vann as equals.⁷⁴ The multiethnic makeup of Vann’s household, combined with the fact that Vann employed these individuals within his Indian trade operation, particularly irked Francis.⁷⁵ John Castellaw, the son of an Indian trade merchant who operated trade factories at the Cashie and Roanoke Rivers, engaged in a common law marriage with a free woman of color.⁷⁶

Isaac Barksdale, a trader among the Upper Creek villages, fathered two children with Nancy, an enslaved Black woman with whom he maintained a committed relationship. Barksdale freed Nancy and her two children and additionally provided for them in his will.⁷⁷ Moses Nunes, an Augusta Indian trade merchant, recognized his “mulatto” concubine, Rose, as well as their four children in his will.⁷⁸ George Galphin, the most successful of the colonial Indian traders working out of Augusta, Georgia, in the mid-eighteenth century variously cohabitated with five women over the course of his life, including two enslaved Black women, Sappha and Mina (Rose). Galphin, a wealthy man, provided generously for all of his children, including his daughters born to Sappha and Mina who received equal shares of Galphin’s estate after his death in 1780.⁷⁹

Colonial officials knew of the Indian trader’s penchant for interracial relationships. While decrying the practice of Indian traders committing bigamy by taking Native wives in trading villages, Anglican clergyman Peter Fontaine added that Virginia’s Indian traders also engaged in “much more heinous practices.”⁸⁰ Fontaine lamented that Indian traders “take up with negro women, by which means the country swarms with mulatto bastards, and these mulattoes, if but three generations removed from tho [sic] black father or mother, may, by the indulgence of the laws of the country, intermarry with the white people, and actually do every day.”⁸¹ Fontaine’s words clearly indicate interracial unions that went beyond brief sexual interactions with enslaved Blacks. Fontaine described long term relationships between White Indian traders and free people of color that produced multiple offspring who integrated into White society. Fontaine had considerable exposure to the Indian trade through his brother, John Fontaine, who gained notoriety during the eighteenth century as an Indian trader and

explorer. Fontaine also served as the minister of Westover Parish in Charles City County, Virginia—the home parish of Virginia’s leading Indian trade merchant, William Byrd II, and many of Byrd’s Indian trade operatives. Fontaine therefore spoke from personal experience when he described widespread intimate relationships between Indian traders and free people of color during the first half of the eighteenth century in Virginia.

In at least one instance, the Indian trade challenged both colonial race and gender norms. Mary Musgrove, a Creek woman, rose to prominence in Georgia’s colonial Indian trade during the eighteenth century. Musgrove, known as Coosaponakeesa to the Creek, had prominent ties within the Creek nation as the niece of both the principal Creek leader, Emperor Brims, and the Creek war chief, Chekilli.⁸² In 1717, Coosaponakeesa married John Musgrove Jr., the son of Colonel John Musgrove, an Indian trader and member of South Carolina’s Board of Indian Commissioners. The elder Musgrove had helped South Carolina governor Nathaniel Johnson stabilize that colony’s relationship with the Creek nation following the disastrous Yamasee War.⁸³ During his negotiation with the Creek in 1717, Colonel Musgrove agreed to wed his son to Coosaponakeesa as a gesture of amity. Following her marriage, Coosaponakeesa became baptized and took the Christian name Mary.

John and Mary Musgrove became a powerful husband and wife team that counseled colonial leaders on trade and diplomacy with the Creek. The South Carolina government often called upon the Musgroves to act as Native interpreters and emissaries. In 1732, they used their influence to inveigle Governor Robert Johnson of South Carolina to award them exclusive rights to construct a Creek trading post advantageously placed at the head of the Creek trade near Yamacraw Bluff, at the site of present-day Savannah,

Georgia.⁸⁴ When John Oglethorpe formed the Georgia colony the following year, he utilized Yamacraw Bluff as his beachhead for settlement. John and Mary Musgrove became two of Oglethorpe's closest advisors. After the death of her husband in 1735, Mary Musgrove continued as an advisor to the Georgia government and the operator of the Musgrove's highly-successful trading fort at Yamacraw Bluff.⁸⁵ Georgia's governor awarded Musgrove an annual salary of £100 for her work on behalf of that colony. As a factor, Musgrove conducted business with Creek and English traders who frequented her Yamacraw Bluff trading fort. By 1739, Musgrove had become one of the wealthiest individuals in Georgia.⁸⁶ Musgrove, a Creek woman successfully engaged in the Indian trade, exemplified how race and gender—attributes that could impede success in more structured colonial environments—played a lesser role within the less structured, more malleable world of the Indian trade.

Free people of color who sought an environment that placed achievement before race naturally gravitated to the Indian trade. Not surprisingly, free people of color are found among the ranks of the earliest English colonial Indian Traders. Mathias De Sousa, a Portuguese-speaking African “moloato,” came to Maryland in 1623 on board *The Ark* as part of the first supply of colonists to the fledgling Maryland colony.⁸⁷ De Sousa initially worked for Jesuit missionaries who operated a fur trading business from their base along the Chesapeake Bay. The trade in this area revolved mostly around the acquisition of beaver pelts. The Jesuits utilized the income produced by their fur trade operation to fund missionary activities.⁸⁸

By the 1630s, De Sousa's name appeared in Maryland records alongside that of other Indian traders such as John Hallowes, Thomas Boys, and Roger Oliver. Together,

these traders conducted a brisk trade with Potomac-area Native nations from their base in St. Mary's County.⁸⁹ The Jesuits released De Sousa from his service in 1638 but he continued his work with them as an independent Indian trader for at least several years thereafter. In November 1642, De Sousa filed a deposition in Maryland court in support of a wage suit brought by a man he had hired for a trading expedition.⁹⁰ A portion of that deposition reveals that De Sousa acted as that expedition's leader—an indication of his status as a principal Indian trader. The deposition stated that "Mathias De Sousa made oath that about March was twelvemonth he was appointed by Mr. Pulton to goe in his pinace as skipper and trade with the [Susquehanna] and by him appointed to hire men at Kent for the voyage."⁹¹ In March 1641, De Sousa, now a successful colonist, appeared among Maryland "freemen" who voted at a meeting of the Maryland Assembly.⁹²

The Maryland Jesuits imported another African servant, Francisco Peres, into that colony in 1637.⁹³ Mathais De Sousa, Francisco Peres, and perhaps other Africans brought into Maryland during this period by the Jesuits to work in their fur-trading operation became acquainted with Indian trade as servants before branching out on their own following their release from servitude. De Souza's arrival and release date indicates that he likely served the Jesuits for seven years, a common length of servitude for English indentured servants during the seventeenth century. No evidence exists to say whether or not De Souza and the Jesuits executed a contract that defined the particulars of his servitude. Nevertheless, the Jesuits seem to have honored a fixed term of service. Following his release, De Souza, like other servants in the English colonies during the seventeenth century, joined the ranks of the colony's freemen and thereafter marketed his labor as he pleased.

Kent Island, Maryland, where De Sousa based his trade operation, also became a trading base for Virginia Indian traders working within the Chesapeake.⁹⁴ The most prominent of these traders, William Claiborne, acquired substantial wealth and served as a member of the Virginia Council of State.⁹⁵ Along with several other Virginia traders, Claiborne established a trading base at Kent Island prior to that area's annexation by Maryland.⁹⁶ After the founding of Maryland, Claiborne, a staunch Protestant, rebelled against that colony's Catholic leaders.⁹⁷ When Maryland authorities moved to evict the Virginians from Kent Island, Claiborne resisted. Following several years of remonstrance, protests to royal authorities, occasional armed conflict, and an attempted coup d'état perpetrated by the Virginians, Claiborne reluctantly abandoned his Kent Island operation and returned to Virginia.⁹⁸ Claiborne's conflict with Maryland, combined with the disruptions in the flow of trade goods from England caused by the English Civil War, complicated Maryland's ability to continue trade with local Natives.⁹⁹ By 1640, the Chesapeake fur trade had faltered.¹⁰⁰ Over the following decade, conflict with the Susquehanna and declining populations of beaver pushed Maryland's fur trade into further collapse.¹⁰¹

Mathias De Sousa accumulated considerable debt after the breakdown of the Chesapeake trade. To complicate matters, De Sousa owed his debts to influential individuals, including Maryland's Secretary of the Province and Attorney General, John Lewger.¹⁰² There exists no record to show what became of De Sousa after 1643. De Sousa may have perished in the ongoing Susquehanna conflict. Given his debt and the dim prospects of repaying it via continued trade in Maryland, De Sousa may have removed to Virginia to seek relief, and perhaps gained employment within Virginia's

rising trade with Native Nations south of the Chesapeake.¹⁰³ Other Portuguese Africans working for the Jesuits when they abandoned their fur trading activities in the mid-1640s may have also chosen this route.¹⁰⁴ Northampton, the county that borders Maryland on the Eastern Shore of Virginia, became home to a significant free Black population by the mid-seventeenth century.¹⁰⁵ Free Blacks bearing Portuguese names such as Emanuel Driggus (Rodrigues), John Francisco, and Bashasar Farnando (Fernando) resided in Northampton County during the second half of the seventeenth century.¹⁰⁶

Northampton County's seventeenth-century free Blacks also regularly conducted business with local Natives. A 1660 Northampton County court deposition filed in a lawsuit against Phillip Mongum, a free Black, declared that Mongum "hath employed an Indian with a gun."¹⁰⁷ The court's justices found that the Native in question carried the firearm provided by Mongum "in the woods," perhaps indicating that Mongum had provided the weapon to the Native man for the purpose of hunting on Mongum's behalf.¹⁰⁸ In 1667, Somerset County, Maryland authorities charged John Johnson, the free Black son of Anthony Johnson, along with two White men, with stealing from a Manoakin named Katakcuweiticks.¹⁰⁹ The court later ordered Johnson and his co-defendants to pay recompence directly to the King of the Manoakin.¹¹⁰ In 1652, Indian trader William Andrews sought the help of the Northampton County court to prohibit individuals from conducting trade with his Black servant, John.¹¹¹ Like other mid-seventeenth-century servants, John had apparently developed a modest trade with local Natives in order to gather income.

2.1: THE PIEDMONT

In 1642, war erupted between the Province of Maryland and their Susquehannock neighbors. The ensuing conflict lasted ten years. During that time, the fur trade conducted along the Chesapeake effectively ceased.¹¹² The interruption in the Chesapeake trade compelled Virginia's leaders to look elsewhere in order to continue their lucrative commerce with Natives. Deteriorating trade with Virginia's nearby regional trading partners additionally propelled the need for Virginians to expand the scope of their Native trade relationships.

In the several decades that followed the establishment of the Virginia colony in 1607, colonists conducted the bulk of their trade with nearby Algonquin people who resided within the Tidewater Region. These Algonquin comprised what scholars refer to as the Powhatan Confederacy. Vicious wars between the Powhatan and Virginia colonists erupted in 1609 and 1622. These wars, along with the uneasy periods of peace that followed, complicated commerce. On April 18, 1644 the Powhatan Confederacy initiated the Third Anglo-Powhatan War in response to increasing land encroachment by colonists. The following year, Virginia Governor William Berkeley retaliated by launching a campaign of annihilation to extricate the Powhatan from the Jamestown peninsula. Over the next two years, The Virginians burned Powhatan villages, cut down Powhatan corn crops, killed or captured most military-aged Powhatan males, and executed the principal Powhatan leader, Opechancanough.

By 1646, the once powerful Powhatan lay in ruins. While colonists rejoiced after the final defeat of the Powhatan Confederacy, their victory also eliminated the Powhattan as viable peacetime trading partners.¹¹³ Elevated levels of disease brought about by increased contact with colonists further added to Powhatan population losses incurred

during the three Powhatan wars. Population declines greatly diminished the number of Powhatan hunters able to acquire animal furs and skins for trade.¹¹⁴ In addition, land-intensive tobacco farming had markedly reduced Tidewater-area habitat for fur-bearing animals. By the mid-seventeenth century, war and environmental degradation rendered Virginia's Tidewater region incapable of sustaining the animal fur and skin trade.¹¹⁵ If Virginia leaders hoped to continue to enjoy the benefits of Native commerce, they needed to find new Native trading partners outside of the area of the Jamestown peninsula beyond the Fall Line.

In 1642, the Virginia House of Burgesses entreated Indian trader Henry Fleet and the recently displaced Chesapeake Indian trader William Claiborne to explore places “where no English has been discovered,” that lie “westward and southward of this county” in order to seek out new Native trading partners.¹¹⁶ After Claiborne and Fleet failed to mount an expedition, Abraham Wood, a competing Indian trader and overseer of the recently-constructed trading post at Fort Henry, stepped forward to replace them.¹¹⁷ On August 27, 1650, Wood, along with a partner, Edward Bland, two servants, and an Appomattoc guide, set out from Fort Henry to explore the territory south of the colony. Over nine days, the Wood-Bland expedition traveled southeast from Fort Henry before reaching the Carolina Piedmont. The expedition headed east toward the Blackwater River and then turned southwest, crossing the Nottoway and Meherrin rivers, and then finally south toward the Roanoke River.¹¹⁸ The expedition terminated at the Fall Line on the Roanoke River near the present-day town of Weldon.

Following the Wood-Bland expedition's return to Fort Henry, Edward Bland wrote a detailed description of the expedition, as well as of the Native inhabitants they

had encountered along their journey which he entitled *The Discovery of New Brittain* (1651).¹¹⁹ Bland's account of the Wood-Bland expedition circulated in both Virginia and England. The Wood-Bland expedition stimulated a desire among Virginians to expand settlement past the Fall Line boundaries agreed to in 1646 and into the lush and fertile Piedmont region described by Bland.¹²⁰ The ambitious Wood proceeded to open new trade relations with the Native nations his expedition had contacted along his journey. Flush with new trade relationships, Wood's trading operation at Fort Henry flourished and became the epicenter of Virginia's Indian trade operations for the remainder of the seventeenth century.¹²¹

In 1670, Abraham Wood launched another southwest expedition. Earlier that year, German explorer John Lederer ventured into that region and returned with tales of new Native contact.¹²² Wood, at the behest of Governor Berkeley, who desired to "make new Discoveries abroad amongst the Indians," dispatched an expedition led by two Indian traders in Wood's employ, Thomas Batts and Robert Fallam.¹²³ During the first leg of that expedition, Fallam casually recorded the presence of a "Portuguese" servant working for Abraham Wood who resided in Saponi Town, the principal village of the Saponi, a western Native nation that had previously established trade with Wood.¹²⁴ Fallam mentioned this "Portuguese" servant only briefly and the expedition found this encounter uneventful. Without any further information on this "Portuguese" servant, one can only speculate as to his identity. Wood had a trading relationship with the Saponi and his traders regularly visited Saponi Town. Wood's "Portuguese" servant likely had Portuguese African origins and may have come into Wood's service as a refugee from the

defunct Jesuit fur trading operation in Maryland. West Africans from areas colonized by the Portuguese claimed Portuguese identity under a variety of circumstances.¹²⁵

The following year, Batts and Fallam became the first Europeans to cross the Appalachian Mountains and reach the New River.¹²⁶ The Batts-Fallam expedition confirmed speculation among Virginia leaders regarding promising new territory and potential new trading relationships over the mountains to the west. The journey to reach that territory, however, proved arduous. The Trans-Appalachian region held the promise of lucrative trade with new and powerful Native nations. Yet, difficult terrain and the lack of knowledge regarding Trans-Appalachian Native inhabitants complicated further exploration efforts.¹²⁷

In 1673, Abraham Wood sponsored a second western expedition by James Needham and Gabriel Arthur.¹²⁸ Needham and Arthur passed through the Blue Ridge Mountains into the Tennessee River valley and made contact with the Tomihittans, a Cherokee group.¹²⁹ After spending time among the Cherokee and learning of their desire to initiate direct trade, Needham departed to bring news of their success to Wood at Fort Henry. Needham, however, did not make complete his journey; his Native guide killed him along the way after an argument.¹³⁰

Gabriel Arthur thereafter became stranded among his Cherokee hosts. Over the course of the next year, Arthur accompanied the Cherokee on an odyssey of raids and expeditions that took him through Kentucky, Ohio, Georgia, and Florida, before heading west to reach the Mississippi River. During his journey toward Florida, Arthur encountered “a town of negroes, spacious and great.”¹³¹ South Carolina maroons likely formed this village in an area dominated by the Creek nation.¹³² Instances of coexistence

such as this shed light on how runaway slaves, or entire maroon colonies, may have acclimated southern Native nations to contact with Black colonists. Arthur returned to Fort Henry with news of his adventures through vast uncharted expanses of North America. Arthur confirmed the longstanding belief held by Wood and others that an immense country capable of producing abundant trade lay to the west. This realization helped to shape Indian trade policy for many years to come. The discovery of seemingly limitless land and new Native trading partners to the west refocused the attention of colonial Indian traders.

As the operator of Fort Henry, Virginia's southwestern trading fort, Wood stood to reap enormous gain from the new Native relationships within his trade sphere. Wood, a former child servant forcibly transported to Virginia as an orphan, amassed a fortune from his Indian trade operations and became one of the colony's largest land holders.¹³³ In his later years, Wood rose to the position of Major General of the Virginia Militia. Wood's well-connected friends included Governor Berkeley, who often sought Wood's advice on Native matters.¹³⁴ By the time of his death sometime between 1681 and 1686, Wood had become one of the most influential individuals in the colony.¹³⁵ The Indian trade had taken an orphan servant boy and transformed him into one of the wealthiest men in Virginia. Individuals like Wood who could master the complexities of the Indian trade had the potential to rise to great heights, regardless of their social caste.

Wood had rivals during the years he built his Indian trade business. Competing Indian trader Thomas Stegge ran a similarly successful trading operation on the James River.¹³⁶ Like Wood, Stegge parlayed his success as an Indian trader into political power; he amassed influential friends and gained a series of appointments to important colonial

posts, including a captain's commission and a stint as auditor general of the colony.¹³⁷ In the late 1660s, Stegge's nephew, William Byrd I, immigrated to Virginia from London. Stegge immediately put Byrd to work in his trading business.¹³⁸ When Stegge died in 1671, Byrd inherited his Indian trade operation. Byrd continued and expanded Stegge's James River trading business as the overseer of trade at Fort Charles.¹³⁹ Like his uncle, Byrd obtained wealth, a commission as a captain of the militia, and friendships with some of Virginia's leading men, including Governor Berkeley.¹⁴⁰

During the 1670s, Byrd befriended another prominent member of the Virginia colony, Nathaniel Bacon. In 1675, Byrd and Bacon collaborated on an Indian trade partnership.¹⁴¹ Their plans, however, eroded when trouble along the frontier caused the Virginia General Assembly to deny them a trading license. Bacon blamed Governor Berkeley and his powerful friends in the assembly, many of them having conflicting business interests, for the denial of his trade venture with Byrd.¹⁴² Virginia's established trade merchants enjoyed the steady volume of trade that flowed into Virginia's trading forts and saw little need to upset the existing trade order with expansion. Upstart merchants such as Byrd and Bacon sought to establish new Native partnerships outside the existing trade geography. These men resented Berkeley and the "trade fort" merchant cartel that they saw as the primary obstacles to their success.¹⁴³ At the same time, the colony's frontier land owners resented the same individuals for pro-trade Native policies that they believed protected hostile Natives. These frontier settlers additionally despised Berkeley for his failure to retaliate against Natives for a series of attacks that began in July 1675.¹⁴⁴ Bacon's continued anger and agitation against Berkeley eventually boiled over into a full-blown rebellion in 1676.

Bacon's Rebellion erupted in September 1676. After Governor Berkeley failed to meet his demands, Bacon's rebels overtook Jamestown and forced Governor Berkeley to flee across the James River into exile. Bacon had publicly decried Virginia's Indian trade elite in a letter to London exclaiming "these Indian traders at the head of the rivers buy and sell our blood."¹⁴⁵ Bacon referred to pro-trade policies enacted by Berkeley that he believed favored Native trading partners who Bacon held accountable for frontier violence against colonists.¹⁴⁶ Yet despite Bacon's rhetoric, as an aspiring Indian trader, he too benefitted from Berkeley's pro-trade Native policies. Bacon embraced anti-Native sentiment and the fear of Native attacks simply as a way stir conflict in order to gain Native captives that he could later sell as slaves.¹⁴⁷ After Bacon threatened violence, the Virginia House of Burgesses appeased him with a militia commission. Bacon utilized this commission to attack and annihilate several neighboring native nations including the Occaneechi. Bacon specifically targeted the Occaneechi, a peaceful people allied with the English, as part of a calculated plan aimed at removing them as an impediment to expanded trade in the Carolina Piedmont and beyond.¹⁴⁸

The Occaneechi occupied a strategic position along a fordable section of the Roanoke River which straddled the main trading path known as the Occaneechi Trail. This major Native trade thoroughfare connected southwest Virginia to the Carolina Piedmont and areas beyond into the southwest.¹⁴⁹ From this strategic vantage point, the Occaneechi controlled the flow of trade between other Piedmont Native nations and Virginia traders.¹⁵⁰ Virginia leaders had acquiesced to the Occaneechi's middleman status in the interest of maintaining peace along their southern border. Established merchants who controlled the trade at the four official trade forts profited heavily and could afford

the small cut of their profits taken by the Occaneechi in exchange for protecting their existing trade business. Upstart traders such as Bacon and Byrd, however, understood that the Occaneechi served as an impediment to a more robust and expansive direct trade with Native nations to the south.¹⁵¹

Bacon's Rebellion ended with Nathaniel Bacon's death from dysentery on October 26, 1676. Following Bacon's death, his disillusioned supporters burnt most of Jamestown to the ground before disbanding. Shortly thereafter, Governor Berkeley retook control of the colony. Bacon's Rebellion had a lasting effect upon Virginia Native policy.¹⁵² In the following years, Virginia's government relaxed its hitherto strict control of the Indian trade. While Virginia's official trading forts remained at the center of its Indian commerce policy, a modest number of Independent Indian traders obtained licenses and began conducting business outside of those forts. These independent traders eventually expanded the scope of Virginia's Indian commerce and successfully competed with established trade fort merchants.

Bacon's Rebellion also reintroduced the Native slave trade in Virginia. The 1646 Powhatan treaty expressly forbade the taking of Native slaves.¹⁵³ Under duress from Bacon and his rebels during the height of the rebellion, the Virginia General Assembly reversed their Native slave trade prohibition.¹⁵⁴ In 1676, Virginia legislators enacted a new law that allowed militia soldiers to "retain and keep" any "Indian plunder," including Native captives, gained during military operations against "hostile" Natives.¹⁵⁵ Berkeley subsequently upheld and continued Virginia's 1676 Native enslavement law following the reestablishment of his government in 1677.¹⁵⁶

This change in Virginia law led many Indian traders to reengage in the Native slave trade.¹⁵⁷ Virginia traders once again pressured their Native trade partners to procure Native captives to supply the slave market. This task presented problems for Virginia's existing regional Native trading partners. By 1677, Virginia's military conquest against surrounding Native nations led to the destruction of a large number of Native groups east of the Appalachian Mountains.¹⁵⁸ The few surviving Native groups within that area had accepted tributary status and thereafter became protected allies. Thus, destruction and subjugation both reduced the numbers of Native trade partners and eliminated most of the "hostile" Natives colonial traders could legally take as slaves within Virginia's existing Indian trade geography. Virginia Indian traders therefore looked to open new trade relationships with Native nations located outside that existing geography in the Carolina Piedmont and beyond. New relationships guaranteed a steady supply of slaves, as well as highly sought-after animal hides.

By 1677, Virginia leaders viewed southern expansion as a way to access new Native trading partners and acquire more land for colonial settlement. The Treaty of 1677, also referred to as the Articles of Peace at Middle Plantation, ended Virginia's military conquest among regional Native nations and expanded its settlement boundaries.¹⁵⁹ With settlement boundaries extended, colonists began to move south of the James and Blackwater Rivers into areas formerly claimed by the Nottoway and Meherrin.¹⁶⁰ This expansion along Virginia's southern frontier provided Virginia Indian traders with the opportunity to further extend their trading bases into the Piedmont. Enterprising Indian trade merchants, such as William Byrd I, capitalized upon this new environment by engaging in direct trade with Native nations south and west of Virginia

along the Meherrin, Nottoway, and Blackwater Rivers. From these locations, traders employed by Byrd and others ventured south into the Carolina Piedmont and opened trade with Catawba, Westo, Tuscarora, and Saponi villages.¹⁶¹

At the close of the seventeenth century, a new generation of Indian traders rose to expand Virginia's Indian trade into the southern Piedmont. Abraham Wood protégé Peter Jones married Wood's daughter, Margaret, and took over command of Fort Henry in 1675.¹⁶² Jones' brother, Cadwallader Jones, opened a successful trading fort on the Rappahannock River.¹⁶³ William Byrd's son, William Byrd II, came of age and took over the family trading business as his father elevated himself within Virginia's political hierarchy. Robert Evans, another of Wood's acolytes, began his own successful trade to the south with the Catawba.¹⁶⁴ Evan's sons, John and Stephen, went to work for the younger Byrd.¹⁶⁵ Evans' daughter, Winnifred, later married Robert Hicks, an enterprising young trader employed by Wood.¹⁶⁶ Hicks later went to work for Byrd and became one of the most dominant and omnipresent Indian traders in Virginia, as well as a prominent Native affairs advisor to the Virginia government.¹⁶⁷ Thus, at the end of the seventeenth century, old trade rivalries became realigned and new combinations among independent traders formed as the Indian trade transformed to encompass new trade relationships and ventures to Virginia's south. Much of the power gained from this expanded trade consolidated around the wealthy and influential Byrd family. The Byrds employed young, ambitious traders who challenged the political and geographic boundaries of the Indian trade while enjoying the legal and political protection William Byrd I provided. Kinship, real and fictive, became the glue that held the Indian trade together.

