

Example Developed by Tamara Hunt, College of Liberal Arts CCAF

Free and Unfree People in British North America
 Essay on Primary Source Documents

Prompt: The question of who was “free” and who was “unfree” in the British North American colonies was not as clear-cut as it might seem at first. Using the documents provided, explore this issue. Who was “free” or “unfree” in each document, and how did they come to have that status? What were the conditions that characterized an “unfree” status? What conclusions can you draw about the nature of personal freedom in colonial British North America?

In this paper for the Black Laws, cite the state that passed the law and the date. Here’s an example: (Virginia 1667). For the other sources, cite the name or title and the paragraph in which the information is found. Here are examples: (Rowlandson paragraph 3); (*Proceedings* paragraph 2); (Mittelberger paragraph 5); (*A Brief Description*, paragraph 4).

When you finish your paper, go back and read it, asking yourself these questions:

- Does your paper begin with a specific assertion that can be supported by the available evidence?
- Are your examples or evidence the ones that make the BEST argument in favor of your assertion, and have given your reader a clear citation that would allow him or her to find them in the text?
- Does any of the evidence suggest interpretations different from yours that you need to acknowledge or explain?
- Have you organized your evidence in such a way that supports your assertion (e.g. linking similar or supporting evidence from two or more sources to support your claims, contrasting two or more sources, showing change or continuity over time between two or more sources)?
- Do you explain in your own words why you have interpreted the evidence the way you do? [Hint: How would you respond to a reader asking “What did that document say that made you think this way?”]
- Have you summed up your paper by showing how your original assertion is a logical conclusion based on the evidence you presented in the paper?

If you can’t answer “yes” without hesitation to each of these questions, then you need to go back and make changes!

Ways of Knowing Rubric: Your paper will be assessed for the “Ways of Knowing” goal of the Core 39 Curriculum. Students will be able to apply methods of inquiry and analysis, the systematic process of exploring issues/objects/works through the collection and process of breaking complex topics or issues into parts to gain a better understanding of them that result in informed conclusions/judgments, as identified by the way of knowing.

Rubric			
	Exceeds Expectations	Meets Expectations	Fails to Meet Expectations
Topic	Articulates a creative, focused, and manageable thesis or problem statement that addresses potentially significant aspects of the topic.	Articulates a manageable thesis or problem statement that may lack creativity, appropriate focus, or some relevant aspects of the topic.	Lacks a manageable thesis or problem statement.
Existing Knowledge , Research and/or Views	Synthesizes in-depth information from relevant sources representing various points of view/approaches.	Presents information from relevant sources representing various points of view/approaches; presentation may be somewhat limited or cursory.	Presents limited information or information from irrelevant sources.
Analysis	Organizes and synthesizes reliable evidence to reveal insightful patterns, differences, or similarities related to focus.	Organizes evidence, but the organization is not effective in revealing important patterns, differences, or similarities.	Lists evidence, but it is not organized and/or is unrelated to focus.
Conclusions	States a conclusion that is a logical extrapolation from the analysis.	States a conclusion that reflects the analysis, but it may not be fully developed.	States an ambiguous, illogical, or unsupported conclusion or lacks a conclusion.

Black Laws, PBS.org, accessed July 15, 2015, <http://www.pbs.org/wgbh/aia/part1/1h315.html>

Background: The Virginia Company established its first representative legislature in 1619, largely as a way of dealing with issues that arose among and between the colonists. Although Maryland had a single proprietor (Lord Baltimore), in order to entice people to settle in the colony, he also offered his settlers a representative assembly. These legislatures often had to clarify the law as the colonies grew, especially as new conditions arose that had not previously been addressed in the existing legal system.

Virginia, 1639: Act X. All persons except Negroes are to be provided with arms and ammunitions or be fined at the pleasure of the governor and council.

Maryland, 1664: That whatsoever free-born [English] woman shall intermarry with any slave. . . shall serve the master of such slave during the life of her husband; and that all the issue of such free-born women, so married shall be slaves as their fathers were.

Virginia, 1667: Act III. Whereas some doubts have arisen whether children that are slaves by birth. . . should by virtue of their baptism be made free, it is enacted that baptism does not alter the condition to the person as to his bondage or freedom; masters freed from this doubt may more carefully propagate Christianity by permitting slaves to be admitted to that sacrament.

Virginia, 1682: Act I. It is enacted that all servants. . . which [sic] shall be imported into this country either by sea or by land, whether Negroes, Moors [Muslim North Africans], mulattoes or Indians who and whose parentage and native countries are not Christian at the time of their first purchase by some Christian. . . and all Indians, which shall be sold by our neighboring Indians, or any other trafficking with us for slaves, are hereby adjudged, deemed and taken to be slaves to all intents and purposes any law, usage, or custom to the contrary notwithstanding.

Proceedings of the County Court of Charles County [Maryland], 1658-1662, Archives of Maryland Online, volume 53, pp. 182-183, <http://aomol.msa.maryland.gov/000001