During most of the seventeenth century, Native trade partners travelled to Virginia's established trading forts to conduct trade business. Native burdeners transported trade goods to and from colonial these forts by foot.¹⁶⁸ This method of exchange changed near the beginning of the eighteenth century as Virginia Indian traders entered into business with new Native partners, such as the Catawba, who resided hundreds of miles outside of colonial boundaries. Greater distance necessitated a change in the place of exchange. Indian traders began conducting trade with these distant Native partners within Native villages. This change venue placed the burden of transporting trade goods upon Indian traders. Like the Native traders that preceded them in the Virginia and Carolina Piedmont, by the eighteenth century, colonial Indian traders began to locate their operational bases near trading paths and watercourses that more easily connected them to Native trading villages, and along the Fall Line where rocky fords abetted overland travel.¹⁶⁹

Three area rivers along Virginia's southern border—the Blackwater, Nottoway, and Meherrin—provided direct access to Nottoway, Meherrin, and Tuscarora trading villages by canoe. These rivers also flowed into the Albemarle Sound and provided good access to Atlantic shipping.¹⁷⁰ The Tuscarora, a large Iroquoian nation that controlled much of the Carolina inner Coastal Plain and dominated many of their smaller neighbors, became the Blackwater-based trader's primary trading partner.¹⁷¹ The Tuscarora took up a strategic position along the Roanoke River and, much like the Occaneechi nation during the seventeenth century, acted as middlemen who controlled the flow of trade with Native nations to their south.¹⁷²

Virginians seeking inexpensive land and sometimes fleeing legal troubles increasingly flowed over the border into the Albemarle region of present-day North Carolina during this time. As this occurred, land conflicts developed with the Tuscarora. The lack of control exhibited by the Carolina government, located faraway in Charleston, contributed to the offenses committed by colonial settlers against local Natives.¹⁷³ Tensions between colonists and Natives boiled over in October, 1707, when a group of Tuscarora killed a White Virginian named Jeremiah Pate.¹⁷⁴ When multiple Tuscarora villages refused to aid in the apprehension of Pate's killers, the Virginia government suspended their arms and ammunition trade.¹⁷⁵ Despite this ban, many Virginia Indian traders profited by clandestinely supplying arms and ammunition to the Tuscarora through other Native nations that acted as intermediaries.¹⁷⁶ This ruse greatly angered Carolina officials who expressed alarm over the Virginian's proliferation of arms. The Virginia government agreed to rein in the illegal weapons trade. Yet, powerful members of the Virginia House of Burgesses, such as William Byrd I, Robert Bolling, and Benjamin Harrison—all of whom profited from the Indian trade—thwarted meaningful compliance.¹⁷⁷

During the height of these tensions, Indian trader George Fountain, a free person of color, found himself in the middle of the Tuscarora trade controversy. In June 1708, Virginia authorities asserted that "George Fountain a free Negro hath traded with the Tuscarora" in violation of the prohibition put into place.¹⁷⁸ The Virginia Executive Council ordered the Sherriff of Prince George County to arrest Fountain and to collect a bond for his good behavior prior to his appearance before the board to explain his actions.¹⁷⁹ Although the records of the Virginia Executive Council noted the accusations

against Fountain, there exists no record of his trial or punishment. William Byrd II recalled a trader by the name of Fountain in his journal who gave name to Fountain's Creek, a body of water that ran adjacent to the Occaneechi trading path along the Virginia border. Byrd recollected that an "unfortunate Indian trader, who had unfortunately been drowned" in the creek provided its name.¹⁸⁰ Byrd's familiarity with Fountain may offer an explanation as to why no record exists of the disposition Fountain's case. If Byrd employed Fountain, he may have profited from Fountain's illegal trading activities and therefore had reason to see Fountain's charges quietly dismissed.

Colonial authorities accused other free person of color of mischievous business among Native nations over the border in Carolina. Earlier, in 1703, two "free Negro" Indian traders caught the ire of acting North Carolina Provincial Governor Robert Daniel by fomenting war between the Winyah and Wateree nations. The traders likely instigated conflict between the two nations in order to produce war captives to sell as slaves. A frustrated Daniel, fearing war in his province, appealed to acting Virginia Governor Francis Nicholson for help. The Virginia Executive Council read and recorded Daniel's letter:

Col. Robert Daniel Deputy Governor of the Province of North Carolina by his Letter to his Excellency dated November 2d 1703 informing his Excellency of some pernicious Practices of two free Negro Men in this Government that trade with the Indians to the Southward and particularly their stirring up the Indians called the Windaws to cutt of and carry away diverse of the Indians called Waweess living under the Government of South Carolina , His Excellcy desired the advice of the Council therein whereupon they are of Opinion that it be recommended to the honble Col. Wm Byrd and Col. Benja Harrison to make a strict enquiry into the behaviour & Practices of the said two Negro men, in their trading amongst the Indians and more especially concerning what is now laid to their Charge , and that they prepare a report thereof to be laid before the next Session of Assembly that care may be taken for restraining such evil Practices for the future.¹⁸¹

This passage illustrates the power wielded by Indian traders, regardless of their race. The fact that two free Black men during this period garnered the attention of two of the most powerful individuals in English colonial America is remarkable. The ultimate outcome for these two men is equally extraordinary.

Daniel wrote a second letter to Governor Nicholson in September 1704. He added that “upon treating with the Tuscoruro Indians he had enquired into the behaviour of one Fontain & Davis” and that the Tuscarora had similarly complained about their conduct.¹⁸² The Virginia Executive Council once again ordered Byrd to examine the circumstances surrounding the Carolinian’s charges.¹⁸³ On October 23, 1704, the three traders accused of impropriety appeared before the Virginia Executive Council. The council recorded the following summary of their inquiry:

John Fontain, John Davis, and Hubert a Negro severally appearing this day before his Excellency & the Council to answer the Complaint made against them by Col. Robert Daniel Deputy Governor of North Carolina, and being interrogated touching their stirring up the Indians called the Windaws to make war against the Waweas, and also touching their stirring up the Tuscoruros to cutt off the Inhabitants of Pamptico & Newse in the Government of North Carolina; did all deny that ever they had any communication with any of the said Indians relating to the matters laid to their charge, but on the contrary had endeavoured to promote Peace amongst all the Indians where they have traded: and offered to be ready whenever they shall be called upon to answer what shal be objected agt. them in relation to the matters afores’d And being severally withdrawn, His Excellency and the Council taking into consideration that there appears no Prooff against them at present, and that they are willing to answer when they shal be called, Are therefore of opinion that they be dismiss at this time: And that the honble Coll. Robert Daniel be desired to send hither what Proofs he has agt them touching the offences they are charged with that this Board may proceed agt them as they shal deserve. And the said Fontain, Davis, & Hubert being again called in were by his Excellency charged to behave themselves peaceably amongst the Indians for the future & then dismiss.¹⁸⁴

The Virginia Executive Council dismissed Daniel’s charges after they testified that he mistook their actions and further pledged to remain well-behaved. By allowing the

testimony of two Black persons to enter the proceedings, the councilors gave the defendants additional deference. Both Virginia and English law lacked clarity regarding the legitimacy of testimony from Black persons in non-capital hearings such as this.¹⁸⁵ Nevertheless, the executive council admitted and believed the testimony given by the two free Black Indian traders without question. One year later, the Virginia General Assembly passed a law that made the testimony of Blacks persons, free or enslaved, inadmissible in Virginia legal proceedings.¹⁸⁶ The timing of the testimony taken from John Fontain and Hubert amplifies the decision's meaning. The climate that led to the Virginia's Black testimony ban only a year later surely existed at the time of the traders' hearing. Yet, the executive council allowed the testimony of two Black men in a hearing of great magnitude that involved a complaint brought by a powerful English official, the acting North Carolina provincial governor. This remarkable hearing illustrates the importance of the Indian trade to Virginia's leaders. The executive council's actions demonstrated their commitment to protecting the individuals who made that trade possible, regardless of their race. For free Blacks, no other profession in English colonial America garnered this extraordinary level of protection and support.

Daniel sent Nicholson a third letter on November 11, 1704, that included some of the specific evidence against the three accused Virginia traders Nicholson had requested. Daniel produced accusations made by a wealthy Carolina planter, William Duckenfield, specifically "relating to some Practices of John Fontain" seeking to "stir up" the Tuscarora.¹⁸⁷ In his measured response that must have appeared tepid to Daniel, Nicholson once again promised to look into the matter and to present Daniel's complaint to the Virginia General Assembly. No record of any discussion of Fontain by the Virginia

General Assembly exists. Despite Daniel's earnest and repeated protestations, Virginia leaders politely brushed away the acting governor's complaint against Fontain.

The three accused Indian traders conducted trade along the Carolina coastal plain from trade bases along the Blackwater River in Virginia. Virginia records reveal "Hubert a Negro" as Hubbard Gibson, a business partner of fellow accused trader John Fontain. A 1713 lawsuit by Charles Gee of Charles City County, Virginia, for an overdue debt that named both men illustrates their ongoing business relationship.¹⁸⁸ The accused White trader, John Davis, worked for William Byrd II.¹⁸⁹ Virginia records referred to the third trader, John Fontain, as a "Negro" when, in 1692, a White Virginian hired him to recover his wife and children from members of a Woccon village who had taken them captive.¹⁹⁰ The Woccon village lay in an area south of the Blackwater River where Byrd's traders mostly dominated. Fountain and Gibson also likely worked for Byrd.

The invisible hand of the powerful William Byrd II surely guided the adjudication of the South Carolinians' complaint. The request by the executive Council for Byrd to conduct the initial investigation of the accused traders himself, along with fellow Indian trade financier Benjamin Harrison, seems to point towards a farce. Fontain, Davis, and Gibson acted under Byrd's direction. The Byrd family regularly bought and sold Native captives and profited heavily from the Native slave trade.¹⁹¹ In a further sign of how lightly the executive council took the serious accusations made against Fontain, Davis, and Gibson, their next order of business involved a request from the recently acquitted Fontain to permit him to trade among the Tuscarora. The executive council immediately approved Fontain's request without debate or comment.¹⁹²

Continued tensions between the Tuscarora and North Carolina colonists eventually sparked the Tuscarora War in September 1712. This destructive conflict ended on March 1713 when a combined force of North and South Carolina militia, along with 800 Native allies, surrounded Fort Neoheroka, the Tuscarora stronghold. The formidability of Fort Neoheroka took the Carolinians by surprise.¹⁹³ The fort had a European design with 360 feet of high palisade wall, five angled bastions to promote defensive fire, and seventeen hardened bunker structures.¹⁹⁴ The Carolinians later learned that a Black man known only as “Harry,” who lived among the Tuscarora, had helped them design the impressive structure and its surrounding earthworks.¹⁹⁵ Fort Neoheroka withstood attack for three weeks before succumbing to fire. After the Tuscarora surrender, Harry “was cutt to pieces immediately” by the victorious South Carolinians along with another Black prisoner who had aided the Tuscarora.¹⁹⁶ Colonel John Barnwell, who commanded the South Carolina troops that came to the aid of the North Carolinians, called the mysterious Harry a “notorious rogue” that South Carolina officials had “sold into Virginia for roguery” but who had since escaped.¹⁹⁷

When the Tuscarora War ended in 1715, the Tuscarora nation lay in ruin. In the years that followed, most Tuscarora migrated to New York to join the Iroquois Confederacy. A branch of the Tuscarora nation that remained neutral during the conflict agreed to resettle on a reservation in Bertie County on the north bank of the Roanoke River. This group continued to trade with North Carolinians and Virginians. Their low production of deer hides, however, reflected their depleted population.¹⁹⁸ With the Tuscarora vanquished, the single greatest impediment to expanded trade further south evaporated. Virginia Indian traders quickly moved into the land along the Roanoke River

relinquished by the departing Tuscarora.¹⁹⁹ From this new vantage point, Virginia traders shortened the distances they travelled to reach southward Native trade partners and enjoyed direct and unfettered access to a greater number of Native trading villages across the Carolina Piedmont and coastal plain.

By the 1720s, Virginia Indian traders and their financial backers sought further trade expansion. The late Tuscarora War, as well as disease, had once again reduced the ranks of Virginia's Native trading partners. Virginia's dwindling population of tributary Native hunters could not keep up with the with the colonial demand for animal furs and skins. In addition, the environmental damage produced by years of over-hunting reduced the populations of fur-bearing animals and exacerbated the problem further.²⁰⁰ Native trade allies, eager to access English trade goods—often firearms to protect against raids from other nations similarly supplied by the same colonial traders—organized large parts of their society around deer hunting to produce evermore deerskins for trade. The high European demand for deerskins ensured buyers for whatever quantity of skins Native hunters could produce.²⁰¹ Thus, Native hunters had incentive to over-hunt. Native hunters sometimes started large forest fires in an effort to flush ever-thinning herds of whitetail deer into kill zones.²⁰² In the process, those hunters destroyed deer habitat and great swaths of land became devoid of fur-bearing animals. As deer disappeared from large areas of the coastal plain, Native hunters moved ever-deeper into the Piedmont.²⁰³ When Native trading partners moved, Indian traders followed, re-establishing trading bases that provided better proximity to Native trading villages.

The cycle of trade initiation, exploitation, collapse, and movement thereafter became the driving rhythm of the Indian trade. The trade for deerskins wrought incredible

damage on animal and Native populations, and on the environment shared by both. Relationships with colonial traders also put Natives in contact with European diseases and often involved the exchange of alcohol which caused great social disruption in Native societies.²⁰⁴ Thus, the deerskin trade accelerated the decline of its Native participants while simultaneously increasing the amount of vacated Native land eagerly settled by land-covetous colonists.

The near destruction of the fledgling North Carolina colony in the Tuscarora War, as well as that conflict's high financial cost, unsettled Virginia Governor Alexander Spotswood. At the onset of the war, Spotswood estimated the cost of sending two hundred Virginia militia troops to aid North Carolina at £4,000.²⁰⁵ Spotswood asked the North Carolina government to provide that amount to support the mobilization of Virginia militia troops but North Carolina officials claimed poverty.²⁰⁶ North Carolina's once lucrative Indian trade became upended during the conflict and its government lacked the financial resources to properly defend itself.²⁰⁷ Tariffs associated with the Indian trade, such as those placed on the export of deerskins, provided vital revenue for colonial governments. When the Indian trade faltered, this revenue decreased substantially. Cognizant of the connection between a stable Indian trade and colonial security, Spotswood became more personally involved than previous Virginia governors in the affairs of Virginia's Indian trade.²⁰⁸

The aggravating role played by some Virginia Indian traders in the lead-up to the Tuscarora War did not escape Spotswood's notice. John Lawson, a colonial official whose capture and murder by the Tuscarora helped to ignite war, wrote prior to his death of complaints he had heard pertaining to trader price-gouging.²⁰⁹ Avaricious Indian

traders seeking to maximize their profits also accelerated the Native slave trade—something that continually angered and concerned the region’s Native nations, most notably the Tuscarora. William Byrd II, who Spotswood summoned to provide advice at the onset of the war, blamed Carolina traders for the events that caused conflict. Byrd believed that many Carolina traders had acted like “petty rulers,” often insulting Native trading partners and treating them unjustly.²¹⁰ Byrd, however, had an interest in sully the character of the Carolinians. Virginia Indian traders employed by Byrd competed against the Carolinians for trade business. Byrd may have pointed blame at the Carolina traders as a way to eliminate competition. Byrd’s aggressive move backfired. Spotswood judged that all Indian traders had become part of the problem. Thereafter, he became determined to better regulate the Indian trade.

Spotswood’s solution for wresting control of his colony’s Native commerce involved creation of a consolidated government-run Indian trade monopoly. In 1714, The Virginia legislature passed “An Act for the Better Regulation of the Indian Trade” at Spotswood’s behest. This new law stated that “No person or persons whatsoever inhabiting this colony shall trade traffique barter or Sell any goods Wares or Merchandizes to or with any of the Indians Tributary to this Government inhabiting on the South Side of the James River in Exchange for any Skins or Furrs or with any Foreign Indians at any place within this Colony Except at Fort Christanna.”²¹¹ Spotswood effectively outlawed the private Indian trade in Virginia and replaced it with the Virginia Indian Company, a government-operated entity he controlled. The Virginia Indian Company positioned its sole trading post, Fort Christanna, along the Great Trading Path at the Meherrin River.²¹² Virginia’s longstanding Indian trade merchants immediately

recoiled. After years of profitable independent trade activity, they believed that Spotswood's consolidation plan would pull Virginia's Indian trade back into the dire days of trade fort favoritism that preceded Bacon's Rebellion.

Spotswood placed Robert Hicks Jr., the son of the Indian trader of the same name, in charge of Fort Christanna. Spotswood must have thought highly of Hicks.²¹³ In 1722, he asked Hicks to accompany him to Albany, New York, to help negotiate a British treaty with the Iroquois.²¹⁴ Hicks hailed from a family with deep ties to the Indian trade; his father and father-in-law had both worked as Indian traders under Abraham Wood. Young Robert Hicks grew up around the Indian trade in the shadow of Fort Henry. In adulthood, Hicks became the quintessential Indian trader; he excelled as a woodsman, took care to learn Native languages and customs, and developed easy relationships with the grittier sort of men who worked within the Indian trade.

In July 1712, Robert Hicks formed a trading company with fellow Indian traders David Crawley, Richard Jones, Nathaniel Urven, and John Evans Jr., his brother-in-law. The new company subsequently received a license from Governor Spotswood to trade with the "Western Indians."²¹⁵ This trading firm, however, had conducted trade to the southwest of Virginia long before this official grant of recognition. Virginians began trading with the Catawba by the eighteenth century. Explorer John Lawson encountered a Virginian, John Stewart, trading with the Catawba in 1701.²¹⁶ From their trade base near the future site of Fort Christanna, Hicks, Evans, Crawley, Jones, and Urven ventured deep into the Carolina Piedmont to trade with the Catawba at Sugaw Creek in present-day Lancaster County, South Carolina.²¹⁷ The Catawba, one of the most powerful Native nations in the southeast, became a coveted trading partner. Upon arrival, the Virginia

traders competed with South Carolina traders who possessed longstanding trade relationships with Catawba villages. The arrival of new competitors from Virginia greatly displeased the South Carolinians.²¹⁸

Previously, Virginia traders such as Stewart conducted only a small amount of trade with the Catawba. The Hicks, Evans, Crawley, Jones, and Urven trade combination, however, had the ability as a large and well-financed trading firm to imbed traders with the Catawba and to send more and larger trade caravans. This caught the attention of the South Carolina government. South Carolinians claimed exclusive rights to the Catawba trade. Finding themselves at a disadvantage to the more savvy and better equipped Virginians, South Carolina legislators—many of them personally invested in the Indian trade—worked to eliminate this new Virginia competition.²¹⁹

Thus began a protracted dispute between the governments of Virginia and South Carolina over Indian trade territorial claims. The South Carolina legislature passed a series of laws banning Virginia traders from conducting trade with Native nations the South Carolinians claimed as their exclusive trading partners. The governors of South Carolina and Virginia each took up their colony's case with England's Board of Trade. In the war of words that followed, the South Carolinians claimed the right to control all trade with Native nations west of their established borders. Virginia leaders argued that their traders had established trade relationships with the Catawba and other Native nations in the west and that no colony should have the right to set trade boundaries indefinitely beyond its present lines of settlement.²²⁰

During this dispute, Virginia traders flagrantly defied South Carolina's trade prohibitions. While conducting a trade expedition to the Catawba in September 1707,

South Carolina authorities arrested Virginian Robert Hicks and imprisoned him in Charleston. The South Carolinians confiscated Hicks' trade goods and required him to post a £500 bond to guarantee that he would "never cross the Santee River again."²²¹ Hicks later returned to Charleston in an attempt to plea for the return of his property.²²² After waiting several weeks for an audience with the South Carolina governor, and after "considerable expense in purchasing gifts for the Governor and other persons," Hicks grew frustrated; he eventually returned to Virginia after having recovered only a portion of his confiscated trade property.²²³ Hicks later took his case to the Virginia Executive Council. The council brought the matter before the Council of Trade and Plantations in London, who likewise petitioned the English Crown to provide guidance.²²⁴ Almost two years passed before the Virginians received a reply from London. Queen Anne ultimately decided in favor of the Virginians and ordered that their trade with western Native nations "should be carried on without any let, hindrance or molestation whatsoever."²²⁵ The English government rationalized that competition among traders would produce more and better trade activity capable of fending off the entreats of rival French and Spanish traders.

Significantly, The English government had weighed in on the importance of the colonial Indian trade to its overarching geopolitical goals. The importance of the Indian trade far exceeded colonial boundaries. The success of England's Indian trade in its North American colonies came at the expense of its European rivals that similarly competed for this trade in order to support their own colonial ambitions. In this way, the Indian trade occupied an important place in England's overarching imperial strategy. At the time of this dispute, Queen Anne's War (1702-1712)—a conflict fought between England and

two of those European rivals, France and Spain—threatened England’s North American colonies. England’s Native alliances, secured through trade, helped to protect those colonies from French and Spanish incursions.²²⁶ This freed up military resources and allowed for their use in other parts of the British Empire.

Although Virginia traders began to revisit Catawba villages following Queen Anne’s ruling, ill feelings and an intense rivalry between South Carolina and Virginia traders persisted. In 1719, South Carolina authorities “forcibly detained” John Bunch, a free “Mallatto” trader who came to South Carolina “in the company of Mr. Robert Hix [sic] and other Traders.”²²⁷ Authorities did not indicate why they arrested Bunch and not his fellow Virginia traders, although his race likely made him the most vulnerable member of their trading party. Five months later, George Reeves delivered a deposition in Prince George’s County, Virginia, court supporting Bunch’s return to Virginia.²²⁸ Reeves employed a novel strategy; he claimed that Bunch had not come to South Carolina as a member of the Virginian’s trading party but rather as a “runaway slave” “Jack” who belonged to his neighbor, Samuel Harwood Jr.²²⁹ Reeves added that Bunch would “love to be returned home to his said Master,” if not for his detention.²³⁰ Bunch’s fellow traders had surely undertaken this act of subterfuge in order to secure his release.

Robert Hicks, the leader of the trade expedition, had cleverly used South Carolina’s high regard for slave property to foil the South Carolinians. There exists no record of the exact date of Bunch’s release. North Carolina records indicate that he resumed his life as a free person of color not long after Reeves’ deposition.²³¹ As often happened, Hicks and the Virginians came out ahead. Individuals such as Bunch who possessed the knowledge, relationships, and acumen to conduct vast amounts of trade

among distant Native trading partners possessed incredible value. Hicks went to great lengths to orchestrate the return of his valuable trading operative, and perhaps his friend. The Indian trade formed strong bonds—practical, economic, and personal—that often transcended race.

William Byrd II emerged as the most vociferous opponent of Governor Spotswood's plans to reign in and consolidate Virginia's Indian trade. Byrd traveled to London in 1714 where he successfully enlisted influential merchants to pressure the Council of Trade and Plantations to annul Spotswood's Indian trade policies.²³² In their letter to the council, Byrd's merchant friends expounded the benefits of keeping Virginia's Indian trade in private hands.²³³ Spotswood defended the role he believed his policies played in successfully maintaining peace in Virginia.²³⁴ Over the course of debate, the Yemasee War (1715-1717) erupted in South Carolina—a conflict driven largely by South Carolina's failure to control its own abusive Indian traders. The debate between Byrd and Spotswood lingered for over four years. In the end, the Board of Trade sided with Byrd and his powerful London merchant allies. They subsequently ordered Spotswood to dissolve the Virginia Company monopoly. The Virginia House of Burgesses ended Virginia Company operations at Fort Christanna in 1718.²³⁵ The antagonistic relationship between Byrd and Spotswood continued until King George I recalled Spotswood in 1722. Over the tumultuous and uncertain years that surrounded Spotswood's Indian trade policy changes, many of Virginia's Indian traders moved beyond Spotswood's reach into North Carolina where they could operate more freely.

In the aftermath of the Tuscarora War (1711-1715), settlement began in areas formerly held by the Tuscarora. A group of Virginia Indian traders moved into this area

of North Carolina and congregated on the eastern side of Bertie County along the Cashie River near the present-day town of Windsor. By 1718, Indian traders Arthur Kavanagh, Thomas Whitmel, and John Gray moved their trade operations from Virginia to the Cashie River. William Byrd II, perhaps in an attempt to hedge his bets during his battle with Spotswood, purchased land on the north side of the Cashie River and likely sponsored some of the trade activity there.²³⁶ In 2008, archeological excavations along this area of the Cashie River yielded physical evidence of the early-eighteenth century Indian trade activity that once took place there, including “a mixture of Native American and Colonial era artifacts such as ceramic pieces and pipe stems” researchers linked to the Indian trade.²³⁷ Archeologists additionally uncovered evidence of an early-eighteenth century wharf, as well as the remains of an ocean-going sailing vessel from that era.²³⁸ This evidence confirmed the presence of a considerable colonial-era Indian trade operation precisely in the location occupied by the Virginia traders by 1718, as well as that site’s link to transatlantic commerce.

Virginia Indian traders chose the Cashie River location for reasons similar to those that guided the placement Virginia’s seventeenth-century Fall Line trading forts. The location chosen by the traders, approximately fourteen miles west of the Chowan River, had proximity to important Native trading paths. The Cashie River trading community sat astride the coastal trading path that eventually expanded and became known as the King’s Highway—colonial North America’s premier north-south trade route.²³⁹ This trading path afforded access to Native trading partners along the Carolina coast such as the Waccamaw and Sewee. The Cashie River site also provided deep-water access to the Atlantic Ocean.²⁴⁰ This enabled inland access by ocean-going vessels and

thus allowed the shipment of trade goods more directly to and from the trader's warehouses without portage.²⁴¹ The site chosen by the traders also abutted the boundaries of the Tuscarora reservation and provided easy access to their villages via a western trail known as the Weeacana (or Wiccacon) Path.²⁴²

The Cashie river trading community remained the center of the North Carolina Indian trade only briefly. Beginning in 1719, more advantageous trading spaces became available to the west. The Northern Tuscarora, a faction led by King Tom Blount, chose not to participate in the late war. This band of the Tuscarora therefore survived the conflict mostly intact.²⁴³ As part of Virginia's 1718 general peace treaty with the Tuscarora, the Northern Tuscarora agreed to settle reservation land set aside by the North Carolina government along the Roanoke River in what became Bertie County.²⁴⁴ Although Blount aided the North Carolinians by not participating in the Tuscarora War, the North Carolinians nevertheless regarded all Tuscarora as a threat that required containment. By agreeing to cede land and consolidate his people within a reservation, Blount avoided further conflict driven by North Carolinians who still seethed over the war and had no compunction taking Tuscarora land. Following their relocation, the Northern Tuscarora remained a valuable trading partner who continued to hunt for hides and broker trade with Native nations to their south and west.

By 1725 internal conflict and disillusionment with reservation life caused a large body of the Northern Tuscarora to depart North Carolina and join their Iroquois cousins in New York.²⁴⁵ These departures produced a heavy decline in deerskin procurement. Combined with the continued collapse of most remaining Atlantic coastal Native groups, the Cashie River trade became stagnant. The Northern Tuscarora began to sell or lease

large parts of their reservation land in order to finance their exodus north.²⁴⁶ North Carolina usurped other areas of Tuscarora land following the war. This confiscated land remained largely unsettled prior to 1720. The 1720s migration of the Tuscarora, however, opened up a corridor along the Weeacana Path that provided access to this land from colonial settlements near the Cashie River to the east. This previously unoccupied space sat at the head of a southern trading path once used by the Tuscarora to dominate trade with Native nations to their south. This trade thoroughfare became known as Green's Path.²⁴⁷ Indian traders seeking to more advantageously position themselves along Green's Path purchased nearby land and moved their operations there beginning in 1719.

Green's Path took its name from John Green, an Indian trader and early land owner. South Carolina militia leader John Barnwell used, and improved, this path in 1711 during his expedition to aid North Carolina in the Tuscarora War.²⁴⁸ Green's Path began near present-day Weldon, North Carolina, alongside the Occoneechee Neck section of the Roanoke River, just below that river's Fall Line rapids. The path then ran south and southwest roughly along the Fall Line to the Great Pee Dee River near Cheraw, South Carolina. Later in the colonial period, parts of this path became known as the Fall Line Road.

Near Cheraw, Green's Path connected to other trading paths that led west to the Catawba villages, and to the Lower Cherokee Traders' Path. Green's path then continued southwest to present-day Camden, South Carolina, where it intersected with a section of the Occaneechi Trading Path, known as the Great Trading Path. From there, the combined paths ran southwest to the Savannah River, terminating at Silver Bluff, across from present-day Augusta, Georgia. Two major westward Indian Trading paths

originated from Augusta: The Upper Trading Path and the Lower Trading Path. These paths ran hundreds of miles and connected to the Creek, Chickasaw, and Choctaw nations as far away as the Mississippi valley.²⁴⁹ From this new vantage point along the Roanoke River at Occoneechee Neck, North Carolina-based Indian traders gained access to every major Native trading partner in the southern interior by the 1720s.

With their superior position closer to Native trading partners, North Carolina-based Indian traders gained the upper hand. Virginia traders based at Fort Christanna utilized the Occaneechi Trail to reach Native villages in the southern interior.²⁵⁰ The Occaneechi Trail, which began at Fort Henry, crossed the Roanoke River at a ford near present-day Norlina, North Carolina. From there, the trail turned south toward present-day Oxford, North Carolina, and then continued southwest roughly along the route of present-day U.S. Highway I-85. The Occaneechi Trail stretched further south where it connected to Catawba villages along the Catawba River before veering southwest to reach the Savannah River. Unlike the Occaneechi Trail that ran along the outskirts of the Carolina frontier, Green's Path followed a safer route within the Carolina interior where marauding northern Natives seldom ventured.

Occoneechi Neck's position astride the Roanoke River rendered that location additionally ideal. Like the Cashie River, the Roanoke River flowed into the Albemarle Sound and thus provided access to Atlantic seaports. While surveying Virginia's southern border along the Roanoke in 1728, William Byrd observed that "a Sloop of moderate burthen." Could navigate this area of the Roanoke River.²⁵¹ The geographic location of Occoneechee Neck, just before the Fall line, made it precisely the furthest point on the Roanoke River navigable by boat from the Atlantic coast. These factors made

Occoneechee Neck section of the Roanoke River the predominate geographic position within North Carolina to conduct Indian trade activity during the 1720s.

Indian traders from both Virginia and eastern North Carolina flocked to Occoneechee Neck following the final exodus of the Tuscarora in 1719. Indian traders Mathew Sturdivant, John Green, William Jones, Arthur Kavanaugh, Thomas Whitmel, Robert Lang, William Maule, John Grey, William Grey, John Sims, William Sims, and James Anderson acquired land in this area, 1719-1722. Merchants who sold trade goods to Indian traders, such as John Lovick and Thomas Pollock, also purchased nearby land. By 1727, Henry Gustin, James Milliken, and James Castellaw expanded their successful Cashie River trading business and opened a second Indian trade factory adjacent to this community on the Roanoke River.²⁵² These Indian traders and merchants occupied a small area lying between Quankey Creek and the Roanoke River near the head of Green's Path. By 1730, this compact area had become a bustling trade community.

Free people of color employed as Indian traders began purchasing land at Occoneechee Neck along with White traders in the early 1720s. Free Black Indian trader Hubbard Gibson, along with his sons John and Gideon Gibson, moved to Occoneechee Neck from the Blackwater River area of Virginia by 1721.²⁵³ Hubbard, John, and Gideon Gibson all purchased Occoneechee Neck by 1725.²⁵⁴ Bartholomew Chavis received a patent for 300 acres a few miles to the east of the Gibsons on the north side of the Roanoke River near Urahaw Swamp.²⁵⁵ Chavis' indebtedness to other Indian traders indicates that he also likely worked within the Indian trade in some manner. Indian trader Arthur Kavanaugh sued Chavis for debt in Surry County, Virginia, in 1714 and Chavis additionally owed a debt to the son of Indian trader John Evans.²⁵⁶ By 1726,

Bartholomew Chavis had accumulated 1,620 acres of land near Occoneechee Neck on both sides of the Roanoke River. Chavis deeded his son, William, land he owned near the Gibson family on Quankey Creek.²⁵⁷ Paul Bunch patented 265 acres in North Carolina on the south side of the Roanoke River adjoining Quankey Pocosin and Gideon Gibson's land in 1725.²⁵⁸ Paul fathered John Bunch, the free Black Catawba Indian trader employed by Robert Hicks.²⁵⁹ John Bunch also owned land adjacent to that of Gideon Gibson.²⁶⁰ Thomas Kersey, who apprenticed with Indian Trader Benjamin Harrison during his youth, purchased 200 acres of land on the south side of the Roanoke River in 1726.²⁶¹

Other free people of color not directly linked to the Indian trade joined Occoneechee Neck's early settlers. Brothers John and Edward Bass purchased land on Urahaw Swamp in 1721, along with several of their sons.²⁶² Robert Locklear lived on Quankey Pocosin adjacent to the Chavis family land alongside a creek called "Chavis Branch."²⁶³ Some free people of color traveled great distances to join this Roanoke community. Ann Hammond, the daughter of a "mulatto" Accomack County woman named Betty and a "Negro Slave named Robin," moved to Occoneechee Neck as a teenager from the free Black community along Virginia's Eastern Shore and secured work as a servant for John Pratt, who operated a ferry at "Gideon Gibson's landing."²⁶⁴ Free people of color from many parts of Virginia continued to migrate to this area over the next several decades. Together with the descendants of the earlier Occoneechee Neck settlers, they later branched out to form derivative communities further west in Kittrell, Oxford, and Nutbush during the 1750s.

By the 1730s, the Roanoke settlement contained multiple free families of color clustered together to form what became a distinct community. This settlement included the founding Oconeechee Neck free families of color along with other nearby families that resided along a six-mile span of the Roanoke River. This settlement existed within the greater community of Roanoke River Indian traders which covered an area of about 36 square miles. Some of these individuals, such as members of the Gibson and Bunch families, worked directly within the Indian trade. Others, such as members of the Bass and Locklear families had no discernable link to the Indian trade. Why did these families migrate to this community, often traveling great distances to do so? This undeveloped and potentially dangerous area of the North Carolina frontier seemingly offered little to settlers. Moreover, these additional free families of color, like the founding Oconeechee Neck settlers, purchased their land from private sellers at prices that exceeded the cost of receiving headright bounty land. If Indian traders such as Hubbard Gibson found value in this area due to its proximity to Indian trade activity, what value did other free people of color find here?

In the section that follows, I examine how free people of color who worked within the Indian trade formed the nucleus of communities of color that grew alongside areas developed by Indian traders as staging points for Native commerce. As these communities grew, other free people of color migrated to them. Some of these migrants came to take up ancillary jobs in the multifarious the Indian trade. Others came because of the relaxed racial environment and the overarching protection provided to these Indian trade communities by powerful colonial merchants who profited from them. Understanding how Indian trade communities functioned, as well as the diverse social

environments they created, provides insight into how small groups of Indian traders of color begot larger communities of color along the southern colonial frontier.

Chapter 2 Endnotes

¹ Martin H. Quitt, "Trade and Acculturation at Jamestown, 1607-1609: The Limits of Understanding," *William and Mary Quarterly* 52, no. 2 (April 1995): 233–34, 243.

² Ibid.

³ William Waller Hening, ed., *The Statutes at Large; Being a Collection of All the Laws of Virginia from the First Session of the Legislature, in the Year 1619* (New York: R. & W. & G. Bartow, 1823), II:20.

⁴ Quitt, "Trade and Acculturation at Jamestown," 233–34; Kristalyn Marie Shefveland, *Anglo-Native Virginia: Trade, Conversion, and Indian Slavery in the Old Dominion, 1646-1722* (Athens, GA.: University of Georgia Press, 2016), 23, 41.

⁵ Robert Beverley, *The History of Virginia, in Four Parts*, vol. I., ed. Charles Campbell (London: R. Parker, 1705; Richmond, VA.: J.W. Randolph, 1855), 21.

⁶ Ibid.

⁷ James Horn, *A Land As God Made It: Jamestown and the Birth of America* (New York: Basic Books, 2005), 53–55, 80–84.

⁸ John C. Appleby, *Fur, Fashion and Transatlantic Trade During the Seventeenth Century: Chesapeake Bay Native Hunters, Colonial Rivalries and London Merchants* (Rochester, NY.: Boydell Press, 2021), 187, 253, 277.

⁹ Stephanie Gamble, "A Community of Convenience: The Saponi Nation, Governor Spotswood, and the Experiment at Fort Christanna, 1670-1740," *Native South* 6 (2013): 71.

¹⁰ Shefveland, *Anglo-Native Virginia: Trade, Conversion, and Indian Slavery*, 40.

¹¹ William Byrd II, *The Dividing Line Histories of William Byrd II of Westover*, ed. Kevin Joel Berland (Chapel Hill, NC.: University of North Carolina Press, 2013), 206.

¹² C.S. Everett, "They Shalbe Slaves For Their Lives," in *Indian Slavery in Colonial America*, ed. Alan Galloway (Lincoln, NE.: University of Nebraska Press, 2009), 69–72.

¹³ Shefveland, *Anglo-Native Virginia: Trade, Conversion, and Indian Slavery*, 33.

¹⁴ Alan Galloway, *Indian Slavery in Colonial America* (Lincoln, NE.: University of Nebraska Press, 2009), 1–32.

¹⁵ *Ibid.*, 109.

¹⁶ Alan Galloway, *The Indian Slave Trade: The Rise of the English Empire in the American South, 1670-1717* (2002; repr., New Haven, CT.: Yale University Press, 2008), 294–308. Citations refer to the 2008 reprint edition.

¹⁷ *Ibid.*, 8.

¹⁸ Eric E. Bowne, *The Westos Indians: Slave Traders of The Early Colonial South* (Tuscaloosa, AL.: University of Alabama Press, 2005), 2–9.

¹⁹ Robbie Franklyn Ethridge, "Introduction," in *Mapping the Mississippian Shatter Zone: The Colonial Indian Slave Trade and Regional Instability in the American South*, ed. Sheri M. Shuk-Hall (Lincoln, NE.: University of Nebraska Press, 2009), 10–26.

²⁰ Galloway, *Indian Slavery in Colonial America*, 294–99.

²¹ Henning, *The Statutes at Large*, 2:143.

²² *Ibid.*

²³ C.S. Everett, "They Shalbe Slaves For Their Lives," 96–98.

²⁴ Maureen Myers, "From refugees to Slave Traders," in *Mapping the Mississippian Shatter Zone: The Colonial Indian Slave Trade and Regional Instability in the American*

South, ed. Robbie Franklyn Ethridge and Sheri M. Shuk-Hall (Lincoln, NE.: University of Nebraska Press, 2009), 92–96.

²⁵ James H. Merrell, *The Indians' New World: Catawbas and Their Neighbors From European Contact through the Era of Removal* (1989; repr., Chapel Hill, University of North Carolina Press, 2012), 36–37, citing “Cadwallader Jones to Lord Baltimore, February 6, 1681/82,” Public Record Office, *Colonial Office Papers*, series 1, vol. 48, 115–16. Citations refer to the 2012 reprint edition; see also James Axtell, *The Indians' New South: Cultural Change in the Colonial Southeast* (Baton Rouge, LA.: Louisiana State University Press, 1997), 41–43.

²⁶ Gallay, *The Indian Slave Trade*, 64.

²⁷ Russell R. Menard, and John J. McCusker, *The Economy of British America, 1607-1789* (1985; repr., Chapel Hill, NC.: University of North Carolina Press, 2014), 173.

²⁸ Jessica Yirush Stern, *The Lives in Objects: Native Americans, British Colonists, and Cultures of Labor and Exchange in the Southeast* (Chapel Hill, NC.: University of North Carolina Press, 2017). 122–24.

²⁹ William L. Ramsey, *The Yamasee War: A Study of Culture, Economy, and Conflict in the Colonial South* (Lincoln, NE.: University of Nebraska Press, 2008), 64.

³⁰ Stern, *The Lives in Objects*, 122.

³¹ L. A. Clarkson, “The Organization of the English Leather Industry in the Late Sixteenth and Seventeenth Centuries” *Economic History Review* 13, No. 2 (1960): 245–56.

³² David Macpherson, *Annals of Commerce...etc.*, (London: Nichols and Son (et. al.), 1805), IV:15.

³³ Ibid., Appendix IV.

³⁴ L. A. Clarkson, "The Leather Crafts in Tudor and Stuart England," *Agricultural History Review* 14, no. 1 (1966): 25–39.

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³⁶ John Gamgee, *The Cattle Plague, With Official Reports of the International Veterinary Congresses, Held in Hamburg, 1863, and in Vienna, 1865* (London: Robert Hardwicke, 1866), 291.

³⁷ Ibid., 290–91.

³⁸ Spinage, *Cattle Plague*, 104.

³⁹ Gamgee, *The Cattle Plague*, 293.

⁴⁰ Spinage, *Cattle Plague*, 103–04.

⁴¹ Stern, *The Lives in Objects*, 122–24.

⁴² Steven J. Oatis, *A Colonial Complex: South Carolina's Frontiers in the Era of the Yamasee War, 1680-1730* (Lincoln, NE.: University of Nebraska Press, 2004), 38, 83, 149.

⁴³ Martha M. Bentley, "The Slaveholding Catawbas," *South Carolina Historical Magazine* 92, no. 2 (April 1991): 89–92.

⁴⁴ Oatis, *A Colonial Complex*, 136.

⁴⁵ Larry E. Ivers, *This Torrent of Indians: War on the Southern Frontier, 1715-1728* (Columbia, SC.: University of South Carolina Press, 2016), 29.

⁴⁶ Verner W. Crane, *The Southern Frontier: 1670-1732* (Durham, NC.: Duke University Press, 1928), 110.

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- ⁴⁷ Yasuhide Kawashima, "Forest Diplomats: The Role of Interpreters in Indian-White Relations on the Early American Frontier," *American Indian Quarterly* 13, no. 1 (Winter 1989): 4, 7.
- ⁴⁸ Oatis, *A Colonial Complex*, 97–98.
- ⁴⁹ John Lawson, *A New Voyage to Carolina; Containing the Exact Description and Natural History of That Country: Together with the Present State Thereof. And A Journal of a Thousand Miles, Travel'd Thro' Several Nations of Indians. Giving a Particular Account of Their Customs, Manners, &c.* (London: John Lawson, 1709), 184–85.
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- ⁵¹ Edward J. Cashin, *Lachlan McGillivray, Indian Trader: The Shaping of the Southern Colonial Frontier* (Athens, GA.: University of Georgia Press, 1992), 71, 315.
- ⁵² James Adair, *Adair's History of the American Indians*, ed. Samuel Cole Williams (Johnson City, TN.: Watauga Press, 1930), 2.
- ⁵³ Oatis, *A Colonial Complex*, 96.
- ⁵⁴ *Supra*, 87.
- ⁵⁵ H. R. McIlwaine, ed., *Journals of the House of Burgesses* (Richmond, VA.: Virginia State Library, 1915), 2:4.
- ⁵⁶ Wesley Frank Craven, "Indian Policy in Early Virginia." *William and Mary Quarterly* 1, no. 1 (January 1944): 65–82, 80.
- ⁵⁷ Heining, *The Statutes at Large*, 2:138–43.

⁵⁸ Ibid., 138, 140.

⁵⁹ Ibid., 140.

⁶⁰ Ibid.

⁶¹ The most dominate trading factions in Virginia included those operated by Abraham Wood, and later two generations of the Byrd family. See Shefveland, *Anglo-Native Virginia: Trade, Conversion, and Indian Slavery*, 125–27.

⁶² James Adair, *The History of the American Indians* (London: Edward and Charles Dilly, 1775), 328.

⁶³ Daniel S. Dupre, *Alabama's Frontiers and the Rise of The Old South* (Bloomington, IN.: Indiana University Press, 2018), 100; Colin G. Calloway, *White People, Indians, and Highlanders: Tribal People and Colonial Encounters in Scotland and America* (New York: Oxford University Press, 2010), 33.

⁶⁴ Dupre, *Alabama's Frontiers*, 100.

⁶⁵ Christoph Von Graffenried, *Christoph Von Graffenried's Account of the Founding of New Bern*, ed. Vincent Hollis Todd and Julius Goebel (Raleigh: Edwards & Broughton Printing Company, 1920), 40.

⁶⁶ Benjamin B. Weisiger III, ed., *Charles City County, Virginia Court Orders, 1687-1695* (Richmond, VA.: Benjamin B. Weisiger III, 1980), 154.

⁶⁷ William Byrd II, *The Secret Diary of William Byrd of Westover, 1709-1712*, ed. Marion Tinling, and Louis Booker Wright (Richmond, VA.: Dietz Press, 1941), 502.

⁶⁸ Byrd II and Berland, *The Dividing Line Histories*, 375–76.

⁶⁹ Weisiger, *Charles City County, Virginia Court Orders*, 172–73, 176–77.

⁷⁰ Robert Lee Meriwether, *The Expansion of South Carolina, 1729-1765* (Kingsport, TN.: Southern Publishers, Inc., 1940), 55.

⁷¹ John Henry Logan, *History of the Upper Country of South Carolina to the Close of the War of Independence* (Columbia, SC.: P.B. Glass, 1859), 302–05.

⁷² Of the many transgressions committed by Robert Hicks and recorded in Charles City County and other records, only one appears to have resulted in any form of punishment. A Charles City County court committed Hicks “to the stocks” for appearing drunk in court in 1693. See Weisiger, *Charles City County, Virginia Court Orders*, 154.

⁷³ Richard A. Colbert, “James Logan Colbert of The Chickasaws: Man and Myth,” *North Carolina Genealogical Society Journal*, 20, no. 2 (May 1994): 82–83.

⁷⁴ William L. McDowell, ed., *Colonial Records of South Carolina: Documents Relating to Indians Affairs, May 21, 1750-August 7, 1754* (Columbia, SC.: South Carolina Department of Archives and History, 1955), 250–51.

⁷⁵ James Francis competed with Vann as a rival Indian trader. He likely put forward his comments as a way to besmirch Vann and remove him as competition. This, he did not accomplish. Vann continued to trade with the Cherokee for many years thereafter despite the efforts of Francis to besmirch him. See Marion A. Cail, “The Dissemination of Rumor among the Cherokees and their Neighbors in the Eighteenth Century” (PhD diss., College of William & Mary), 2000.

⁷⁶ Paul Heinegg, *Free African Americans of North Carolina, Virginia and South Carolina From the Colonial Period to About 1820*, 5th ed. (1992; repr., Baltimore: Clearfield, 2005), 236–38.

⁷⁷ Mary Givens Bryan, ed., “The Will of Isaac Barksdale,” in *Abstracts of Colonial Wills of the State of Georgia, 1733-1777* (Atlanta: Atlanta Town Committee of the National Society Colonial Dames of America in the State of Georgia, 1962), 10.

⁷⁸ Oscar Reiss, *Jews in Colonial America* (Jefferson, NC.: McFarland & Company, Inc., 2004), 90; Aviva Be-Ur, “Jewish Savannah in The Atlantic Perspective: A Reconsideration of North America's First Jewish Community,” in *The Sephardic Atlantic: Colonial Histories and Postcolonial Perspectives*, eBook edition (2018; repr., London: Palgrave Macmillan, 2019), 90; Charles C. Jones Jr., *Memorial History of Augusta, Georgia: From Its Settlement in 1735 to The Close of The Eighteenth Century* (Syracuse, NY.: D. Mason & Company, 1890), 40.

⁷⁹ Michael P. Morris, *George Galphin and the Transformation of the Georgia–South Carolina Backcountry* (Lanham, MD.: Lexington Books, 2015), 159–63.

⁸⁰ Peter Fontaine, “Letter of Peter Fontaine to his brother Moses Fontaine, March 30, 1757,” in *Memoirs of a Huguenot Family*, ed. James Fontaine (New York: G.P. Putnam & Sons, 1872), 349–50.

⁸¹ Ibid.

⁸² Steven C. Hahn, *The Invention of the Creek Nation, 1670-1763* (Lincoln, NE.: University of Nebraska Press, 2004), 194.

⁸³ Dupre, *Alabama's Frontiers and the Rise of The Old South*, 84.

⁸⁴ Young Gentleman, *New Voyage to Georgia by A Young Gentleman Giving an Account of His Travels to South Carolina and Part of North Carolina*, 2nd edition (London: J. Wilford, 1737), 35.

A modest, weather-worn stone historical marker and plaque placed by the Georgia Chapter of the Daughters of The American Revolution in 1930 marks the location of the Yamacraw Bluff site. The marker stands just west Savannah's city hall on Bay Street within small park. The inscription reads: "This is Yamacraw Bluff where the colony of Georgia was founded February 12, 1733, by Gen. James Edward Oglethorpe. Voted by the Georgia Daughters of the American Revolution the most historic spot in Georgia."

⁸⁵ Indian trade factors ran trading posts known as "factories" that exchanged manufactured goods for animal furs and skins. Contemporaries commonly referred to Indian trade merchants as "factors"—a term, which derived from a Latin word meaning "to make, bring about, perform, do," "one who acts or transacts business for another," or additionally: "one that lends money to producers and dealers", sometimes as security upon accounts receivable. MerriamWebster.com *Dictionary*, s.v., accessed March 9, 2021, "factor," <https://www.merriamwebster.com/dictionary/factor>.

⁸⁶ Mary Musgrove remarried twice following the death of her first husband yet managed to retain her personal wealth—something rare for women at that time under English law and the principal of coverture. Much of Mary Musgrove's vast wealth, however, later became lost in disputes with colonial authorities after the departure of her benefactor, Oglethorpe.

⁸⁷ David S. Bogen, "Mathias De Sousa: Maryland's First Colonist of African Descent," *Maryland Historical Magazine* 96, no.1 (Spring 2001), 68–85.

⁸⁸ Karen Anderson, *Chain Her by One Foot: The Subjugation of Native Women in Seventeenth-Century New France* (1991; repr., New York: Routledge, 1993), 51–52. Citations refer to 1993 reprint edition.

⁸⁹ Appleby, *Fur, Fashion and Transatlantic Trade*, 133.

⁹⁰ William Hand Brown, ed., *Archives of Maryland Judicial and Testamentary Business of The Provincial Court 1637-1650* (Baltimore: Maryland Historical Society, 1887), 155.

⁹¹ Ibid.

⁹² Linda M. Heywood, and John K. Thornton, *Central Africans, Atlantic Creoles, and the Foundation of the Americas, 1585-1660* (New York: Cambridge University Press, 2007), 284.

⁹³ Maryland Land Patent Records, *Archives of Maryland Online Series*, Film Reel: SR 7341(1640-1658), 1:21, 37, 38, 166.

⁹⁴ Appleby, *Fur, Fashion and Transatlantic Trade*, 24–25.

⁹⁵ Nathaniel Hale Claiborne, *Pelts and Palisades: The Story of Fur and the Rivalry for Pelts in Early America* (Richmond, VA.: Dietz Press, 1959), 120.

⁹⁶ Bernard C. Steiner, “Traces of Claiborne’s Settlement on Kent Island,” *Johns Hopkins University Circular* 23, no. 165 (1904): 41; Robert Brenner, *Merchants and Revolution: Commercial Change, Political Conflict, and London's Overseas Traders, 1550–1653* (New York: Verso Books, 2003), 121–24. Maryland militia troops later expelled Claiborne’s trading operation and confiscated his trade goods, thus ending the dispute. See J. Herbert Claiborne, “William Claiborne of Kent Island,” *William and Mary Quarterly* 1, no. 2 (April 1921): 74–99.

⁹⁷ Michael D. Breidenbach, “Church and State in Maryland Religious Liberty Religious Tests and Church Disestablishment,” in *Disestablishment and Religious Dissent: Church-State Relations in the New American States, 1776-1833*, ed. Carl H. Esbeck, and Jonathan J. Den Hartog (Columbia, MO.: University of Missouri Press, 2019), 312.

⁹⁸ John Herbert Claiborne, *William Claiborne of Virginia: With Some Account of His Pedigree* (New York: G.P. Putnam's Sons, 1917), 52–54, 62–64, 67–71, 109–14.

⁹⁹ Appleby, *Fur, Fashion and Transatlantic Trade*, 222–41; Richard Ingle, a Protestant partisan operating in Maryland during the English Civil War, encouraged his followers to destroy property owned by Catholics or those who refused to take the oath of allegiance to Parliament. In 1645, Maryland Parliamentarians arrested Jesuit missionary Father Thomas Copley, the overseer of the Jesuit fur-trading operation, and transported him to England. Copley returned to Maryland in 1648 and found the Jesuit mission on the Potomac River completely destroyed and devoid of the Native converts that had formerly taken up residence there. The Jesuits later returned to Maryland but this marked the end of their Indian trade venture. There exists no record detailing the fate of the Africans working among the Jesuits at that location. See also Sally Smith Booth, *Seeds of Anger: Revolts in America, 1607-1771* (New York: Hastings House, 1977), 43–47.

¹⁰⁰ Appleby, *Fur, Fashion and Transatlantic Trade*, 222–41.

¹⁰¹ Ibid. 244. Annual beaver exports in the 1620s and early 1630s ranged from 2,000–3,000 pelts. This number later fell to 350–1,200 pelts in the years that followed, mostly as a result of over-hunting.

¹⁰² De Sousa may have accumulated this debt while residing on Lewger's household. See Gary Wheeler Stone, "Society, Housing, and Architecture in Early Maryland: John Lewger's St. John's" (PhD diss., University of Pennsylvania, 1982); Archives of Maryland (Biographical Series), (MSA SC 3520–806), 107, 121.

¹⁰³ There exists no record of De Sousa after 1642. A Westmorland County, Virginia, land record perhaps documents him among "three Negros: Mathias, John & Susan"

transported into Westmorland County, Virginia, (across the Potomac River from St.

Mary's) by Francis Smith in 1654. See Nell Marion Nugent, ed., *Cavaliers and Pioneers:*

Abstracts of Virginia Land Patents and Grants, 1623-1666 (1934; repr., Baltimore:

Genealogical Publishing Company, 1963), 315. Citations refer to the 1963 reprint edition.

De Sousa, or possibly one of the other Portuguese-speaking Africans who had worked on

the Chesapeake, may have been the "Portuguese servant" of Virginia trader Abraham

Wood later encountered by Thomas Batts and Robert Fallam who resided among the

Saponi in 1650.

¹⁰⁴ White Indian trader John Hollis, a former employer of Mathias De Sousa, chose this

route and followed Virginia Indian trade merchant Samuel Matthews back to Virginia

records later refer to Hollis as a "carpenter." See Nugent, *Cavaliers and Pioneers*, 134;

William Hand Browne, ed., *Judicial and Testamentary Business of the Provincial Court,*

1637-1650 (Baltimore: Maryland Historical Society, 1887), 4:214.

¹⁰⁵ Timothy H. Breen and Stephen Innes. *Myne Owne Ground: Race and Freedom on*

Virginia's Eastern Shore, 1640-1676, 25th Anniversary Edition (1980; repr., New York:

Oxford University Press, 2005), 36.

¹⁰⁶ *Ibid.*, 69, 75-76, 81, 83, 102.

¹⁰⁷ *Ibid.*, 89.

¹⁰⁸ *Ibid.*, 89-90.

¹⁰⁹ J.H. Pleasants, ed., *Proceedings of the County Courts of Kent (1648-1676), Talbot*

(1662-1674), and Somerset (1665-1668) (Annapolis, MD.: Maryland Historical Society,

1937), 707.

¹¹⁰ *Ibid.*, 712.

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- ¹¹¹ Jennings Cropper Wise, *Ye Kingdome of Accawmacke Or the Eastern Shore of Virginia in the 17th Century* (1911; repr., Baltimore: Clearfield, 2009).
- ¹¹² Francis Jennings, *The Ambiguous Iroquois Empire: The Covenant Chain Confederation of Indian Tribes with English Colonies from Its Beginnings to the Lancaster Treaty of 1744* (New York: W. W. Norton & Company, 1984), 119–20.
- ¹¹³ The six Nations of the Powhatan Confederacy: The Appamattuck, Arrohatock, Chiskiack, Mattaponi, Pamunkey and Powhatan.
- ¹¹⁴ Helen C. Rountree, *Pocahontas's People: The Powhatan Indians of Virginia Through Four Centuries* (Norman, OK.: University of Oklahoma Press, 1990), 96.
- ¹¹⁵ Andrea L. Smalley, *Wild by Nature: North American Animals Confront Colonization* (Baltimore: Johns Hopkins University Press, 2017), 158–59, 163.
- ¹¹⁶ Sebastian Ferris Streeter, *Papers Relating to the Early History of Maryland* (Baltimore: John Murphy, 1876), 88–90.
- ¹¹⁷ Abraham Wood learned the “intricacies” of the Indian trade from Captain Samuel Matthews, who he served as an indentured servant at the age of ten. See Billings, *Sir William Berkeley and the Forging of Colonial Virginia* (Baton Rouge, LA.: Louisiana State University Press, 2004), 76–77.
- ¹¹⁸ Shefveld, *Anglo-Native Virginia*, 23–28.
- ¹¹⁹ Edward Bland, and Sackford Brewster, and Elias Pennant, *The discovery of New Brittain. Began August 27. anno Dom.* (London: Printed by T. Harper for J. Stephenson, 1651).

¹²⁰ Alan Vance Briceland, *Westward from Virginia: The Exploration of the Virginia-Carolina Frontier, 1650-1710* (Charlottesville, VA.: University of Virginia Press, 1987), 45–67.

¹²¹ Wesley Frank Craven, *The Southern Colonies in the Seventeenth Century, 1607-1689* (1949; repr., Baton Rouge, LA.: Louisiana State Univ Press, 1970) 362, 370–71.

¹²² Briceland, *Westward from Virginia*, 101–23.

¹²³ Beverly, *The History of Virginia*, 64–65.

¹²⁴ Briceland, *Westward from Virginia*, 124–46.

¹²⁵ West Africans often adopted “Portuguese” identity because of the advantages that identity provided in business dealings with Portuguese colonists, and due to the immersion of some, especially within coastal areas, in Portuguese culture. See Peter Mark, “The Evolution of ‘Portuguese’ Identity: Luso-Africans on the Upper Guinea Coast from the Sixteenth to the Early Nineteenth Century,” *The Journal of African History* 40, no. 2 (1999): 173–91. English and Portuguese travelers to Guinea in the seventeenth century often encountered Africans who identifies as Portuguese. See Leo Wiener, *Africa and the Discovery of America* (Philadelphia: Innes & Sons, 1920), 107–10, 112.

¹²⁶ David I. Bushnell Jr., “Discoveries beyond the Appalachian Mountains in September, 1671,” *American Anthropologist* 9, no. 1, (January 1907): 45–56.

¹²⁷ Nathaniel Bacon later claimed to represent the views of many colonists when he accused Berkeley in 1676 of directing Virginia’s Native policy “for the gain sake.” See Wilcomb E. Washburn, *The Governor and the Rebel: A History of Bacon's Rebellion in Virginia* (Chapel Hill, NC.: University of North Carolina Press, 2018), 58.

¹²⁸ Briceland, *Westward from Virginia*, 148–50.

¹²⁹ R.P. Stephen Davis Jr., “The Cultural Landscape of the Carolina Piedmont at Contact,” in *The Transformation of the Southeastern Indians, 1540-1760*, ed. Charles Hudson and Robbie Etheridge, (Jackson: University Press of Mississippi, 2008), 140-41.

¹³⁰ *Ibid.*, 141.

¹³¹ Clarence Walworth Alvord and Lee Bidgood, “Letter from Abraham Wood to John Richards,” August 22, 1674, in *The First Explorations of the Trans-Allegheny Region by the Virginians, 1650-1674* (Cleveland: The Arthur H. Clark Co., 1912), 218.

¹³² Kathryn E. Holland Braund, “The Creek Indians, Blacks, and Slavery,” *Journal of Southern History* 57, no. 4 (November 1991): 607–08.

¹³³ Billings, *Sir William Berkeley*, 76–77.

¹³⁴ *Ibid.*, 76–77, 125.

¹³⁵ Lyon Gardiner Tyler, *Encyclopedia of Virginia Biography*, vol. 1 (New York: Lewis Historical Publishing Company, 1915), 122.

¹³⁶ Byrd acquired some of his land via inheritance from his grandfather, Thomas Stegge Sr., by way of his mother. Thomas Stegge Sr. died at sea in 1652. The English government had granted Stegge, along with two other men, a commission to command a fleet of warships dispatched from England for the purpose of destroying Dutch plantations located within Chesapeake Bay. Stegge’s co-captains included Indian Trader William Claiborne and Richard Bennett, the son-in-law of Indian trader John Utie and caretaker of two African servants. Thoams Stegge Sr. willed a portion of his land holdings to his son, Thomas, and another portion to his daughter Grace, wife of John Byrd of London. Grace Byrd passed the land she inherited from her father lying along the

Appomattox River to her son William. These connections illustrate the intimate and multigenerational relationships that underpinned the Indian trade.

¹³⁷ Maureen Meyers, “From Refugees to Slave Traders: The Transformation of The Westos Indians,” in *Mapping the Mississippian Shatter Zone: The Colonial Indian Slave Trade and Regional Instability in the American South*, ed. Robbie Franklyn Ethridge and Sheri Suck-Hall (Lincoln, NE.: University of Nebraska Press, 2009), 93.

¹³⁸ *Ibid.*, 93–95.

¹³⁹ David Hackett Fischer, and James C. Kelly, *Bound Away: Virginia and the Westward Movement* (Charlottesville, VA.: University Press of Virginia, 2000), 95.

¹⁴⁰ Frank Grizzard and D. Boyd Smith, *Jamestown Colony: A Political, Social, And Cultural History* (Santa Barbara, CA.: ABC-CLIO, 2007), 34.

¹⁴¹ Shefveland, *Anglo-Native Virginia*, 50.

¹⁴² Wilcomb E. Washburn, *The Governor and the Rebel: A History of Bacon's Rebellion in Virginia* (Chapel Hill, NC.: University of North Carolina Press, 2018), 20, 58.

¹⁴³ Ethan A. Schmidt, “A Tale of Two Uprisings,” introduction in *The Divided Dominion: Social Conflict and Indian Hatred in Early Virginia* (Boulder, CO.: University Press of Colorado, 2015).

¹⁴⁴ Thomas J. Wertenbaker, *Bacon's Rebellion, 1676* (Baltimore: Genealogical Publishing Company, 2009), 122.

¹⁴⁵ Clarence Walworth Alvord and Lee Bidgood, *The first explorations of the Trans-Allegheny region by the Virginians, 1650-1674* (Cleveland: A.H. Clark Co., 1912), 76; British Public Records Office, *Calendar of State Papers, Colonial and The West Indies, 1676*, 448.

¹⁴⁶ Shefveland, *Anglo-Native Virginia*, 49.

¹⁴⁷ Ibid., 49-50.

¹⁴⁸ T.H. Breen and Timothy D. Hall, *Colonial America in an Atlantic World: a story of creative interaction* (New York: Pearson Longman, 2004), 212.

¹⁴⁹ Byrd, *The Dividing Line Histories*, 334.

¹⁵⁰ Robin Beck, *Chiefdoms, Collapse, and Coalescence in the Early American South* (2013; repr., New York: Cambridge University Press, 2018), 143–46.

¹⁵¹ James H. Merrell, *The Indians New World: Catawbas and Their Neighbors from European Contact through the Era of Removal* (Chapel Hill, NC.: University of North Carolina Press, 1989), 29.

¹⁵² Eric Foner, *Give Me Liberty! An American History* (New York, NY.: W.W. Norton & Company, 2009), 100.

¹⁵³ Hening, *The Statutes at Large*, 1:323–26.

¹⁵⁴ Although there exists no evidence to suggest Virginia once again allowed the sale of Native captives as early as 1660, the 1676 law expressly allowed enslavement of Native captives for the first time. See Kristalyn Shefveland, “Indian Enslavement in Virginia,” *Encyclopedia Virginia*, accessed May 26, 2023, <https://encyclopediaivirginia.org/entries/indianenslavementinvirginia>.

¹⁵⁵ Ibid., 2:404.

¹⁵⁶ Hening, *The Statutes at Large*, 2:404.

¹⁵⁷ Gallay, *The Indian Slave Trade*, 41, 56.

¹⁵⁸ Foner, *Give Me Liberty*, 100.

¹⁵⁹ *Articles of Peace between the Most Serene and Mighty Prince Charles II. By the Grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c., and Several Indian Kings and Queens, &c. Concluded the 29th day of May, 1677* (London: John Bill, Christopher Barker, Thomas Newcomb, and Henry Hills Printers, 1677).

¹⁶⁰ Helen C. Rountree, “The Termination and Dispersal of the Nottoway Indians of Virginia,” *Virginia Magazine of History and Biography* 95, no. 2 (April 1987): 193–214.

¹⁶¹ Shefveld, *Anglo-Native Virginia*, 66, 71.

¹⁶² Augusta B. Fothergill, *Peter Jones and Richard Jones Genealogies* (Richmond, VA.: Old Dominion Press, Inc., 1924), 9–12.

¹⁶³ Shefveld, *Anglo-Native Virginia*, 65–66.

¹⁶⁴ Library of Virginia Archives, Virginia State Land Office, *Land Office Patents, 1623-1643*, 1:653.

¹⁶⁵ Byrd II and Berland, *The Dividing Line Histories*, 312–13.

¹⁶⁶ Douglas Summers Brown, “That Honest Man, Captain Hicks,” chapter 2 in *Historical and Biographical Sketches of Greensville County Virginia 1650-1967* (Emporia, VA.: Riparian Woman's Club, 1968).

¹⁶⁷ Byrd II and Berland, *The Dividing Line Histories*, 473.

¹⁶⁸ Brad Dixon, “‘In Place of Horses’: Indigenous Burdeners and the Politics of the Early American South,” *Ethnohistory* 70, no. 1 (January 2023): 1–23.

¹⁶⁹ Jessica Lauren Taylor, *Plain Paths and Dividing Lines: Navigating Native Land and Water in the Seventeenth-Century Chesapeake*, digital ed. (Charlottesville, VA.: University of Virginia Press, 2023), 43-45. Citations refer to the digital edition.

¹⁷⁰ There is some evidence to suggest that Virginia Indian traders may have used these rivers to access the illegal shipping business that flourished in the Albemarle Sound during this period. Tariff avoidance may have hastened the relocation of some of these traders to North Carolina.

¹⁷¹ Thomas C. Parramore, "The Tuscarora Ascendancy," *North Carolina History Review* 59, no. 4 (October 1982), 311-12. The John Collett map (1770) also notes the Tuscarora location. See Collet, John, J. Bayly, and S. Hooper. *A compleat map of North Carolina from an actual survey*, (London: S. Hooper, 1770). A facsimile of this map is available at <https://www.loc.gov/item/83693769/>.

¹⁷² Anthony F. C. Wallace, "The Tuscaroras: Sixth Nation of the Iroquois Confederacy," *Proceedings of the American Philosophical Society* 93, no. 2 (May 1949): 160.

¹⁷³ During this period, the area around the Albemarle settlement existed as a part of the Carolina Province. Due to the difficulty of governing this region from Charleston, English officials appointed a deputy governor to administer the northern section of the Carolina Province in 1691. They partitioned Carolina into the Province of North Carolina and the Province of South Carolina on December 7, 1710. The English government appointed Edward Hyde, the recently-appointed Deputy Governor for North Carolina, to the position of North Carolina Governor. Civil unrest during Cary's Rebellion delayed Hyde's installment as North Carolina's first government. Virginia Governor Spotswood sent a company of Royal Marines into North Carolina in July 1711 to help seat the new Governor. The unsettled nature of the new North Carolina government caused Virginia to lean into the conflict before ultimately deciding not to become entangled in a civil war.

Discoordination and differing goals among the leaders of the three colonies, each believing they had standing in Tuscarora relations, exacerbated the ongoing conflict.

¹⁷⁴ Alden T. Vaughan, ed., *Early American Indian Documents: Virginia treaties, 1607-1722* (Washington: University Publications of America, 1979), 155.

¹⁷⁵ Douglas W. Boyce, "Did a Tuscarora Confederacy Exist?" in *Four Centuries of Southern Indians*, ed. Charles M. Hudson (1975; repr., Athens, GA.: University of Georgia Press, 2007), 32–33.

¹⁷⁶ H.R. McIlwaine, ed., *Executive journals of the Council of Colonial Virginia* (Richmond, VA.: Virginia State Library, 1925), 3:159.

¹⁷⁷ Shefveland, *Anglo-Native Virginia*, 28.

¹⁷⁸ McIlwaine, *Executive journals of the Council of Colonial Virginia*, 3:199. The full complaint reads: "Whereas Complaint is made to this Board that George Fountain a free Negro hath traded with the Tuscaruros since the proclamation prohibiting the same. It is Ordered that the Sherif of Prince George's County take the sd. Fountain into Custody till he give bond with good. October the 26, 1708."

¹⁷⁹ Ibid.

¹⁸⁰ Byrd II and Berland, *The Dividing Line Histories*, 470. Byrd did not think to mention Fountain's race when he recorded this remark. Free people of color commonly worked within the Indian trade and therefore Fountain's race simply did not merit a remark.

¹⁸¹ McIlwaine, *Executive journals of the Council of Colonial Virginia*, 2:351–52, 381–82.

¹⁸² Ibid., 2:390–91

¹⁸³ Ibid.

¹⁸⁴ McIlwaine, *Executive journals of the Council of Colonial Virginia*, 2:402.

¹⁸⁵ Ibid., 2:405; see also Thomas D. Morris, “Slaves and the Rules of Evidence in Criminal Trials Symposium on the Law of Slavery: Criminal and Civil Law of Slavery,” *Chicago-Kent Law Review* 68, no. 3 (June 1993): 1212–216.

¹⁸⁶ Hening, *The Statutes At Large*, 3: 298. It is, however, important to note that this 1705 statute specifically stated: “that popish recusants convict, negroes, mulattoes and Indian servants, and others, not being Christians, shall be deemed and taken to be persons incapable in law, to be witnesses in any cases whatsoever.” Like other English laws dating back to the early-modern period involving people of color, legislators placed the law’s emphasis upon one’s status as a Christian. Free people of color who professed Christianity might therefore challenge this law, yet there exists no evidence of that. How Virginia courts read and applied this law, and how it might pressure free Black witnesses to remain silent for fear of transgression, proved another matter.

¹⁸⁷ McIlwaine, *Executive journals of the Council of Colonial Virginia*, 2:405.

¹⁸⁸ Benjamin B. Weisiger III, ed., *Charles City County, Virginia, court orders 1687-1695* (Richmond, VA.: Benjamin B. Weisiger, 1980), 125. Hubbard Gibson’s name appears in various forms in records as “Hubbard,” “Hobert,” “Hubert,” and “Hubart.” I chose the most common occurrence, “Hubbard,” for clarity. Some evidence suggests, however, that Hubbard Gibson’s father may have named him after Bertram Hobert, also known as “Obert,” the individual who had once claimed him as a headright. Thomas Gibson, Hubbard Gibson’s father, likely founded this Gibson trading clan. In 1639 John Utie Jr. “assigned” Thomas Gibson a 100acre parcel of land on Upper Chippoakes Creek near the mouth at the James River. John Utie Jr., a well-respected Indian trader, maintained the base of trading operation adjacent to this land. Utie possibly passed this land on to

Gibson in an effort to keep him close to his trade base. In 1647, Thomas Gibson gifted a 50acre portion this 100acre parcel to Elizabeth Booth, the minor daughter of Dr. Robert Booth, a business partner of Utie's. Gibson have gifted this land to resolve a trading debt. Indian traders often used land as collateral for trade expedition loans. See "Captain John Utie, of Utimaria, Esq.," *William and Mary Quarterly* 4, no. 1 (July 1895): 53.

¹⁸⁹ Byrd II and Berland, *The Dividing Line Histories*, 426, 428, 470.

¹⁹⁰ McIlwaine, *Executive journals of the Council of Colonial Virginia*, 1:277. Although there exists no evidence of a connection between George Fountain and John Fontaine the two men likely shared some form of familial relationship. Virginia records indicate a number of phonetic variants for the last names of both men that overlap. John Fontain died prior to April 1713 when the Virginia Executive Council noted that Prince George County had escheated his land, thus indicating that he had no living heirs. If the two men shared a familial relationship of some kind, George's death must have preceded that of John Fontain. See McIlwaine, *Executive journals of the Council of Colonial Virginia*, 1:341.

¹⁹¹ C.S. Everett, "'They Shalbe Slaves For Their Lives,'" 79–81.

¹⁹² McIlwaine, *Executive journals of the Council of Colonial Virginia*, 2:402.

¹⁹³ David La Vere, "Of Fortifications and Fire: The Tuscarora Response to the Barnwell and Moore Expeditions during North Carolina's Tuscarora War, 1712 and 1713," *North Carolina Historical Review* 94, no. 4 (2017): 363–64.

¹⁹⁴ Lindley S. Butler, *A History of North Carolina in the Proprietary Era, 1629-1729* (Chapel Hill, NC.: University of North Carolina Press, 2022), 295.

¹⁹⁵ Chapman J. Milling, *Red Carolinians* (1940; repr., Columbia, SC.: University of South Carolina Press, 1969), 121. Citations refer to the 1969 reprint edition.

¹⁹⁶ *Ibid.*, 127.

¹⁹⁷ *Ibid.*; The word “for” seems to indicate that South Carolina authorities sold him *for* an offense that cost him his freedom. If so, Harry may have held status as a free man prior to his transgression.

¹⁹⁸ David La Vere, *The Tuscarora War: Indians, Settlers, and the Fight for the Carolina Colonies* (Chapel Hill, NC.: University of North Carolina Press, 2013), 203.

¹⁹⁹ *Infra*, 131.

²⁰⁰ Timothy Silver, *A New Face on the Countryside: Indians, Colonists, and Slaves in South Atlantic Forests, 1500-1800* (New York: Cambridge University Press, 1990), 89–93.

²⁰¹ See 98–100.

²⁰² H. Thomas Foster and Arthur D. Cohen, “Palynological Evidence of the Effects of the Deerskin Trade on Forest Fires during the Eighteenth Century in Southeastern North America,” *American Antiquity* 72, no. 1 (January 2007): 35–51.

²⁰³ John F. Richards, *The World Hunt: An Environmental History of the Commodification of Animals* (Berkeley, CA.: University of California Press, 2014), 53–54.

²⁰⁴ La Vere, *The Tuscarora War*, 48.

²⁰⁵ Alexander Spotswood, *The Official Letters of Alexander Spotswood, Lieutenant-governor of the Colony of Virginia, 1710-1722, Now First Printed from the Manuscript in the Collections of the Virginia Historical Society, with an Introduction and Notes by R.*

A. Brock, ed. Robert Alonzo Brock (Richmond, VA.: The Virginia Historical Society, 1882), 149.

²⁰⁶ La Vere, *The Tuscarora War*, 94.

²⁰⁷ Spotswood and Brock, *The Official Letters of Alexander Spotswood*, 148–52.

²⁰⁸ *Ibid.*, 230–38.

²⁰⁹ Lawson, *A New Voyage to Carolina*, 11–12.

²¹⁰ La Vere, *The Tuscarora War*, 74.

²¹¹ Murray G. Lawson, “An Act for the Better Regulation of the Indian Trade, 1714,” *Virginia Magazine of History and Biography* 55, no. 4 (October 1947): 329–32.

²¹² Cecil Headlam, ed., “America and West Indies: September 1718,” in *Calendar of State Papers Colonial, America and West Indies: Volume 30, 1717-1718* (London: His Majesty's Stationery Office, 1930), 343–59.

²¹³ Shefveland, *Anglo-Native Virginia*, 109.

²¹⁴ Leonidas Dobson, *Alexander Spotswood* (Philadelphia: University of Pennsylvania Press, 1932), 105.

²¹⁵ W. M. P. Palmer, ed., *Calendar of Virginia State Papers and Other Manuscripts: 1652-1781 Preserved in the Capitol at Richmond* (Richmond, VA.: R.F. Walker, 1875), 155–56. “Western Indians” refers to the Catawba. See James H. Merrell, “The Racial Education of the Catawba Indians,” *Journal of Southern History* 50, no. 3 (August 1984): 367.

²¹⁶ Lawson, *A New Voyage*, 43.

²¹⁷ Merrell, *The Indians New World*, 103.

²¹⁸ Alexander Samuel Salley, ed., *Journal of the Commissioners of the Indian Trade of South Carolina September 20, 1710-April 12, 1715* (Columbia, SC.: The Historical Commission of South Carolina, 1926), 17-18.

²¹⁹ Shefveland, *Anglo-Native Virginia: Trade*, 80–81.

²²⁰ Gallay, *The Indian Slave Trade*, 212.

²²¹ McIlwaine, *Executive journals of the Council of Colonial Virginia*, 3:177–78.

²²² *Ibid.*, 178.

²²³ *Ibid.*

²²⁴ E. G. Atkinson, ed., “Journal, December 1712: Journal Book P,” in *Journals of the Board of Trade and Plantations: Volume 2, February 1709 March 1715* (London: His Majesty's Stationery Office, 1925), 396–400. *British History Online*, accessed May 15, 2022, <http://www.britishhistory.ac.uk/jrntradeplantations/vol2/pp396400>.

²²⁵ E. G. Atkinson, ed., “Journal, October 1709: Journal Book N,” in *Journals of the Board of Trade and Plantations: Vol. 2, February 1709-March 1715/6* (London: His Majesty's Stationery Office, 1925), 7383. *British History Online*, accessed May 15, 2022, <http://www.britishhistory.ac.uk/jrntradeplantations/vol2/pp73-83>.

²²⁶ Marcoux, *Pox, Empire, Shackles, and Hides*, 25–27.

²²⁷ Benjamin B. Weisiger, III, ed., *Prince George County, Virginia Wills & Deeds, 1713-1728* (Athens, GA.: Iberian Publishing Co., 1972), 350. Prior to his South Carolina arrest, John Bunch lived as a free man. The Virginia Governor's Council called John Bunch a free “mulatto” when they reviewed his petition to marry a White woman in Virginia in 1704. Bunch also owned property in North Carolina where he resided among other free people of color and fellow Indian traders. See Mary Best Bell, ed., *Colonial Bertie*

County North Carolina Deed Books A-H, 2nd ed. (Greenville, SC.: Southern Historical Press, Inc., 1979), 71. Reeves, the individual who had ostensibly come to court simply to aid his neighbor in the recovery his slave property, also had ties to Hicks and his cabal of Indian traders. Reeves, a cousin of Hicks, worked as an Indian trader for William Byrd II; his descendants later claimed their forbearers came “from Portugal” – an indication that Reeves also may have had Portuguese African ancestry. See Jane Austin Bruckner, “Lieutenant George Reeves (1735-1811) of Grayson County, Virginia,” *Glimpses of Grayson* (Winter 2016): 6. Samuel Harwood Jr., Bunch’s supposed owner, served as the Sheriff of Charles City County, the fiefdom of William Byrd II and home to many of the Indian traders that he employed. Harwood’s cousins married members of the Wood, Jones, Harrison, and Poythress trading families. Harwood had additional familial ties to individuals who had financially backed Hicks’ trading expeditions. South Carolina officials surely did not know of the Virginia Indian trade connections shared by Bunch and Reeves when they eventually released Bunch. No record exists that provides John Bunch’s release. Bunch returned to North Carolina, not Virginia. Bertie County, North Carolina, land and court records dated not long after his arrest in 1719 indicate that he purchased and sold land as a free man.

²²⁸ Weisiger, III, *Prince George County, Virginia Wills & Deeds*, 350.

²²⁹ *Ibid.*

²³⁰ *Ibid.*

²³¹ John Bunch later purchased two tracks of land among the Indian traders of Oconeechee Neck. Indian trade merchants Henry Guston and James Milliken acted as witnesses for one of those transactions. Bunch resided on land along the Roanoke River

given to him by his father that adjoined the land of Gideon Gibson. See Bell, *Colonial Bertie County North Carolina Deed Books*, 71, 72, 84.

²³² Cecil Headlam, ed., “America and West Indies: May 1716, 1–15,” in *Calendar of State Papers Colonial, America and West Indies: Volume 29, 1716-1717* (London: His Majesty's Stationery Office, 1930), 70–76.

²³³ Ibid.

²³⁴ Here, Spotswood presented a cynical argument. Virginia had gone to war with its Native neighbors on multiple occasions during the seventeenth century and mostly annihilated them. The tributary Native groups that remained around Virginia bore no to the resemblance to the Tuscarora or Yemasee in terms of their strength and ability to wage war. Spotswood could point to a peaceful frontier and steady relations with the remnant groups of Natives that existed on Virginia's periphery because Virginia's wars of annihilation and conquest had already occurred—from the Powhatan Wars to the genocidal campaign that followed Bacon's War.

²³⁵ McIlwaine, *Journals of the House of Burgesses*, 5:xxxvi.

²³⁶ Will's Quarter Swamp, known presently as Hoggard Mill Creek, attached to William Byrd's land and bore his name. See Bell, *Colonial Bertie County North Carolina Deed Books*, 3.

²³⁷ Jerry Allegood, “People & Places: Hidden History: Cashie Reveals Backwater Wharf,” *Coastwatch*, accessed July 11, 2019, <https://ncseagrant.ncsu.edu/coastwatch/previous-issues/2010-2/summer-2010/people-places-hidden-history-cashie-reveals-backwater-wharf/>.

²³⁸ Ibid.

²³⁹ Modern-day NC Highway 17 roughly follows the route of this ancient coastal trading path.

²⁴⁰ Theresa R. Hicks, "Wharves: The Keystone of Plantation Wealth? Case Studies," (master's thesis, East Carolina University), 2012. 20, 45, 104, 124.
https://thescholarship.ecu.edu/bitstream/handle/10342/3837/Hicks_ecu_0600M_10666.pdf?sequence=1

²⁴¹ Arthur Kavanaugh and other merchants constructed these warehouses near the present-day town of Windsor, North Carolina.

²⁴² Parramore, "The Tuscarora Ascendancy," 311.

²⁴³ La Vere, *The Tuscarora War*, 21.

²⁴⁴ Lindley S. Butler, and Alan D Watson, eds., *The North Carolina Experience: An Interpretive and Documentary History* (Chapel Hill, NC.: University of North Carolina Press, 2010), 11.

²⁴⁵ Ibid., 196–97.

²⁴⁶ La Vere, *The Tuscarora War*, 204.

²⁴⁷ Henry Mouzon, cartographer, and Thomas Jefferys, ed., *An Accurate Map Of North And South Carolina...etc., By Henry Mouzon And Others* (London: Printed for Robert Sayer and J. Bennett, 1775); C. Christopher Crittenden, "Overland Travel and Transportation in North Carolina, 1763-1789," *North Carolina Historical Review* 8, no. 3 (July 1931): 239–57.

²⁴⁸ Joey Powell, *Cumberland County* (Charleston, SC.: Arcadia, 1999), 47; Thomas C. Parramore, "With Tuscarora Jack on the Back Path to Bath," *North Carolina Historical Review* 64, no. 2 (April 1987): 125.

²⁴⁹ John H. Goff, “The Path to Oakfuskee Upper Trading Route in Georgia to the Creek Indians,” *Georgia Historical Quarterly* 39, no. 1 (March 1955): 1–36.

²⁵⁰ Virginia traders based at Fort Christanna including Hicks, Evans, Crawley, Jones, Urven and others used this route. Colonists referred to segments of this path as The Great Trading Path, The Catawba Path (the section from below the Roanoke to the Catawba villages), and The Warrior’s Path. Like most ancient trading paths, the Occaneechi Path consisted of a system of paths that various Native groups used to travel from one Native nation to another to conduct trade during the pre-Contact period. See Charles M. Hudson, *The Catawba Nation* (Athens, GA.: University of Georgia Press, 2007), 31; Historian Tom Magnuson has researched this and other old trade pathways extensively. See <http://tradingpath.org>.

²⁵¹ Byrd II and Berland, *The Dividing Line Histories*, 128.

²⁵² “Miscellaneous Items (From Records of Albemarle County and Chowan County in Edenton, N.C.),” *North Carolina Historical and Genealogical Register* 2, no. 1 (January 1901): 304.

²⁵³ There exists no record detailing the precise date of Gideon Gibson’s move to North Carolina. Gideon Gibson witnessed a North Carolina deed from “Nathaniel Holly and wife Jean to Barnaby McKinne” in 1720. He purchased 200 acres of land from Indian trader William Maule and wife Penelope in Chowan County on the south side of the Morratuck (Roanoke) River adjacent to the land of William Jones, also an Indian trader, on July 24, 1721. See Bell, *Colonial Bertie County North Carolina Deed Books*, 43, 60, 66, 83, 91, 158.

²⁵⁴ Ibid., Gideon Gibson purchased 540 acres of land from Indian trader Robert Lang on the south side of Roanoke River on July 24, 1721. Gibson made at least three land purchases in this area. See note 253.

²⁵⁵ Heinegg, *Free African Americans*, 283–84.

²⁵⁶ Ibid., 283.

²⁵⁷ Heinegg, *Free African Americans*, 290–93; William Chavis owned a lodging house in Granville County. He later became involved in a lawsuit between two Whites regarding stolen money. When the victim of the theft asked Chavis to help him initially search for the stolen money, Chavis replied: “I am a Black man and don't care to undertake such a thing.” See Heinegg, *Free African Americans*, 291.

²⁵⁸ Bertie County, *North Carolina Land Patent Book 3*, State Archives of North Carolina MARS database, File no. 227, 3.

²⁵⁹ See 135–36.

²⁶⁰ Bell, *Colonial Bertie County North Carolina Deed Books*, 71, 72, 84.

²⁶¹ Heinegg, *Free African Americans*, 736–37.

²⁶² Bell, *Colonial Bertie County North Carolina Deed Books*, 5, 6, 71.

²⁶³ Heinegg, *Free African Americans*, 773–74.

²⁶⁴ Weynette Parks Haun, ed., *Bertie County Court Minutes* (Durham, NC.: W.P. Haun, 1976), I:52, 265.

CHAPTER 3: INDIAN TRADE COMMUNITIES

As the Indian trade grew during the early eighteenth century and travel distances expanded, the need arose for trade communities capable of servicing the needs of long-haul trade. Following the Powhatan Treaty of 1646, Virginia's Indian traders utilized four official trading forts located along Virginia's colonial boundary line. Native trade partners travelled to these forts to conduct business with colonial traders. Native porters transported animal pelts to these forts and then carried the trade goods they received in return back to their villages. A small number of traders and support staff operated each of Virginia's trading forts. Over time, communities of Indian traders and support personnel built up around the trading forts, thus creating small Indian trade communities.

When the Virginia government relaxed Indian trade restrictions in the aftermath of Bacon's Rebellion (1676), Indian traders desirous of conducting trade with Nottoway, Meherrin, and Tuscarora villages moved south to areas along Blackwater, Nottoway, Meherrin Rivers. Independent Indian traders clustered along these areas in order to band together for protection against marauding Natives and to develop systems of mutual support. These traders often formed collective trading parties to better ensure their safety when conducting long distance trade expeditions. By banding together, trading parties stood a better chance against the often-perilous trading paths. Indian traders who traveled alone risked violence. Marauding Natives killed Indian trader Peter Shaw along the Upper Trading Path in 1732.¹ Fellow trader Alexander Wood later found Shaw's body and reported that unknown Natives had "murdered and scalped" him. Wood found Shaw's servant ten yards away "cruelly wounded, with his head cut."² In 1735, trader George Stevens disappeared while on a trading expedition in Cherokee territory. A fellow trader

found Stevens' mutilated body in a wooded area between two Cherokee villages thirteen days later.³ The trader reported that Stevens' assailants had left him "scalped, his left hand was split to the wrist, his left shoulder jointed, his stomach cut open to his belly, and pricked all over the body."⁴ The Cherokee blamed the murder of George Stevens on marauding members of the Alabama nation who occasionally roamed north to prey on Cherokee and colonial traders along the Upper Trading Path.⁵

Robbery and deceit by fellow Indian traders also occurred along the trading paths. In August 1736, Georgia Indian trader Roger Lacy took "by force and violence" trade goods valued at £3000 from South Carolina trader John Garder.⁶ Lacy bore a trade commission from Governor Oglethorpe of Georgia that he liberally interpreted as a license to plunder rival traders conducting business in Cherokee towns. The following month, Joseph Griffin met a similar fate while trading in another northern Cherokee village. Griffin reported that he "lost everything" after he refused to sell Lacy all of his horses.⁷ The dangerous and reclusive work performed by Indian traders forged a sense community among those who chose to live and work together.

The collapse of the Tuscarora and the opening of long-distance trade routes in the southwest frontier altered the size and composition of Indian trade communities. During most of the seventeenth century, trade expeditions ranged only moderate distances to reach Native trading partners just beyond colonial settlement. New trade relations established toward the close of that century with distant Native nations such as the Catawba, Chickasaw, and Cherokee required more distant travel. William Byrd II estimated that traders based along the Roanoke River trading with the Catawba traveled 250 miles to reach their trade destination at a pace of about twenty miles per day under

ideal conditions, thus spanning about thirteen days.⁸ Traders used packhorses to transport their trade goods and to return deerskins to their merchant buyers. Each packhorse carried 150-200 pounds of trade goods that traders loaded into three separate packs.⁹ Traders then assembled the packhorses into caravans guided by packhorse men who travelled with the caravan along with the traders, scouts, and other support personnel.

The size of trade caravans varied. Byrd reported that Catawba-bound caravans contained about one hundred packhorses.¹⁰ Archibald McGillvray described a similar number of packhorses used in his South Carolina operation that traded with the Creek.¹¹ Fifteen to sixteen packhorse men normally attended one hundred packhorses.¹² Trade caravans required skilled packhorse men who could successfully secure and guide the caravan's valuable cargo through the many hazards along roughly-hewn trading paths. For this skilled and dangerous work, packhorse men earned two to four times the wages of an average colonial laborer.¹³ In addition to good pay, enterprising packhorse men might hope to someday elevate themselves into the ranks of traders and gather substantial wealth. Packhorse men located themselves in proximity to their employers and thus became part of the makeup of Indian trade communities.

One of the most important duties of a packhorse man involved the maintenance of the animals under their care during trade expeditions. The whole of the Indian trade rested, quite literally, on the backs of these creatures. Traders collectively deployed hundreds of packhorses along the trading paths at any given time. In 1740, Indian traders based in Augusta, Georgia, maintained over 2,000 packhorses for use in trade caravans.¹⁴ Indian trade communities necessarily supported large animal husbandry operations to support their massive demand for horses.

Some free people of color present in Indian trade communities likely supplied and cared for these horses. As illustrated by the Going family, many free people of color excelled as horse-breeders.¹⁵ Others gained similar notoriety working with race horses. One Northampton County chronicler called Gideon “Gibbs” Chavis, son of William Chavis, a “great horse racer” whose horse, Black Snake, “had no equal in his day.”¹⁶ Gibbs Chavis, like the Goings family, engaged in horse racing for profit and apparently won “a great deal of money” doing so.¹⁷ Occoneechee Neck later became a world-renowned equestrian site.¹⁸ There exists no record detailing how many free people of color supplied horses for the Indian trade. Given their talent as horse-breeders, however, some free people of color likely migrated to Indian trade communities in order to gain work within this high-demand occupation.¹⁹

Other free people of color residing in Indian trade communities may have worked within other necessary trades. The Indian trade required a host of supplementary workers. Saddlers and leather workers produced the packhorse rigs, tarps, and straps required to transport trade goods and deerskin bundles. Blacksmiths produced buckles for packs, serviced weapons, and made legions of horse shoes. Carpenters built and maintained warehouses, horse pens, and wharves. Porters packed deerskins into large shipping casks called “hogsheads” before loading them unto barges for delivery to coastal merchants. Boatmen guided those barges and returned with manufactured trade goods. Indian traders may have sourced some of this labor from surrounding towns. Yet, given the remoteness of Indian trade communities and the critical nature of the work performed, many of these workers likely lived within the Indian trade communities that employed them.

Indian traders and merchants utilized additional laborers to help prepare deerskins for market. The deerskins Indian traders acquired from their Native trading partners often required processing to make them market-ready. Deerskins came to Indian traders either “dressed” or “undressed.” Workers processed “Dressed” deerskins to remove hair and unwanted tissue and then treated them using a multi-stage process that involved the application of lime and animal dung or brains to make the hides more pliable when dried. This lengthy and unsavory process required skill to avoid damage the hide. Dressed deerskins that went through this process commanded a higher price than unprocessed “undressed” deerskins.

In the early days of the trade, Native trading partners primarily presented dressed skins to colonial traders. Native women normally undertook the work of dressing deerskins brought in by the hunters of their village. By processing deerskins within Native villages, Native headmen capitalized on the labor of their women. As hunting distances grew longer with deer herd depletion, returning deerskins to the hunter’s village for processing became less practical. By the early eighteenth century, Native hunters often sold undressed skins to colonial traders. Colonial merchants seeking to source fine leather for clothing often complained about the quality of Native deerskin processing. This caused Indian traders to undertake some amount of processing on their end of the trade. Evidence of a hide processing operation at Occoneechee Neck remains even today along the banks of Quankey Creek.²⁰ Hide processing work may have created jobs for free people of color who otherwise faced limited job prospects in mainstream colonial society.

Principal Indian traders of color—men such as Hubbard Gibson and John Bunch—sat at the center of Indian trade communities; they organized trade expeditions and bargained directly with Native trading partners. Principal traders often employed “under traders” who conducted trade expeditions on their behalf.²¹ Through the use of under-traders who operated under the principal trader’s trade license, principal traders might undertake multiple trade expeditions simultaneously.²²

Documenting the many workers who made up Indian trade operations presents challenges. Individuals at the highest level of the Indian trade—merchants and financiers such as Thomas Stegge, William Byrd and Cadwalader Jones—regularly appeared in colonial records and left behind other written records, such as correspondence with their London merchant creditors that discuss their Indian trade operations.²³ Byrd, in particular, left behind a journal that provided a wealth of information about his business.²⁴ Principal Indian traders—the individuals who assembled and managed trade expeditions—including Abraham Wood, Robert Hicks, Hubbard Gibson, and John Fountain—often appear in legislative and county court records. Virginia, North Carolina, South Carolina, and Georgia also required principal Indian traders to take out bonds or apply for trade licenses in order to conduct business in those colonies.²⁵ Some principal traders, such as George Chicken and James Adair, kept journals that chronicled their dealings with Natives.²⁶ These individuals represented only a fraction of manpower employed in the Indian trade. Under-traders, packhorse men, porters, boatmen, and other common laborers, like many of their social class in the colonial South, often left few records and are therefore more challenging to document. Court or indenture records occasionally mentioned these lesser-known individuals. Scholars, however, can deduce

their presence in Indian trade communities by consulting evidence that lays out the composition of Indian trade operations. The lives of ancillary workers often went unrecorded. These individuals may not have appeared in the few written records left behind by Indian trade communities but they nevertheless existed. Scholars may also tease some of these individuals out through kinship. Colonial Marriage, probate, and land records can help to illuminate familial connections that reveal otherwise obscured trade participants residing in Indian trade communities.

By the eighteenth century, an intricate web of deep personal connections formed the fabric of the Indian trade. Bryan Rindfleisch perfectly summarized the enduring bonds formed inside Indian trade communities within the title of his monograph on the life of South Carolina Indian trader, George Galphin: *George Galphin's Intimate Empire: The Creek Indians, Family, and Colonialism in Early America* (2019).²⁷ Rindfleisch referred to the social and familial network that underpinned Galphin's trading operation as an "intimate empire." He argued that the kinship ties formed between Galphin, his employees, and his fellow traders proved instrumental to his success. Galphin had an enduring friendship with fellow trader James Adair, who became a close confidant and later a business partner. Through this relationship, Adair introduced Galphin to his network of personal trading connections. This helped Galphin grow his Silver Bluff trading operation to a level of great prosperity.²⁸ The relationship between Galphin and Adair, as with many between Indian traders, endured for close to four decades until the death of both men, circa 1775. Adair dedicated his memoir, *History of The American Indians* (1775), to fellow traders and competitors Galphin, George Croghan, and Lachlan McGillivray. In his dedication, Adair praised the trader's "long application and services

in the dangerous sphere of an Indian life.”²⁹ Adair also maintained a close connection with fellow trader Gideon Gibson. Both men served as each other’s trustees for a variety of property transactions conducted 1766-1777.³⁰ Adair referred to Gibson as “my trusty friend.”³¹ Adair and Gibson, like many Indian traders, also shared familial bonds. James Adair’s daughter, Agnes, married Gibson’s son John. Another of Adair’s daughters, Elizabeth, married John Cade, a close friend of Gibson’s and a witness to his will.

Examples of this intricately connected world are sometimes found in colonial court records. A legal action brought Indian trader Hubbard Gibson, in Prince George’s County, Virginia, illustrates the ring of personal connections that underpinned the Indian trade. In 1711, fellow Indian trader James Thweatt complained to a Prince George County Court that Hubbard Gibson owed him “16 well drest doe skins.”³² Thweatt traded with the Nottoway and Meherrin and his family had deep connections to the Indian trade.³³ Thweatt’s father worked as a trader and had provided expert testimony in 1707 on the disposition of Nottoway and Meherrin settlements during the border dispute between Virginia and North Carolina.³⁴ The record of Thweatt’s lawsuit noted that Hubbard Gibson had “unlawfully departed this county” and failed to appear to answer the charges against him.³⁵ The Prince George’s County court found Gibson liable for the debt to Thweatt.³⁶ In an effort to satisfy the judgement in Gibson’s absence, the court appointed four appraisers, men who knew Gibson, to assess the property that Gibson left behind in Prince George’s County.³⁷ The court ordered four men, Robert Poythress, William Batte, George Rives, and Edward Mitchell, to act as appraisers.³⁸ Poythress, Batte, and Rives worked as Indian traders and shared a dizzying number of business and multi-generational familial relationships that connected all.³⁹

Kinship became a key element in Indian trade communities due to the high levels of trust necessary to maintain the business of the Indian trade on multiple levels. Factors and merchants trusted principal traders to complete arduous trading journeys and secure profit. William Byrd II called the principal traders he preferred to work with men “of Substance and Reputation.”⁴⁰ Byrd knew his traders and their extended families and could therefore rest more easily with them in charge of his goods, hundreds of miles down the trading paths. Traders, in turn, relied upon packhorse men, scouts, and others they employed to undertake trade expeditions. These men entrusted each other with their lives during long and dangerous journeys. Traders additionally placed the stewardship of their trading bases to the individuals they left in charge while they conducted commerce and sometimes remained absent for months. Almost all of the tasks performed by workers at all levels of the Indian trade rested upon credit. Trade expeditions exchanged goods that required transport over hundreds of miles before merchants could render payment. Individuals who performed work on behalf of Indian traders therefore trusted that they would receive their pay after the final exchange of trade goods.

Free people of color who faced deteriorating economic prospects in other areas of colonial society became drawn to Indian trade communities by other successful free people of color with whom they shared familial ties. Scholars have recognized this phenomenon of community building. In *North Carolina's Free People of Color, 1715-1885* (2020), Warren Milteer argued that free people of color often formed what he called “colonies”—essentially, communities where they concentrated, intermarried, and conducted commerce with neighboring White communities.⁴¹ Breen and Innes documented this phenomenon among the seventeenth-century free Blacks on Virginia's

Eastern Shore.⁴² Race-based laws also played a role in community building. Interracial marriage prohibitions in Virginia and North Carolina encouraged endogamous marriage. This further condensed communities of color.⁴³ Upon visiting an Indian trade community, one eighteenth-century observer noted that it contained a “Strange medley of people...Causcasions [sic], Mongolians or Indians, Africans & several new breeds manufactured by judicious crossing!”⁴⁴ For free people of color, closeknit communities created by Indian traders and built around kinship complimented their own clannishness.

So long as Indian trade communities produced profit for these powerful members of English society, they remained protected, despite their anomalous existence beyond the colonial color line. The most powerful force that shaped Indian trade communities, however, was the incipient capitalism of the time. The Indian trade produced vast profits for influential members of the colonial ruling elite, such as the Byrd, Lightfoot, and Bolling families. Gentry capitalists such as these constituted a plutocracy that controlled colonial government; they took up key government positions, held sway over the tenure of governors, and ultimately directed colonial law and policy.⁴⁵ Gentry capitalists such as William Byrd I protected the multifarious communities built by Indian traders in their employment because of the profit they produced. Powerful English merchants also profited greatly from the Indian trade. These merchants formed the core of an English trade and finance power structures that increasingly held sway over English politics and policy following the Restoration.⁴⁶

Indian trade communities, from Kent Island in the 1640s to trading base formed along the Roanoke River in the eighteenth-century, shared a common thread of social diversity that differentiated them from other colonial spaces. Diverse communities

shaped by the forces of capitalism frequently formed across the greater Atlantic world. Historian Ira Berlin argued that the powerful commercial and political forces that created the Atlantic world reshaped the social and culture structures of Atlantic port communities, thus producing what Berlin termed “Atlantic creoles.”⁴⁷ Atlantic port communities became transatlantic nodes that communicated their unique social and culture structures across vast distances. Indian trade communities existed within that network. The transatlantic forces that transformed African and Caribbean port communities and gave them a distinct racial and cultural character also shaped Indian trade communities. Unsurprisingly, Atlantic creoles constituted the ranks of the first Indian traders who traded on the Chesapeake during the early seventeenth. These individuals, such as Mathias De Souza, established the Indian trade’s racial plurality. Later Indian trade communities transmitted their creole character to derivative communities across the southern colonial frontier.

Indian trade communities, like Atlantic port communities, became spaces where the supremacy of commerce dampened colonial structures built around race, often creating unique racial dynamics that varied greatly from those of the communities around them. This environment allowed free people of color to gain a foothold through their economic value. Gentry capitalists such as William Byrd II obtained power by building vast economic fiefdoms that pulled whole elements of colonial society into their spheres of influence. So long as individuals such as Hubbard Gibson, John Bunch, and John Fountain served the economic interests of men like Byrd and the London merchants he conducted business with, they might continue to exist outside of the colonial racial hierarchy in a conditional space they maintained with their value. That value, as I

examine in the section that follows, often had the power to create and protect greater communities of free people of color who coalesced around the Indian trade and played an equally valuable role in supporting its operation.

Chapter 3 Endnotes

¹ “Indian Trader Killed by Creeks,” *The South-Carolina Gazette*, August 19, 1732, 4.

² Ibid.

³ “An extract from an Indian trader among the Cherokee,” *The South-Carolina Gazette*, April 05, 1735, 2.

⁴ Ibid.

⁵ Ibid.

⁶ “John Gardner, Indian Trader,” *The South-Carolina Gazette*, September 18, 1736, 2.

⁷ Ibid.

⁸ William Byrd II, *The Dividing Line Histories of William Byrd II of Westover*, ed. Kevin Joel Berland (Chapel Hill, NC.: University of North Carolina Press, 2013), 205-06.

⁹ Ibid., 206

¹⁰ Ibid.

¹¹ Verner W. Crane, *The Southern Frontier: 1670-1732* (Durham, NC.: Duke University Press, 1928), 126.

¹² Ibid.

¹³ Steven J. Oatis, *A Colonial Complex: South Carolina's Frontiers in the Era of the Yamasee War, 1680-1730* (Lincoln, NE.: University of Nebraska Press, 2004), 96.

¹⁴ William Stephens, *A State of the Province of Georgia, Attested Upon Oath in the Court of Savannah, November 10, 1740* (London: W. Meadows, 1742), 7.

¹⁵ Free Blacks who also traded horses include: Emanuel Driggus, John Johnson, Francis Payne, William Harman, and Philip Mongon. See Joseph Douglas Deal, “Race and Class

in Colonial Virginia: Indians, Englishmen, and Africans on the Eastern Shore During the Seventeenth Century” (PhD diss., University of Rochester, 1981), 250.

¹⁶ O.W. Blacknall, “Negro Slave Holders and Slave Owners,” *News and Observer*, October 31, 1895, 2.

¹⁷ Ibid., for more comprehensive discussion of this Chavis family. See Helen Chavis Othow, *John Chavis: African American Patriot, Preacher, Teacher, and Mentor 1763-1838* (Jefferson, NC.: McFarland & Company Inc. Publishers, 2001), 28–29. Chavis’ success in horse racing, however, led to his undoing. On the way home from a particularly lucrative run that “bankrupted the crowd,” unknown assailants, perhaps individuals who lost money to Chavis, ambushed and killed him.

¹⁸ Many of today’s thoroughbred race horses descend from one of the most famous race horses in American history, Sir Archy, who resided at Occoneechee Neck. One of Sir Arcy’s offspring carried the name of “Robin Adair,” the Indian trader connection to that place many years before. This illustrates the deep connections that persisted between the Indian trade and old trade communities that once revolved around that trade in places such as Occoneechee Neck. See Henry W. Lewis, “Horses and Horsemen in Northampton before 1900,” *North Carolina Historical Review* 51, no. 2 (April 1974): 125–48.

¹⁹ Joseph Douglas Deal called the instances of free Black horse ownership and trading he encountered among Northern Neck free Blacks a “phenomenon of some cultural significance.” Deal noted the “predilection of many of the first Black freedmen for owning horses” “during the 1650s and 1660s, before horses were as common in Virginia as they would soon become.” Deal also found that “White freedmen with comparable

resources were less likely to own horses.” See Deal, “Race and Class in Colonial Virginia,” 250.

²⁰ robinturner1943 (Robin Turner), *YouTube*, “Little Quankey Creek, Halifax, NC,” accessed January 22, 2023, https://www.youtube.com/watch?v=UNEv9SCwU_c. The discussion of sea shells lies within the video description.

²¹ Adair, *The History of the American Indians*, 149.

²² Clarence E. Carter, “British Policy towards the American Indians in the South, 1763-8,” *English Historical Review* 33, no. 129 (January 1918): 45.

²³ Marion Tinling, ed., *The Correspondences of the Three William Byrds of Westover, Virginia 1684-1776*, vol. 12 (Charlottesville, VA.: The University of Virginia Press, 1977); For examples of some of the surviving letters of Cadwalader Jones. See Fairfax Harrison, “Western Explorations in Virginia Between Lederer and Spotswood,” *Virginia Magazine of History and Biography* 30, no. 4 (October, 1922): 322–40.

²⁴ William Byrd II, *The Secret Diary of William Byrd of Westover, 1709-1712*, ed. Marion Tinling, and Louis Booker Wright (Richmond, VA.: Dietz Press, 1941); William Byrd II, *The Dividing Line Histories of William Byrd II of Westover*, ed. Kevin Joel Berland (Chapel Hill, NC.: University of North Carolina Press, 2013).

²⁵ Requirements for each of these colonies varied and local colonial authorities did not always enforce trade licensing laws during the seventeenth century. Licensing became more commonly enforced by the eighteenth century.

²⁶ George Chicken, “Journal of Colonel George Chicken’s Mission from Charleston, S.C., to the Cherokees, 1726,” in *Travels in the American Colonies*, ed. Newton Dennison Mereness (New York: McMillan, 1916), 93–172.

²⁷ Bryan C. Rindfleish, *George Galphin's Intimate Empire: The Creek Indians, Family, and Colonialism in Early America* (Tuscaloosa, AL.: University of Alabama Press, 2019).

²⁸ Ibid., 194. Adair later dedicated his memoir, *The History of the American Indians* (1775), in part to Galphin.

²⁹ James Adair, *The History of the American Indians* (London: Edward and Charles Dilly, 1775).

³⁰ “Gidion Gibson for love and affection to my son John Gibson of Craven Co, SC, and in order to make some provision for my said son, and for 20 shillings paid by James Adair, my trustee.” See *South Carolina Miscellaneous Records, vol. OO, 1767-1771*, 91–92; Gideon Gibson lived along the Pee Dee River in South Carolina at this time and James Adair lived in Dobbs County, North Carolina. There exists no record that they ever lived near each other prior to Adair’s final years. Their connection, therefore, developed elsewhere, likely as fellow Indian traders among the Chickasaw or Catawba.

³¹ On March 1, 1767 James Adair wrote: “I do hereby revoke all powers and letters and appoint my trusty friend Gidion Gibson in Craven County, South Carolina.” See *South Carolina Miscellaneous Records*, 2:82–86.

³² Benjamin B. Weisinger, III, ed., “Court Orders and Executions, Prince Georges County, 1714-1720,” *Virginia Genealogical Society Quarterly* 21, no. 1 (January 1983): 6, 86, 89; “James Thweatt, assignee of David Duke, complains of Hubbard Gibson’s indebtedness to him as assignee for 16 well drest doe skins by bill dated 11 July 1711 and unlawfully departed this county. Hubbard’s estate is therefore attached for: one iron pott, pr. andirons. Gibson did not appear and judgment confirmed. Goods to be appraised by

Robert Poythres, William Batte, George Rives, Edward Mitchell and reported to next court.”

³³ Shefveland, *Anglo-Native Virginia*, 28; “Depositions in the Virginia and North Carolina Boundary Case,” *Virginia Magazine of History and Biography* 7, no. 4 (April 1900): 355.

³⁴ *Ibid.*, 342–43.

³⁵ Weisinger, “*Court Orders and Executions, Prince Georges County*,” 6, 86, 89.

³⁶ *Ibid.*

³⁷ Colonial courts commonly appointed appraisers in order to determine the contents and value of estates in probate hearings to ensure proper payment to creditors and beneficiaries. With Hubbard Gibson absent, the court took a similar approach. Out of efficacy, courts normally appointed appraisers who knew the property owner. Appraisers, like witnesses to a will, therefore offer additional insight into the social sphere of Hubbard Gibson.

³⁸ Weisinger, “*Court Orders and Executions, Prince Georges County*,” 89.

³⁹ Robert Poythress appeared in court to answer accusations that he furnished ammunition to Natives contrary to Virginia law in 1713. See Hening, *Minutes of the Executive Council of the Colony of Virginia*, 3:366. Poythress came from a well-established family of Virginia Indian traders. His uncle, Peter Poythress worked for William Byrd II. Poythress also occasionally served as a Tuscarora interpreter. In 1711, the Virginia government enlisted Poythress to help negotiate with the Tuscarora for the release of Swiss nobleman Christop Baron De Graffenried. William Batte also worked as an Indian trader. In 1712, the Virginia Executive Council called upon Batte to testify about his

dealings with William Parham, an Indian trader accused of selling a large quantity of gunpowder to the Tuscarora. See H.R. McIlwaine, *Executive journals of the Council of Colonial Virginia* (Richmond, VA.: Virginia State Library, 1925), 3:324; Batte's grandfather, Thomas Battes, had worked for Indian trade mogul Abraham Wood and led the Battes-Fallom expedition to the Allegheny Mountains. See Robert Fallam and Thomas Batts, "A Journal from Virginia Beyond the Appalachian Mountains in Sept, 1671," *William and Mary Quarterly* 15, no. 4 (April 1907): 235–41; George Rives worked for Byrd and appeared in court to pray for the release of Indian trader John Bunch after his detention in South Carolina. George Rives' father, Timothy Rives, had appraised the estate of Battes' father, Captain Henry Battes, and both families had longstanding ties. Batte's sister, Mary, married Indian trader Abraham Jones whose brothers worked with Indian trader Robert Hicks and whose grandparents included Peter Jones, the captain of the trading fort that became Petersburg, and renowned Indian trader Abraham Wood. Thus, this one document provides an example of the deeply interconnected and personal nature of the Indian trade.

⁴⁰ Byrd II and Berland, *The Dividing Line Histories*, 205.

⁴¹ Warren Eugene Milteer Jr., *North Carolina's Free People of Color, 1715-1885* (Baton Rouge, LA.: Louisiana State University Press, 2020), 127–28.

⁴² Timothy H. Breen and Stephen Innes. *Myne Owne Ground: Race and Freedom on Virginia's Eastern Shore, 1640-1676*, 25th Anniversary Edition (1980; repr., New York: Oxford University Press, 2005), 34–35.

⁴³ Milteer, *North Carolina's Free People of Color*, 127.

⁴⁴ Kathryn E. Braund, *Deerskins and Duffels: Creek Indian Trade with Anglo-America, 1685-1815* (1993; repr., Lincoln, NE.: University of Nebraska Press, 2008), 182.

Citations refer to the 2008 reprint edition.

⁴⁵ For a deeper examination of “gentry capitalism.” See S.D. Smith, *Slavery, Family, and Gentry Capitalism in the British Atlantic: The World of the Lascelles, 1648-1834* (New York: Cambridge University Press, 2006), 138.

⁴⁶ Richard Grassby, “English Merchant Capitalism in the Late Seventeenth Century. The Composition of Business Fortunes,” *Past & Present* 46 (February 1970): 87–107.

⁴⁷ Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America* (1998; repr., Cambridge: Belknap Press of Harvard University, 2003), 29–46.

CHAPTER 4: THE PEE DEE RIVER COMMUNITY

By 1730, the geography of the Indian trade had shifted once again, this time to the South Carolina Piedmont. South Carolina Indian traders, like Virginia traders, conducted a highly lucrative trade with regional Native trading partners for deerskins. This trade had sustained the Carolina colony during its earliest days. During the Carolina colony's crucial formative years in late seventeenth century, deer hides comprised more than half of the colony's export revenue.¹ By the eighteenth century, deer hides became South Carolina's second leading export.² For South Carolina, however, the value of the Indian trade went far beyond economics. South Carolina faced the ever-present threat of Spanish invasion from neighboring Florida. Native nations brought into alliance through the Indian trade served as a buffer against that threat. South Carolina leaders counted upon these Native allies to supply warriors and buttress their defense in the event of invasion.³

Despite the importance of the Indian trade to South Carolina, Robert Johnson, who arrived as that colony's new Governor in 1729, found South Carolina's Indian trade faltering. Virginia and North Carolina traders regularly outcompeted South Carolinians to win business among major Native trading partners to the west. South Carolina once enjoyed a near monopoly on most of this western trade. A decision by England's Board of Trade in 1708, however, introduced new competition from Virginia.⁴ Over the next two decades, Virginia traders, as well as other competitors operating out of the newly-established North Carolina colony, encroached upon trade relationships once claimed exclusively by the South Carolinians. Johnson, who had previously served a term as governor of Carolina, understood the vital importance of the Indian trade to South

Carolina's economic, diplomatic, and military welfare. With that in mind, he endeavored to retake the valuable commerce lost to Virginia and North Carolina Indian traders.

Despite finding South Carolina's Indian trade business in a state of disrepair, Johnson knew that his colony had the upper hand. South Carolina possessed a more favorable geographic position to enjoy trade with Native nations to the west than did Virginia. South Carolina also possessed a substantial port, a merchant establishment, and a financial system capable of undergirding robust trade. Johnson probably reasoned that if he could revive South Carolina's Indian trade, the additional revenue gathered from deer hide export tariffs could help fund his Town Scheme: an ambitious plan to expand South Carolina settlement further west. Yet, for Johnson to resuscitate South Carolina's Native commerce, he needed more, and better capable, Indian traders. Johnson may have solved that problem by inducing successful Indian traders from Virginia and North Carolina to relocate to the South Carolina frontier.

South Carolina owed its earliest commercial success to the Indian trade. Long before the development of rice and indigo planting, South Carolina, like Virginia, relied heavily upon the Native commerce to help generate export revenue. Henry Woodward established the Carolina's first Indian trade operation in 1674. Soon after, Woodward conducted trade with the Cussas (Creek) and Westos.⁵ Within a year, Woodward formed new trade relationships with the Yamasee and the Catawba. As in Virginia, late seventeenth-century Native commerce in South Carolina centered upon the English demand for deerskins but also encompassed a robust trade for Native slaves.

By the start of the seventeenth century, many of the Natives who did business with South Carolina traders had fallen into debt. Unscrupulous traders visited Native

hunters in their hunting camps and plied away their hauls of deer skins with Rum.⁶ When those hunters returned to their villages without skins from their hunt, village headman had nothing to pay Indian traders who often extended them credit for English trade goods in advance.⁷ In order to make up for their financial shortfalls, traders sometimes encouraged their customers to go to war with other Natives to obtain captives that, in turn, they sold to colonial traders as slaves. Native leaders begged the Carolina government to end the Native slave trade. They additionally entreated South Carolina leaders to restrict the flow of alcohol into their villages and to reign in the abusive traders. Carolina officials expressed concern but ultimately failed to act decisively.

In 1707, the South Carolina Commons House of Assembly passed a sweeping set of laws designed to better regulate the Indian trade and curb trader abuses.⁸ The new laws outlawed the sale of alcohol to Natives and forbid their enslavement for debt. In addition, the laws established a new regulatory body, the Commission of Indian Trade, to help oversee trader conduct.⁹ The assembly granted this commission the power to regulate all South Carolina Indian traders. The commission acted quickly to require traders to become licensed and to give a bond of £100 to obey trade guidelines.¹⁰ In response to the complaints of Native trading partners, the commissioners appointed field agents who they sent to monitor trade activity in Native villages. The commission's agents, however, quickly found that they lacked the ability to enforce commission guidelines.¹¹ South Carolina's Indian traders continued to cheat and abuse their Native trade partners and unlicensed traders continued selling alcohol in Native villages despite the protestations of Native leaders.¹²

The destructive Yamasee War (1715) erupted mainly out of Native anger over Indian trader abuses. In the ensuing violence, vengeful Natives killed many of the South Carolina Indian traders with whom they had once conducted business. When the conflict ended, South Carolina had lost nearly an entire generation of its Indian traders. In the lead up to the war, the Yemasee and other Native trading partners complained vociferously about the abuses of South Carolina traders. From September 1710 to April 1715, Native trading partners brought complaints against twenty-three South Carolina traders for crimes ranging from larceny to murder.¹³ In 1715, David Crawley, a Virginia trader who resided among the Catawba, wrote to William Byrd I about the many abuses he had witnessed.¹⁴ Crawley described how South Carolina's Catawba agent, John Wright, compelled the Catawba to "honour him as their Governour" and used them as servants to "carry his luggage."¹⁵ The Commission of Indian Trade had empowered Wright to police Indian traders and end abuse, yet he regularly conducted such abuses himself.

South Carolina Indian traders not only mistreated Native trading partners, they also often mishandled trade. Traders William Watie and George Pawley struggled to understand the seasonal needs of their native customers.¹⁶ In 1716, Watie puzzled over why his Waccamaw customers wanted to trade for nothing but ammunition during their winter hunting season.¹⁷ Later that month, Watie returned from a Waccamaw trading expedition with a number of agricultural tools that had gone unsold; he complained to the Indian trade commissioners and blamed defective equipment. Watie failed to recognize that he had arrived to trade outside of the Waccamaw planting season and therefore his Natives trading partners had no interest in trading for agricultural tools at that time.¹⁸

South Carolina Indian traders also failed to meet the needs of their Cherokee customers. In recent years, archaeologists excavating the Cherokee town Tomotley found evidence that the Cherokee refashioned English-made agricultural tools sold to them by South Carolina traders. Archeologists concluded that the Cherokee had manipulated unwanted tools sold to them in an attempt to fashion the tools they actually needed.¹⁹

Despite the attempts of South Carolina's leaders to better organize their Native commerce through expanded government involvement, unruly behavior among that colony's Indian trade workers remained rampant. In 1718, a colonial trade official reported that the men garrisoned at South Carolina's official Congaree trading post had simply run away with "the Periaugoe, Ammunition, Provisions, &c." The official went further to say that they lacked the "Cash (again) to purchase" "Necessaries" and that he could not "see how we can at this Juncture, go forward." Experienced Indian traders such as Eleazer Wiggins, aware of the dysfunction present in South Carolina's government-controlled Indian trade system, often refused job offers to run official trading posts.²⁰ South Carolina leaders attempted to recover vital Native commerce following the disastrous Yamasee war, yet their colony lacked competent Indian traders to lead that effort.

In 1729, Robert Johnson sailed from England to assume the South Carolina governorship with instructions from London to grow that struggling colony. Accordingly, Johnson formulated a frontier settlement expansion plan, known as the Township Scheme, in order to achieve that expansion.²¹ The new governor speculated that the Township Scheme would produce a protective barrier of settlement along the South Carolina frontier to help fortify the colony against invasion by hostile Native nations or

Spanish insurgents from Florida.²² This, in turn, would pacify large areas of the South Carolina frontier deemed too dangerous for settlement. Johnson's ambitious plan involved the establishment of eleven townships of 20,000 acres each.²³ His proposal also called for the creation of a headright grant that would provide fifty acres of land for each township settler and each member of their family.²⁴ The South Carolina government planned to additionally subsidize settlement by suspending quit rent payments on township land for ten years, and by providing settlers with tools and provisions to help start their new lives.²⁵

Johnson's Township Scheme had the ability to transform the South Carolina frontier and thereby reach the English government's goal for expansion. Yet, in order for his townships to survive, Johnson understood that South Carolina needed to avoid another calamitous Native conflagration like the Yamasee War. A brisk trade that brought regional Native nations into amity with the South Carolina government, conducted by respectable Indian traders, could ensure a peaceable future. Improved trade would also provide financial support for the Township Scheme's expensive settler subsidies. Johnson needed to act quickly. He understood from his time in England that the Trustees for the Establishment of the Colony of Georgia in America would soon deliver their petition for a new colony neighboring South Carolina. The establishment of Georgia would soon produce another Indian trade rival. Johnson surely understood the need to act swiftly and decisively in order to rebuild South Carolina's trade.

4.1: GIDEON GIBSON

As Johnson set his expansion plans into motion, North Carolina Indian trader Gideon Gibson disposed of his land at Occoneechee Neck and prepared to move his trade

operation to the Pee Dee River in South Carolina. As early as the 1710s, North Carolina and Virginia traders travelling south to conduct business with Creek and Chickasaw trading partners congregated at an area called Sandy Bluff, located at the point where Green's Path reached the Pee Dee River.²⁶ In 1728, William Byrd II recalled the Pee Dee as a place where "the Traders commonly ly [sic] still for some days, to recruit their Horse Flesh as well as to recover their own spirits."²⁷

Sandy Bluff offered many of the same benefits as Gibson's former Occoneechee Neck trade base on the Roanoke River in North Carolina. Green's Path, the trading path that led to the western Native nations ran through Sandy Bluff. In addition, the Sandy Bluff's geographically advantageous position on section of the Pee Dee River not far below the fall line on made it accessible by ocean-going vessels. Gibson's new trade location possessed all of the advantages of Occoneechee Neck. Best of all, Sandy Bluff lay further down the trading path and hundreds of miles closer to western Native trading partners.

Despite Sandy Bluff's advantages, its location within British North America's most fervent and committed slave society presented new and daunting challenges for a free man of color. Gibson and the other members of his community had prior experience living within societies that practiced slavery in Virginia and North Carolina. These colonies, as historian Ira Berlin first observed, developed over time as societies with slaves: places where other forms of labor co-existed and competed with slavery.²⁸ South Carolina, by contrast, maintained what Berlin called a "slave society." In slave societies, slavery, as the dominant source of labor, shaped every other social relationship and informed every social structure.²⁹ Slave societies, such as South Carolina, maintained a

more rigid color line that left little room for people of color to exist outside of enslavement. Unlike Virginia and North Carolina, South Carolina had no noteworthy free Black population at the time of Gibson's migration. A 1709 report from the Governor and Council of South Carolina to England's Board of Trade listed no free people of color among the "9,580 souls" residing in that colony.³⁰ Outside of foreign free Black sailors who occasionally visited Charleston's waterfront, free people of color rarely frequented South Carolina at the time of Gideon Gibson's 1731 arrival.

The presence of enslaved Black persons in South Carolina proved another matter. Black slaves outnumbered whites in South Carolina as early as 1708.³¹ Moreover, the 1730s, a decade that ended with the Stono Rebellion (1739), stood out as a volatile and often violent time for Black South Carolinians. Rumors regarding slave conspiracies, plots, and insurrections circulated through the population and fed White paranoia.³² Many of South Carolina's governing leaders had prior experience in the Caribbean where hard racial lines developed out of the constant fear of slave uprisings. That experience caused a rigidity in South Carolina society that starkly differed from the far more permissive and less structured racial environment Gibson left behind in North Carolina. If Gibson wished to avoid social and legal prohibitions that attended his race, he could not have picked a more problematic colonial destination.

Fortunately for Gibson, he would soon make a powerful friend in Governor Robert Johnson, whose plans for Gibson trumped race. Johnson likely had prior familiarity with Black Indian traders. Evidence suggests that at least two free Blacks operated within South Carolina's Indian trade during Johnson's previous term as South Carolina Governor (1717-1719). In 1719, a Charleston court ordered "free Negro"

William Going to appear in court to address a debt owed to Charleston Indian trade merchant William Wallace.³³ Charles “Gowing,” perhaps a relative of William Going, conducted business with South Carolina Indian trader and Indian Trade Commissioner George Chicken and his partner, Indian trade merchant James Ingersoll. Chicken and Ingersoll administered Charles Gowing’s estate after his death in 1704.³⁴ Thus, members of the Going family, a free family of color with roots in Virginia and many connections with participants in the Indian trade, had associations with South Carolina Indian traders by the early eighteenth century.

Not long after Gibson’s arrival in the spring of 1731, his race caught the attention of members of the South Carolina Commons House of Assembly.³⁵ Members of the assembly, surmising that the presence of Gibson and the mixed-race cohort that travelled with him presented an “ill consequence to the Province,” formed a committee of inquiry. This committee subsequently summoned Gibson to explain his presence within their colony.³⁶ Prior to Gibson appearing before that committee, Governor Johnson intervened and declared his intention to instead convene a private meeting with Gibson. Thereafter, Johnson informed the assembly members that “the people who have lately come into the settlements have been sent for.” With that brief statement, the governor took personal charge of the Gibson inquiry. After the meeting between Gibson and Johnson concluded, Johnson issued the following statement:

I have had them before me in council and upon examination find that they are not Negroes nor slaves but free people, that the father of them here is named Gideon Gibson and his father was also free. I have been informed by a person who lived in Virginia that this Gibson has lived there for several years in good repute and by his papers that he has produced before me that his transactions there have been very regular. That he has for several years paid taxes for two tracks of land and has seven Negroes of his own. That he is a carpenter by trade and is come hither for the support of his family...The account he has given of himself is so

satisfactory that I have in consideration of his wife being a white woman and several white women capable of working and being serviceable in the country permitted him to settle in this country.³⁷

The governor's graciousness did not end with the personal welcome he extended to Gibson's band of migrating free people of color. Johnson additionally awarded Gibson 650 acres of land along the Great Pee Dee River—a considerable land grant for any man in South Carolina at that time, let alone a free man of color.³⁸

By concealing Gibson as a carpenter, Johnson had engaged in an act of subterfuge. Yet, Johnson had reasons for obscuring Gibson's true identity. North Carolina-based Indian traders such as Gibson had a long and sordid history of defying South Carolina law in order to trade with Native nations such as the Catawba. In prior years, Gibson's father, Hubbard Gibson, caught the ire of the deputy governor of Carolina when they accused him of attempting to foment war between the Waccamaw and Sewee—two Native nations within South Carolina's colonial sphere.³⁹ The elder Gibson worked as a member of an Indian trade cabal ultimately controlled by the powerful Virginia merchant and colonial leader William Byrd II. Byrd's traders, such as Robert Hicks, had often defied—and in the case of John Bunch, sometimes humiliated—South Carolina officials.

The Virginians' attempts to conduct business with Native trading partners claimed exclusively by South Carolinians had sparked a long and bitter fight between the two colonies over the right to trade with western Native nations located outside of colonial borders. South Carolinians claimed exclusive trading rights with all Native nations to their west. Virginians argued that all of the southern colonies had an equal right to trade with western Native nations, and that competition among southern colonial traders

strengthened business. This, they believed, only increased the revenue generated from the colonies and ultimately benefitted England more. The appeals made during this time by South Carolina and Virginia officials to England's Board of Trade, the arbiters of such disputes, seethed with animosity. Many well-placed members of the South Carolina government maintained personal stakes in their colony's Native commerce. These powerful individuals likely bristled over the fact that Virginia and North Carolina traders such as Gideon Gibson had stolen their business and dodged the tariffs and license fees that South Carolina law required of their traders. Johnson must have known that his ruse would eventually come undone, but hopefully not before Gibson had time to establish his Pee Dee River trade operation and thereby contribute to Johnson's settlement plans. Gideon Gibson became a key component of Johnson's Township Scheme through his ability as a leading regional Indian trader to strengthen South Carolina's Native commerce and alliances.

Despite South Carolina's continued transformation into a full-fledged slave society in the years following Gideon Gibson's arrival, no evidence exists to suggest that his race caused him any legal jeopardy. If Gibson had made a deal with Johnson to move his trade operation from the Roanoke to the Pee Dee River in exchange for protection as a "free person," that bargain appears to have held over his lifetime. The Gibson family's race, however, did not go entirely unnoticed by other South Carolinians.

Later in the 1760s Gibson's son, Gideon Gibson Jr., became embroiled in a dispute over race that involved some of South Carolina's most powerful leaders. During a personal dispute that arose over Gibson's prominent involvement in the Regulator Movement, George Gabriel Powell, a South Carolina legislator and militia colonel, made

disparaging public remarks about the Gibson's African ancestry.⁴⁰ The Regulator movement in South Carolina developed in outlying areas of the province during the late 1760s. Organizers, including Gibson, formed the movement in order to "regulate" governmental and legal affairs they believed South Carolina officials had neglected. Backcountry settlers such as Gibson had reason to complain. As settlement grew following the Cherokee War (1758-1761), South Carolina leaders failed to expand governmental infrastructure to meet the demands of new western settlers. This rendered areas of the South Carolina backcountry essentially lawless. In response, Gibson and others formed vigilante groups to protect their communities.

The South Carolina government opposed the formation of backcountry vigilante groups. In 1768, a Craven County, South Carolina constable attempted to serve warrants for the arrest of several Regulators at Mars Bluff, Gibson's home.⁴¹ Gibson and his Regulators killed one of the constable's men, "whipt some of them in a most cruel manner," and threatened to hang the others.⁴² Following the Mars Bluff incident, South Carolina Governor William Bull ordered Colonel George Gabriel Powell to assemble the Craven County militia and disband Gibson's Regulators. Powell, however, soon learned that many of his backcountry militia soldiers sympathized with Gibson and refused to take up arms against the Regulators.⁴³ A frustrated Powell informed Governor Bull in 1768 of his inability to fulfill his orders and then promptly resigned his militia commission.⁴⁴ The South Carolina government ultimately quelled the Regulator Movement by acquiescing to many of its demands. South Carolina leaders, satisfied that they had averted a larger backcountry uprising, chose not to pursue further action against Gibson and his band of Regulators for the violence they had perpetrated at Mars Bluff.

These events left Powell chastened and caused him to publicly lash out at Gibson with questions regarding his ethnicity. Henry Laurens, a man of great wealth and reputation, came to Gibson's defense. Laurens served in the South Carolina Commons House of Assembly and later, in 1777, as a delegate to the Continental Congress. As one of the most powerful and influential men in South Carolina, Laurens' words commanded the attention of his peers. Laurens did not attempt to deny the accusations made by Powell regarding Gibson's African ancestry. Instead, Laurens wrote an open letter stating that Gibson had "more red and white in his face than could be discovered in the faces of half the descendants of the French refugees in our House of Assembly."⁴⁵

Laurens had no particular affinity for people of color; his merchant firm, Austin and Laurens engaged in the African slave trade and imported more enslaved Africans to the New World than any other firm in British North America.⁴⁶ Yet, Laurens possessed deep ties to the Indian trade. Austin and Laurens also traded in deerskins and Laurens maintained a friendship with Indian trader George Galphin.⁴⁷ Laurens willingly defended Gideon Gibson Jr., a free person of color, because of the value the Gibson family had brought to the South Carolina backcountry, and also likely to his trading firm. Laurens also understood that many wealthy families along the Pee Dee River had ancestral roots that tied them to the multi-racial Indian trade community founded by Gibson's father.⁴⁸ Following this incident, there exists no record of any further public challenge to the ethnic origins of the Gibson family in South Carolina. Gideon Gibson jr. had a powerful defender in Laurens, whose words challenged the application of the color binary on free people of color such as Gibson who had obtained status and held value in South Carolina society.

Decades earlier, Gibson's father, Gideon Gibson Sr., avoided racial scrutiny by returning value to his protector, Governor Robert Johnson who profited greatly from his deal with Gibson. South Carolina's deerskin exports more than quadrupled between November 1731 and November 1739.⁴⁹ In 1731, Johnson confidently issued a proclamation to announce the enactment of the Township Act of 1730.⁵⁰ South Carolina successfully maintained peaceful trade with its Native neighbors and avoided large-scale colonial conflict with France and Spain. Tariffs derived from the deerskin trade helped to fund the Township Act's associated land grants and settler subsidies. With South Carolina reclaiming its position as a leader in the trade with Native nations in the southwest, Virginia and North Carolina traders refocused their attention away from that area and upon the Appalachian region. If Johnson had indeed recruited the experienced Indian trader Gideon Gibson to help turn around South Carolina's Indian trade woes and aid his Township Scheme, his plan went off brilliantly.

The remarkable meeting between Johnson and Gibson did not escape the attention of scholars. Historian Winthrop D. Jordan first brought scholarly attention to Gideon Gibson in his 1962 essay, "American Chiaroscuro: The Status and Definition of Mulattoes in the British Colonies."⁵¹ Jordan later expanded his examination of Gibson in his seminal work, *White Over Black: American attitudes toward the Negro, 1550-1812* (1968).⁵² In reviewing this event, Jordan focused his lens on how Gibson's relative "whiteness" may have contributed to the favorable treatment he received from Johnson. Jordan took the story at face value: Johnson referred to Gibson as a skilled tradesman who owned slaves, paid taxes, and married to a white woman. No scholar has ventured beyond those facts. This has led historians such as Jordan to conclude that Gibson's

proximal economic and social “whiteness” compelled Johnson to overlook race and allow him to cross South Carolina’s otherwise stringent color line.

Gibson’s role as a successful Indian trader, and how from that position he created a place for himself and the free people of color within his sphere of influence in South Carolina society, has gone unnoticed by scholars. Historian Walter B. Edgar mentioned Gibson in his comprehensive history of South Carolina, *South Carolina: A History* (1998). Although Edgar conflated Gideon Gibson with his son of the same name, he nevertheless reached a conclusion similar to that of Jordan: the Gibson family escaped legal definition as Black and rose to become prominent members of South Carolina backcountry society because their “mulatto” complexion brought them closer to “whiteness.”⁵³ Historian Daniel Sharfstein engaged with Gibson’s story in *The Invisible Line: Three American Families and the Secret Journey from Black to White* (2011). Sharfstein’s argument essentially mirrored Jordan’s. Sharfstein believed that Gibson’s economic status, White spouse, and his “personal commitment to slavery” led to his racial designation’s loss of meaning.⁵⁴ Sharfstein, in a break from Jordan, placed more emphasis on how Gibson’s economic success trumped race. Historian A.B. Wilkinson evoked Gibson in *Blurring the Lines of Race and Freedom: Mulattoes and Mixed Bloods in English Colonial America* (2020). In attempting to explain why Gibson received such deferential treatment from South Carolina’s governor, Wilkinson pointed to Gibson’s “blended ancestry,” his White family members, and his commitment to “upholding the slave system.”⁵⁵ Wilkinson argued that these qualities provided Gibson and his family with a “middling position” that placed them “on their way to whiteness,” and therefore tolerable in the eyes of South Carolina authorities.⁵⁶

Winthrop Jordan, however, did detect an anomaly in the Gibson story; he found a key part of Johnson's statement "not entirely clear."⁵⁷ The erudite Jordan paused to ponder Johnson's phrase "they are not negroes nor slaves but free people." The statement confused Jordan because it indeed appears confusing. Johnson intermixed a racial category, "Negro," with a condition of freedom, "slave," before landing on an entirely new non-racial personal classification, "free people," to describe Gibson and his fellow travelers. Jordan keenly understood the racial terminology commonly used in the colonial South at this time. Johnson could have simply used the prevailing language: "free negro" or, more specifically, "free mulatto" to describe Gibson. Instead, Johnson's words read more like a declaration of who Johnson considered Gibson to be: "a free person" and what he did not consider him to be, "a negro" or "a slave." Although Jordan stopped only briefly to ponder Johnson's description of Gibson, in his moment of pause, he illuminated a key fact to understanding the carefully-orchestrated subtextual relationship brokered between Johnson and Gibson.

At the same time Johnson and Gibson conducted their 1731 meeting, the South Carolina Commons House of Assembly had nearly completed their language for a new and comprehensive Indian trade law. The assembly ratified this legislation, entitled "An Act For the better Regulation of the Indian Trade, and For Appointing a Commissioner For that purpose," on August 20, 1731.⁵⁸ A provision in this law expressly forbid "free Indians or negroes, or any negro or other slave" from participating in the Indian trade.⁵⁹ These words illuminate the reasoning behind Johnson's precise use of language in the statement he released to the Commons House of Assembly following his meeting with Gibson. By declaring Gibson and his community "not negros nor slaves but free people,"

Johnson had adroitly disqualified Gibson and his mixed-race trading clan from the provisions of South Carolina's forthcoming Indian trade law—a law that specifically banned “free negros” from working in the Indian trade. By instead declaring Gibson and his fellow settlers simply “free people”—a new term not used in the law—Johnson made it clear that Gibson could legally participate in South Carolina's Indian trade. Winthrop Jordan rightly puzzled over the odd language in Johnson's declaration. Johnson's words indeed had added dimension.

Gideon Gibson remained in the Cheraw region of South Carolina until his death, circa 1781. Gibson relocated slightly east to Mars Hill on the opposite side of the Pee Dee River by the 1750s. Gibson's success in the Indian trade, along with the related protection provided to him by powerful South Carolina leaders, provided cover for other free people of color seeking to remove themselves from areas where their race had become an inhibiting factor. South Carolina remained a colony that otherwise afforded few rights and protections to non-White individuals. Gibson became the nucleus of a community of free people of color along the Pee Dee River in South Carolina who were drawn to the protection and opportunity he could provide for them within the settlement he anchored.

In the years that followed Gibson's migration, other free people of color who resided in the free Black enclave within the Roanoke River Indian trade community came to the Pee Dee River settlement. These individuals mostly had ties to the Indian trade and likely followed Gibson to pursue new economic opportunities within his new Indian trade community. Fellow Indian trader and free person of color John Bunch left the Roanoke River area and followed Gibson to South Carolina by 1735.⁶⁰ Bunch's sons, Indian

traders Gideon and John Jr., sold their Roanoke River land and resided near the Pee Dee River by the 1740s.⁶¹ “Free negro” Matthew Chavis, the son of Roanoke River landholder Bartholomew Chavis, moved to South Carolina in 1739 along with other family members.⁶² Thomas and John Kersey, free persons of color whose father had apprenticed with Indian trade merchant Benjamin Harrison, disposed of the Kersey family land along the Roanoke River and resided along the Little Pee Dee River by the 1760s.⁶³ Moses Bass, the son of Gideon Gibson’s Roanoke River neighbor John Bass, came to South Carolina by 1769 when he appeared on a list of Saint David’s Parish voters in the Cheraw District.⁶⁴ Bass operated a tavern at Cashua Neck, near Gibson’s property.⁶⁵ Robert Locklear sold his land adjacent to that of the Gibson, Bunch, and Chavis families on the Roanoke River and moved to the Little Pee Dee River with his sons, John and Major, prior to 1753.⁶⁶

Free people of color from beyond the Roanoke River settlement also joined the Pee Dee River community during the mid-eighteenth century. Robert Sweat came from Virginia.⁶⁷ Sweat lived along the Pee Dee River in 1735 when his son, William, appeared in the records of the Prince Frederick Winyaw Parish.⁶⁸ Sweat later received patent land on Wilkerson Swamp near the Little Pee Dee River before purchasing land further up that river in North Carolina from Phillip Chavis.⁶⁹ Matthew Driggers, a descendant of the seventeenth-century Northern Neck, Virginia, “Driggus” free family of color, came to South Carolina some time prior to his death in 1765.⁷⁰ When Driggers died, the local court appointed Gideon Gibson, also listed as one of Driggers’ creditors, as the administrator of his estate.⁷¹ Free people of color remained a conspicuous feature in and around the Cheraw district throughout the remainder of the eighteenth century.

Clergyman Charles Woodmason, while traveling through the region, commented that he had never seen “such a mixed Multitude of all Classes and Complexions.”⁷² Woodmason added that “Free Negroes and Mullatoe’s” “greatly abound here.”⁷³

The decline of the Indian trade in South Carolina during the second half of the eighteenth century left many of the Pee Dee settlement’s free people of color without support. Some took up farming, but that required increasingly expensive land. The success of the Township Scheme and the subsequent outpouring of White settlers into the South Carolina backcountry beginning in the 1750s greatly increased land demand. They particularly coveted the fertile land along the Pee Dee River where indigo planting had begun to produce good profit.⁷⁴ When land prices along the Pee Dee River increased, many free people of color took up less desirable land along the upper reaches of the Little Pee Dee River. Some avoided the expense of land acquisition altogether by pushing further into North Carolina and settling upon remote swamp land without patent. The contents of a militia report ordered by North Carolina Governor Arthur Dobbs in November 1754 provided a vivid description of the settlers residing at the head of Little Pee Dee River: “50 families a mixt Crew, a lawless People, possess the Lands without patent or paying quit rents; shot a Surveyor for coming to view vacant lands being inclosed in great swamps.”⁷⁵

In the face of economic misfortune, some Pee Dee River area free people of color turned to banditry. In 1773, officials in neighboring Bladen County, North Carolina, reported a “Mob Raitously Assembled together” consisting of “Free Negors and Mullatus living upon the Kings Land.” The report singled out a member of the Locklear family, Major Locklear, as a “Harbourers of the Rogues.”⁷⁶ The list of offenders also included

members of the Chavis and Sweat families.⁷⁷ In 1768, backcountry Regulators decried a “Gang of Banditti, consisting of Mulattoes, Free Negroes” that had recently gotten the better of some of their men.⁷⁸ During the Regulator uprising, an observer described Gideon Gibson’s band of backcountry Regulators as “a great number of People of different Colours, Whites, Blacks, and Mulattoes.”⁷⁹

Winslow Driggers, a descendent of Emanuel Driggus of Northern Neck, Virginia, became known as a “notorious Villain” in the South Carolina backcountry.⁸⁰ After escaping from a death sentence in Savannah, Georgia, South Carolina authorities re-captured Driggers “near the Cheraw settlement.”⁸¹ Events following Driggers’ capture had troubling implications for South Carolina’s free people of color. Driggers’ captors announced that he “proved to be Mulatto” and then proceeded to hang him “under the Negro Act” without trial.⁸² The Negro Act of 1740, passed into law following the Stono Rebellion, established harsh penalties for rebellious slaves. The law’s provisions, perhaps in deference to the Gideon Gibson’s multi-racial trade settlement, made an exception for “mulattoes, and mustizoes, who are now free.”⁸³ By executing Driggers, a free person of color, without trial, local officials chose to ignore the law. This, they apparently did with the approval of the South Carolina government. South Carolina leaders had sent a clear message: the era of tolerance born out of cooperation and mutual benefit had ended. The line between free and enslaved “mulattos” began to lack clarity. Although some free people of color remained around the old Pee Dee River settlement, many moved over the border into Anson and Robeson Counties in North Carolina. Others migrated to Tennessee to join family members who had previously travelled through the Cumberland Gap to pursue the last remnants of the Cherokee trade.⁸⁴

The Gibson family negotiated the new color line with far more success. Gideon Gibson's children inherited the substantial amount of land and wealth he accumulated over his life, including many enslaved Black persons. The Gibson's White South Carolina neighbors accepted subsequent generations of the Gibson family as White. Gideon Gibson's grandson, Randall, moved west. Randall's son, Tobias Gibson, became the "father of Methodism" in Mississippi.⁸⁵ Tobias fathered Randall Lee Gibson, a U.S. Senator from Louisiana who served as a brigadier general in the Confederate army. Subsequent generations of the Gibson family, as well as the descendants of other free people of color who migrated with Gideon Gibson, similarly passed into White society by the nineteenth century. By this time, White members of their community rarely, if ever, questioned their racial heritage. As these free families of color—Gibson, Bunch, Going, Driggers, Chavis, and others—crossed the color line, they relinquished shared memories of free Blacks ancestors who reshaped the southern frontier and contributed to the expansion of its trans-racial character.

Despite this whitewashing, an event decades later illustrates the uneasy awareness many South Carolinians had of their multi-racial past. During South Carolina's 1895 State Constitutional Convention, George D. Tillman—the brother of the vehement racist politician "Pitchfork" Ben Tillman—surprised many delegates when he rose to object to an amendment that would have added a draconian "one-drop" standard to the state's marriage law.⁸⁶ Tillman ended debate on the matter with a "sensational statement:" he asked which of the delegates could declare that none of their ancestors had "Negro blood in their veins."⁸⁷ Tillman added: "If the law is made as it now stands," it would affect at least one hundred of South Carolina's "respectable families."⁸⁸ The amendment's sponsor

subsequently withdrew the “one-drop” provision and South Carolina quietly adopted the one-eighth “blood quantum” anti-miscegenation standard commonly used in other southern states.⁸⁹ With his statement, Tillman acknowledged both the reality of South Carolina’s complicated multi-racial past and the jeopardy faced by South Carolinians whose bloodlines might present a challenge to their status as Whites in South Carolina’s racially-intolerant present.

Chapter 4 Endnotes

¹ Walter B. Edgar, *The South Carolina Encyclopedia* (Columbia, SC.: University of South Carolina Press, 1998), 254.

² Verner W. Crane, *The Southern Frontier: 1670-1732* (Durham, NC.: Duke University Press, 1928), 112, 115.

³ For more background on the trade rivalry to secure Creek favor between Charleston and Spanish traders. See Kathryn E. Braund, *Deerskins and Duffels: Creek Indian Trade with Anglo-America, 1685-1815* (1993; repr., Lincoln, NE.: University of Nebraska Press, 2008), 28–29.

⁴ Steven J. Oatis, *A Colonial Complex: South Carolina's Frontiers in the Era of the Yamasee War, 1680-1730* (Lincoln, NE.: University of Nebraska Press, 2004), 75–77.

⁵ M. Eugene Sirmans, *Colonial South Carolina: A Political History, 1663-1763* (1966; repr., Chapel Hill, NC.: University of North Carolina Press, 2012), 164–65.

⁶ Peter C. Mancall, *Deadly Medicine: Indians and Alcohol in Early America* (New York: Cornell University Press, 1995), 97–98.

⁷ Ibid.

⁸ Crane, *The Southern Frontier*, 148–50.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Oatis, *A Colonial Complex*, 103–05.

¹² Ibid.

¹³ Chapman J. Milling, *Red Carolinians* (1940; repr., Columbia, SC.: University of South Carolina Press, 1969), 138.

¹⁴ David Crawley, "Letter from David Crawley to William Byrd," in *Calendar of State Papers Colonial, America and West Indies, 1714-1715*, vol. 28, ed. Cecil Headlam, 235–53, (London: His Majesty's Stationery Office, 1928).

¹⁵ Ibid.

¹⁶ Catherine Heniford Lewis, *Horry County, South Carolina, 1730-1993* (Columbia, SC.: University of South Carolina Press, 1998), 38.

¹⁷ William L. McDowell, ed., *Journal of The Commissioners of The Indian Trade of South Carolina, September 20, 1710-April 29, 1718* (1926; repr., Columbia, SC.: The State Company, 1955), I: 137.

¹⁸ Ibid., 144.

¹⁹ Ibid., 275.

²⁰ Ibid.

²¹ Mabel L. Webber, "Sir Nathaniel Johnson and His Son Robert Governors of South Carolina," *South Carolina Historical and Genealogical Magazine* 38, no. 4 (October 1937): 109–15.

²² Oatis, *A Colonial Complex*, 289–90.

²³ Robert K. Ackerman, *South Carolina Land Policies* (Columbia, SC.: University of South Carolina Press, 1977), 64.

²⁴ Ibid.

²⁵ Walter Edgar, *South Carolina: A History* (Columbia, SC.: University of South Carolina Press, 1998), 52–53. Johnson additionally set aside acreage for schools, churches, and public buildings to help entice potential settlers.

²⁶ Harvey Toliver Cook, *Rambles in the Pee Dee Basin, South Carolina*, (Columbia, SC.: The State Company, 1926), 68.

²⁷ William Byrd II, *The Dividing Line Histories of William Byrd II of Westover*, ed. Kevin Joel Berland (Chapel Hill, NC.: University of North Carolina Press, 2013), 206.

²⁸ Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America* (1998; repr., Cambridge: Belknap Press of Harvard University, 2003), 7–13.

²⁹ Ibid.

³⁰ Elizabeth Donnan, ed., “Governor and Council of South Carolina to the Board of Trade, September 17, 1709,” in *Documents Illustrative of the Slave Trade to the Americas*, vol. 4 (Washington: Carnegie Institution of Washington, 1935), 256.

³¹ Randall M. Miller, and John David Smith, eds., *Dictionary of Afro-American Slavery* (Westport, CT.: Greenwood Press, 1988; Westport, CT.: Praeger Publishing, 1997), 700.

³² Mark M. Smith, *Stono: Documenting and Interpreting a Southern Slave Revolt* (Columbia, SC.: University of South Carolina Press, 2005), xii.

³³ “William Wallace v. William Going, September 1719,” South Carolina Electronic Records Archive, Judgment Rolls (Court of Common Pleas), series: S136002, box: 014A, item: 0187A.

³⁴ A. S. Salley Jr., “Abstracts from the Records of the Court of Ordinary of the Province of South Carolina, 1700-1712 (Continued),” *South Carolina Historical and Genealogical Magazine* 12, no. 4 (October 1911), 211.

³⁵ Winthrop Jordan, *White Over Black: American Attitudes Towards the Negro, 1550-1812*, 2nd ed., Kindle ed. (1968; repr., Chapel Hill, NC.: University of North Carolina Press, 2012), 3, 171.

³⁶ Ibid.

³⁷ Winthrop D. Jordan, "American Chiaroscuro: The Status and Definition of Mulattoes in the British Colonies," *William and Mary Quarterly* 19, no. 2 (April 1962): 189–90.

³⁸ Brent H. Holcomb, ed., *Petitions for Land from The South Carolina Council Journals, 1734/5-1748* (Berwyn Heights, MD.: Heritage Books, 1996), 266.

³⁹ See 123–27.

⁴⁰ Michael P. Morris, *George Galphin and the Transformation of the Georgia-South Carolina Backcountry* (Lanham, MD.: Lexington Books, 2015), 142.

⁴¹ George L. Johnson, *The Frontier in the Colonial South: South Carolina Backcountry, 1736-1800* (Westport, CT.: Greenwood Press, 1997), 123–26.

⁴² Alexander Gregg, *History of the Old Cheraws...etc.* (New York: Richardson and Company, 1867), 140.

⁴³ Johnson, *The Frontier in the Colonial South*, 125.

⁴⁴ Rachel N. Klein, *Unification of a Slave State: The Rise of the Planter Class in the South Carolina Backcountry, 1760-1808* (Chapel Hill, NC.: University of North Carolina Press, 2012), 69.

⁴⁵ Ibid., 71.

⁴⁶ Henry Laurens, *The Papers of Henry Laurens*, ed. Philip M. Hamer, and George C. Rogers Jr. (Columbia, SC.: University of South Carolina Press, 1968), 1, 3. Henry Laurens, through his involvement with two merchant firms and as an independent merchant, accounted for the export of more deerskins out of South Carolina than any other individual; see also W. O. Moore, "The Largest Exporters of Deerskins from

Charles Town, 1735-1775,” *South Carolina Historical Magazine* 74, no. 3 (January 1973): 144–50.

⁴⁷ Morris, *George Galphin*, 119, 124–26.

⁴⁸ Johnson, *The Frontier in The Colonial South*, 122–23.

⁴⁹ Crane, *The Southern Frontier*, 330. South Carolinians exported 116 Hogsheads of deerskins in total from Charleston in 1730-1731. That number increased to 559 by 1738-1739.

⁵⁰ The “Backcountry,” sometimes also called the “Upcountry” of South Carolina, refers to the South Carolina colonial frontier.

⁵¹ Jordan, “American Chiaroscuro,” 183–200.

⁵² Jordan, *White Over Black*, 171–73.

⁵³ Edgar, *South Carolina: A History*, 188.

⁵⁴ Daniel Sharfstein, *The Invisible Line: Three American Families and the Secret Journey from Black to White* (New York: The Penguin Press, 2011), 22–23.

⁵⁵ A.B. Wilkinson, *Blurring the Lines of Race and Freedom: Mulattoes and Mixed Bloods in English Colonial America* (Chapel Hill, NC.: University of North Carolina Press, 2020), 196-97.

⁵⁶ Ibid. Wilkinson additionally suggested that “racial hostilities” “probably forced” Gibson and his family to “seek refuge away from settled colonists and pushed them further into indigenous territories.” Historian William James Rivers, however, argued that South Carolinians “utterly extirpated” the Native nation indigenous to the area of Gibson’s settlement, the Pedee, prior to his arrival. This followed the Pedee’s ill-fated alliance with the Yamasee during the Yamasee War (1715-1717). See William J. Rivers,

A Chapter in the Early History of South Carolina (Charleston, SC.: Walker, Evans & Cogswell, 1874), 93. Rivers, as well as Historian Charles M. Hudson, believed that the few Pedee that survived left this area to join the Catawba shortly after the Yemasee War and therefore long before the first South Carolina settlers arrived ca. 1730. See Charles M. Hudson, *The Catawba Nation* (1970; repr., Athens, GA.: University of Georgia Press, 2007), 43.

⁵⁷ Jordan, *White Over Black*, 171–72; Robert L. Meriwether may have also had doubts about Gibson. In *The Expansion of South Carolina, 1729-1765* (1940), Meriwether briefly mentions Gibson and then added the following footnote, perhaps confused by Gideon Gibson senior and junior but perhaps also confused by how a migrant carpenter became so wealthy: “he was probably the carpenter who came from Virginia” “but the identity of the Gideon Gibsons [sic] is not clear.”

⁵⁸ Thomas Cooper, and David James McCord, eds., “An Act for the Better Regulation of the Indian Trade, and for Appointing a Commissioner for that Purpose,” in *The Statutes at Large of South Carolina*, vol. 3 (Columbia, SC.: A. S. Johnston, 1838), 327–34.

⁵⁹ Ibid., 332; this provision established a £100 fine for anyone who does “employ any of our free Indians or negroes, or any negro or other slave, in the Indian country, or in rowing up or down any boat or perriagoe, to or from any of our garrisons, or to or from their respective trading houses.” The South Carolina Commons House of Assembly updated and continued this provision with similar acts passed in 1739 and 1752.

⁶⁰ South Carolina Department of Archives and History, *South Carolina Colonial Plat Books*, Series: S213184, vol. 13, 425, item 2.

⁶¹ Gideon Bunch had moved to South Carolina when he sold the land on the south side of the Roanoke River on Quankey Pocason that his grandfather, Paul Bunch, originally purchased. See Paul Heinegg, *Free African Americans of North Carolina, Virginia and South Carolina From the Colonial Period to About 1820*, 5th ed. (1992; repr., Baltimore: Clearfield, 2005), 221–22; John Bunch Jr. received 175 acres of land and his father’s plot in Amelia Township as a gift from his parents. See South Carolina Department of Archives and History, *South Carolina Colonial Plat Books*, Series: S372001, vol. 02Q0, item 0.

⁶² Heinegg, *Free African Americans*, quoting Robert Lee Meriwether, *The Expansion of South Carolina, 1729-1765* (Kingsport, TN.: Southern Publishers, Inc., 1940), 128.

⁶³ *Ibid.*, 736–37.

⁶⁴ Alexander Gregg, *The History of The Old Cheraws* (New York: Richardson and Company, 1867), 173. Eminent South Carolina statesman and Founding Father Charles Cotesworth Pinckney later acted as a witness for the last will and testament of Moses Bass. See South Carolina Deed Abstracts 1783-1788 (1996; repr., Berwyn Heights, MD.: Heritage Press, 2016), 234. The Pinckney family had longstanding ties to South Carolina Native affairs. Pinckney’s grandfather, William Pinckney, served as South Carolina’s Indian Commissioner during the mid-eighteenth century and maintained correspondence with James Adair. See James Adair, *Adair’s History of the American Indians*, ed. Samuel Cole Williams (London: Edward and Charles Dilly, 1775; Johnson City, TN.: The Watauga Press, 1930), xiii.

⁶⁵ South Carolina Department of Archives and History, *South Carolina Colonial Plat Books*, Series: S213184, vol. 16, item 2.

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- ⁶⁵ Durward T. Stokes, *The History of Dillon County, South Carolina*. (Columbia, SC.: University of South Carolina Press, 1978), 42.
- ⁶⁶ Heinegg, *Free African Americans*, 773–74.
- ⁶⁷ Robert Sweat descended from Robert Sweat of James City, Virginia, who fathered a child with an enslaved Black woman in 1640. See 50.
- ⁶⁸ Elizabeth A. Pringle, *The Register Book for the Parish Prince Frederick Winyaw, Ann: Dom: 1713* (Baltimore: Williams & Wilkins, 1916), 42.
- ⁶⁹ Heinegg, *Free African Americans*, 1121.
- ⁷⁰ *Supra*, 37, 39.
- ⁷¹ *Ibid.*, 436.
- ⁷² Charles Woodmason, *Carolina Backcountry*, ed. Richard Hooker (1953; repr., Chapel Hill, NC.: University of North Carolina Press, 2013), 56.
- ⁷³ *Ibid.*, 277.
- ⁷⁴ Harvey Toliver Cook, *Rambles in the Pee Dee Basin, South Carolina*, (Columbia, SC.: The State Company, 1926), 82–83.
- ⁷⁵ William L. Saunders, ed., *The Colonial Records of North Carolina* (Raleigh: P. M. Hale, Printer to the State, 1888), 5:144, 161.
- ⁷⁶ *Ibid.*, 5:24, 775.
- ⁷⁷ *Ibid.*
- ⁷⁸ “Charleston, July 25,” *The South-Carolina Gazette*, July 25, 1768, 3.
- ⁷⁹ Klein, *Unification of a Slave State*, 69.
- ⁸⁰ “Charaws [sic], August 15, 1771,” *The South-Carolina Gazette*, October 3, 1771, 2.
- ⁸¹ *Ibid.*

⁸² William Bull, “William Bull to Lord Hillsborough, Oct. 4, 1769,” in *The Statutes at Large of South Carolina: Vol. 7, Containing the Acts Relating to Charleston, Courts, Slaves, and Rivers*, ed. David J. McCord (Columbia, SC.: A.S. Johnston, 1840), 397–418.

⁸³ *Ibid.*, 397.

⁸⁴ A series of 1789 Greene County, Tennessee, court orders provide perhaps the earliest example of free people of color connected to the Pee Dee River area present in eastern Tennessee, living amongst each other in another homogeneous community. The court orders detail the dispensation of the will and property of Elizabeth Going Bass, the wife of Moses Bass, a Pee Dee River resident and neighbor of Gideon Gibson. Two relatives named in Bass’ will, Thomas Going (of the Granville County, North Carolina, Going family) and Jeremiah Bass (the son of Frederick Bass who lived on the Little Pee Dee River in Bladen and Robeson County, North Carolina) sought administration rights from the Greene County court to settle Bass’ estate property in South Carolina, and in Anson and Richmond Counties in North Carolina. John Gibson, the son of Gideon Gibson, also appears in these records as a bondsman. The court further noted that Thomas Going and Jeremiah Bass “hath leave” to perform this task. This indicates that these two men required permission to travel across State lines as free people of color. See *County Court minutes (Greene County, Tennessee), 1783-1908, 1783-1799*: 107, 114, 123.

⁸⁵ For a detailed history of the Gibson family in Mississippi, see Mary Gorton McBride, *Randall Lee Gibson of Louisiana: Confederate General and New South Reformer* (Baton Rouge, LA.: Louisiana State University Press, 2007).

⁸⁶ “G.D. Tillman’s Sensational Statement in Convention,” *The News and Courier*, October 17, 1895, 5. George D. Tillman probably understood the complicated nature of

ethnicity among South Carolina's backcountry families and the integration brought about by the Indian trade better than most. Tillman descended from George Tillman of Brunswick County, Virginia—a man employed by Indian trade magnate William Byrd II. See Byrd II and Berland, *The Dividing Line Histories*, 242, 354, 388, 430, 435, 470, 472, 473; see also Stephen F. Tillman, *The Record and Genealogy of the (Tilghman-Tillman-Tilman-Tilmon) Family 1225-1938* (Ann Arbor, MI. Edward Bros., 1939), 33.

⁸⁷ “G.D. Tillman’s Sensational Statement in Convention,” *The News and Courier*, October 17, 1895, 5.

⁸⁸ Ibid.

⁸⁹ *Journal of the Constitutional Convention of the State of South Carolina* (Columbia, SC.: C. A. Calvo Jr., State Printer, 1895), 106, 150, 196, 212.

CONCLUSION

The establishment of the Georgia colony in 1732, and the subsequent emergence of Augusta as the primary center for trade with Native nations to the west, once again disrupted the Indian trade's geography. Better positioned Augusta Indian traders effectively shut out many of their South Carolina, North Carolina, and Virginia competitors. By the late 1740s, Georgia-based traders dominated the lucrative Creek and Chickasaw trade.¹ The North Carolinians, South Carolinians, and Virginians responded by shifting their focus to Cherokee villages to the north. Colonial Cherokee traders subsequently formed new trading communities positioned to conduct business with Cherokee towns such as Keowee in the Appalachian foothills.²

By 1750 the Lower Cherokee abandoned an expanse of land along Long Cane Creek in South Carolina. This land lay along a forked trading path, known as the Dividing Paths, sixty miles south of Keowee.³ In addition to this area's strategic position along a major Cherokee trade route, Long Cane Creek provided access to the Savannah River, and trans-Atlantic trade merchants in both Augusta and Savannah. This ideal spot for conducting trade with the Cherokee soon drew settlers. John Chavis, a free person of color and the son of Roanoke River land-owner Bartholomew Chavis, became the first of these Long Cane Creek settlers in 1751.⁴

As a child, Chavis migrated to North Carolina from Virginia with his father. While in Virginia, Chavis' father, Bartholomew, lived among Surry County's Blackwater River Indian traders with whom he conducted business.⁵ After their move to North Carolina, the Chavis family similarly resided among the Indian traders that plied their

trade along the Roanoke River.⁶ By 1749, John Chavis followed a group of the Roanoke settlers to South Carolina.⁷ While some members of his family who also travelled to South Carolina remained near Gideon Gibson's Pee Dee settlement, Chavis headed west to the South Carolina's upper Piedmont, likely to engage in the Cherokee trade. Thus, Chavis had experienced three iterations of the Indian trade's geographic realignments over the course of his life, and he had migrated in response to each of them.

As Chavis moved, he left behind a connected trail of family. Chavis' brother, William, remained in North Carolina, where he took over their father's considerable landholdings along the Roanoke River. In 1748, William purchased 400 acres of land slightly west of the old Roanoke settlement at Nutbush Creek along a branch of the Occaneechi Path.⁸ Chavis' brother, Matthew, and his nephew, Phillip Chavis, moved to South Carolina and resided near the Pee Dee River settlement in the mid-eighteenth century.⁹ Phillip Chavis joined many second-generation Pee Dee settlement free people of color in purchasing land on the Little Pee Dee River in present-day Robeson County, North Carolina before later returning to South Carolina.¹⁰ Thus, these three generations of the Chavis family show the interconnected nature of communities of color in north central North Carolina, southeast North Carolina, Cheraws, South Carolina, and the southern Appalachian foothills.

By the time of the American Revolution, Indian trade communities extended into the greater Powell River Valley in Tennessee, thereby providing access to Native trading partners beyond the Cumberland Gap.¹¹ Although the trade in deerskins reached its zenith in the early 1750s, competition among new traders, conflicts with Cherokee trading partners, and the decline of European demand for deerskins greatly diminished Native

commerce by the close of that decade. During this time, many free people of color left the Indian trade and began planting permanent roots within the area of their former trading communities as farmers, tradesmen, or sometimes bandits.

American independence sounded the final death knell for the deerskin trade in the old colonial southeast. In 1763, the British government, cognizant of settler encroachment upon Native lands, created the Proclamation Line—a line of demarcation that created a buffer zone between colonial settlement and Native territory. The Proclamation Line helped to maintain peace with Native trading partners to the west. During the American Independence movement, American leaders ended enforcement of the Proclamation Line and frontier settlement spread beyond its limits. This outpouring of westward settlers eclipsed former frontier Indian trade communities. Westward settler movement also brought more established government and social structures. Free people of color enveloped by expansion found themselves the targets of racial scrutiny by newcomers. In response, these communities endeavored to distance themselves from their free Black roots by adopting a variety of origin narratives that obscured both their ethnicity and, consequently, their former connection to the Indian trade.¹² Isolated and clannish, these enigmatic communities often experienced scorn and persecution by their White neighbors.¹³

After Gideon Gibson's better-positioned Pee Dee River settlement in South Carolina rendered the Roanoke River settlement obsolete, the geography of the Indian trade once again shifted. Indian traders such as William Eaton and Robert Mumford established new trade bases further west in Granville County, North Carolina along the Occaneechi trail. These traders used that trade thoroughfare to connect to other western

trading paths leading to Cherokee villages. Many free people of color—the children and grandchildren of the founders of the Roanoke River trading community—moved slightly west in response to this shift in Indian trade geography. These individuals formed new communities of color in Nutbush, Kittrell, and Oxford in Granville County, North Carolina along the Tar River.¹⁴ Free people of color who migrated to the Nutbush community included members of the Chavis, Going, Ellis, Evans, Mitchell, Walden, and Whitmore families.¹⁵ John Day, the father of acclaimed North Carolina furniture-maker Thomas Day, later migrated to this settlement from Virginia and founded his family's furniture-making business there.¹⁶ In 1755, free people of color headed twenty-two Granville County, North Carolina households.¹⁷

By the 1760s, the Indian trade reached its nadir in North Carolina. Some former traders transitioned to planting and other economic endeavors during this stagnant period. The wealth these former Indian traders had accumulated from their years in the lucrative Indian trade undoubtedly aided their transition. Most free people of color who worked more menial jobs in the Indian trade and possessed fewer resources did not fare as well during this time of change. These individuals often lost the protection formerly provided to them by influential merchants and government leaders who once depended upon their work to earn profits and to secure Britain's North American colonial enterprise.

Some communities of free people of color left behind by the Indian trade, however, remained indelibly linked to the patrons that once employed them. In 1763, one such patron, William Eaton, endeavored to act on behalf of the free people of color who once helped to build his fortune. Eaton, the son-in-law of the ever-present Indian trader George Rives, had deep ties both to the Indian trade and, through his father-in-law, to

free people of color such as Indian trader John Bunch. In the 1750s, Eaton maintained a trading operation advantageously located “on the S. side of the Roanoke at the trading path” in Granville County, North Carolina.¹⁸ When the Indian trade began to subside, Eaton transitioned to planting. Despite this change in occupation, Eaton remained connected to the families that constituted his former Indian trade community.

In 1763, Eaton aided Granville County’s free people of color by speaking out against an onerous North Carolina tax that unfairly burdened them.¹⁹ A see North Carolina law made free women of color tithe-able and thereby created an additional tax burden on free families of color.²⁰ Prior to the 1760s Granville County tax collectors sporadically enforced this law. Tax records indicate that Granville County tax collectors sometimes categorized free people of color as “White,” thereby excluding them from the additional tithe. By the 1760s, however, Granville County records indicate that tax collectors applied the tax to free people of color more regularly. This change prompted Eaton to act. In a petition to the North Carolina Legislature, Eaton asked for the repeal of the 1723 law. In his plea, he described Granville County’s free people of color as “persons of Probity & good Demeanor and cheerfully contribute towards the Discharge of every public Duty enjoined them by Law.”²¹ The petition’s other signatories included Philemon Hawkins, the father of the renowned Indian Agent Benjamin Hawkins, as well as several other White North Carolinians with ties to the Indian trade.²² Eaton’s actions illustrate the enduring bonds formed within Indian trade communities.

When the Indian trade subsided, the free people of color once employed within it coalesced into isolate communities for protection and to continue endogamous marriage, their only form of legal wedlock.²³ These otherwise disparate communities, whose

origins have often puzzled scholars, share a common connection through the Indian trade, and common roots among Virginia's seventeenth century free people of color. The study of these mixed-race communities, however, has suffered greatly from lack of engagement by historians. In the absence of good historical research linking the people of Southern mixed-race isolate communities to their seventeenth-century free Black forebearers, the few scholars who have studied these groups—mostly sociologists, anthropologists, and local historians employing limited scope—tended to turn to conjecture and folklore in order to explain their origins. This yielded origin narratives that linked Southern mixed-race isolate communities to “Portuguese,” “Turkish,” “Croatan/Lost Colony,” and other highly speculative roots that lacked foundation.²⁴ Few serious studies have attempted a deep examination of documentary evidence that might prove more insightful.

In 1947, sociologist William Gilbert conducted a survey of “small pockets of people” “who are complex mixtures in varying degrees of white negro and Indian blood.”²⁵ Gilbert found these groups present in “the Appalachian great valley,” South Carolina Counties within the Pee Dee River basin, and “around Lumberton” in Robeson and around neighboring counties in North Carolina.²⁶ Gilbert noted that “early white settlers” within the areas where these “racial intermediates” resided referred to them as “free colored” or “free negroes.”²⁷ Although Gilbert stated that “no satisfactory name has ever been invented to designate as a whole these mixed outcasts from both the white and Negro castes of America,” he recognized the use of common surnames among these “racial islands” and consider them connected in some undiscernible way.²⁸ Speaking to the dearth of historical knowledge scholars possessed about these communities, Gilbert added that they “certainly deserve more attention than the meager investigations which

sociologists and anthropologists have hitherto made of their problems.” Gilbert hoped that his study might enlist “the interest of scientific bodies and foundations in research on these mixed groups.”²⁹ In the many years that have passed since Gilbert’s writing, few scholars have answered that call.

Work produced by historians Virginia DeMarce and Paul Heinegg presented some of the first arguments for the interconnectedness of the southern frontier’s communities of color. DeMarce investigated patterns of surname dispersal among otherwise disparate communities of free people of color across in the eighteenth and nineteenth century South. In her essay “‘Verry Slitly Mixt’: Tri-Racial Isolate Families of the Upper South—A Genealogical Study” (1992), Demarce pointed to evidence of familial connections between the Chavis, Gibson, and Going families that formed “isolate” communities in North Central North Carolina, the southeast North Carolina borderlands, South Carolina (Cheraw), Kentucky, and Eastern Tennessee.³⁰ DeMarce, to her credit, noted the choreographed movement and interconnection of these families. Yet, she neither described the process nor explained the movement or the extrafamilial bonds with White Indian traders that brought their frontier communities into existence.

Paul Heinegg’s invaluable and exhaustive genealogical scholarship detailing the family histories of thousands of free people of color, *Free African Americans of North Carolina, Virginia, and South Carolina From the Colonial Period to About 1820* (1992), provided tantalizing suggestions about the connection between the families he documented, as well as evidence of their community formation.³¹ Like DeMarce, however, Heinegg did not extend his research to explain the process that formed those communities and animated the movement that defined their location. The most recent

scholarship on the subject of free people of color in North Carolina, Walter Milteer's *North Carolina's Free People of Color 1715-1885* (2020), mentions the phenomenon of community formation among free people of color but does not illuminate the critical connection that these communities had to the Indian trade.³²

Scholars studying the Indian trade have offered little more in the way of documenting free Black Indian traders and the communities of color they formed. In his essay, "James Logan Colbert of the Chickasaws: The Man and The Myth (1994)," Richard A. Colbert identified a closeknit community of Chickasaw traders living along the Roanoke River, as well as connections that community shared with other Indian trade communities, including the Pee Dee River community in South Carolina. Colbert alluded to the outsized presence of free people of color within these communities.³³ His research, however, had a limited scope. Colbert failed to illuminate the historical ties between free people of color and the Indian trade, and he fell short of introducing evidence of Indian traders of color who lived within the Roanoke River community such as John Bunch or Gideon Gibson.

The free people of color examined in this study played a vital role in southern colonial survival and expansion. Indian traders of color, a group hitherto unrecognized by scholars, possessed levels of power and influence that challenge scholarly assumptions regarding free Black agency and the role that economic interactions played in modifying the colonial color line. The power possessed by these individuals was capacious enough to facilitate communities that attracted other free people of color from across the colonial South. Some of these free people of color came to Indian trade communities to engage in that trade, or its supporting functions. Others sought the protective umbrella multi-ethnic

Indian trade communities provided that shielded against racial prejudice and harsh application of race-based laws that arose alongside the growth of slavery. Indian traders organized the communities they constructed around the Indian trade; their formation, makeup, and movement track predicably with the historical dynamics of Native commerce in the colonial South. The study of that trade, and the free people of color who participated within it, therefore provides a novel framework for explaining the formation, movement, and interconnection of mixed-race isolate communities across the South. More work, and a much closer investigation of the free people of color examined in this study will undoubtedly yield further insight into this long-neglected area of Southern history.

Conclusion Endnotes

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- ¹ Kathryn E. Braund, *Deerskins and Duffels: Creek Indian Trade with Anglo-America, 1685-1815* (1993; repr., Lincoln, NE.: University of Nebraska Press, 2008), 48.
- ² Tom Hatley, *The Dividing Paths: Cherokees and South Carolinians Through the Era of Revolution* (New York: Oxford University Press, 1995), 80–87; Michael P. Morris, *The Bringing of Wonder: Trade and the Indians of the Southeast, 1700–1783* (Westport, CT.: Greenwood, 1999), 86–88.
- ³ Hatley, *The Dividing Paths*, xiv, 85–87, 208.
- ⁴ Robert Lee Meriwether, *The expansion of South Carolina, 1729-1765* (Kingsport, TN.: Southern Publishers, Inc., 1940), 133.
- ⁵ Weynette Parks Haun, *Surry County, Virginia, Court Records: 1712-1751* (Durham, NC.: W.P. Haun, 1993), 6, 42.
- ⁶ See 141–42.
- ⁷ Paul Heinegg, *Free African Americans of North Carolina, Virginia and South Carolina From the Colonial Period to About 1820*, 5th ed. (1992; repr., Baltimore: Clearfield, 2005), 294.
- ⁸ Margarat M. Hofmann, ed., *The Granville District of North Carolina Abstracts of Land Grants 1748-1763* (Weldon, NC.: The Roanoke News Company, 1987), I:233.
- ⁹ See 211.
- ¹⁰ Brent Holcomb, *Bladen County, North Carolina, Abstracts of Early Deeds: 1738-1804* (Greenville, SC.: Southern Historical Press, Inc., 1979), 11, 44.
- ¹¹ Kincaid, Robert. *The Wilderness Road* (Indianapolis, IN.: Bobbs-Merrell Company, 1947; Kingsport, TN.: Arcata Graphics, 1992), 46–49, 73–77.

¹² Tim Hashaw, *Children of Perdition: Melungeons and the Struggle of Mixed America* (Macon, GA.: Mercer University Press, 2006), 2–6, 74–80.

¹³ Ariela J. Gross, *What Blood Won't Tell: A History of Race on Trial in America* (Cambridge: Harvard University Press, 2008), 63–70, 78–90.

¹⁴ Warren Eugene Milteer Jr., *North Carolina's Free People of Color, 1715-1885* (Baton Rouge, LA.: Louisiana State University Press, 2020), 45, 128–29, 223.

¹⁵ Heinegg, *Free African Americans*, 457, 475, 1098, 1200; State Archives of North Carolina, Tax Lists, Granville County: 1755, 1769, 1771, 1780, 1782, 1784; 1816, 1785, local call no. GA 11.1.

¹⁶ Patricia Phillips Marshall, “The Legendary Thomas Day: Debunking the Popular Mythology of an African American Craftsman,” *North Carolina Historical Review* 78, no. 1 (January 2001): 38.

¹⁷ State Archives of North Carolina, *Granville County, North Carolina Tax Lists*, 1755: Box 1, T.O. 105.

¹⁸ State Archives of North Carolina, *MARS database*, Edgecombe County Land Grants, 9: 283.

¹⁹ William L. Saunders, ed., *The Colonial Records of North Carolina* (Raleigh: P. M. Hale, Printer to the State, 1888), 6:982–83.

²⁰ *Ibid.*, 23: 106–07

²¹ *Ibid.*, 6:982–83.

²² *Ibid.*

²³ Frank W. Sweet, *Legal History of the Color Line: The Rise and Triumph of the One-Drop Rule* (Palm Coast, FL.: Backintyme, 2000), 81–87.

²⁴ Hashaw, *Children of Perdition*, 74–80.

²⁵ Gilbert, William Harlan, Jr., “Memorandum Concerning the Characteristics of the Larger Mixed-Blood Racial Islands of the Eastern United States,” *Social Forces* 24, no. 4 (May 1946): 438–47.

²⁶ Ibid.

²⁷ Ibid., 438.

²⁸ Ibid.

²⁹ Ibid.

³⁰ Virginia Easley DeMarce, “‘Verry Slitly Mixt’: Tri-Racial Isolate Families of the Upper South—A Genealogical Study,” *National Genealogical Society Quarterly* 80, no. 1 (March 1992): 5–35.

³¹ Ibid., 91–92. Colbert specifically mentions the Chavis, Gibson, Goins (Going), and Sweat families and the connections he found between these families and the Roanoke River and Pee Dee River Indian trade communities. Colbert, however, only notes their presence and does not discuss their origins.

³² Milteer, *North Carolina's Free People of Color*, 127–28.

³³ Richard A. Colbert, “James Logan Colbert of The Chickasaws: Man and Myth,” *North Carolina Genealogical Society Journal* 20, no. 2 (May 1994): 82–95.

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South Carolina Colonial Plat Books

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Unrecorded Plats for Land Not Granted

State Archives of North Carolina

Bertie County

Land Patent Books

Edgecombe County

Land Grants

Granville County

Tax lists, 1755-1789

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Land Office Patents

Surry County

Deeds, Wills, Etc.

Northampton County

Court Orders and Minutes, Deeds, Wills

The University Library of the University of North Carolina at Chapel Hill, NC.

Documenting the American South

The Colonial and State Records of North Carolina

North Carolina Maps

North Carolina Collection Gallery

Newspapers

The South–Carolina Gazette. (Charleston, SC.)

The News and Courier, (Charleston, SC)

The News and Observer (Raleigh, NC., North Carolina)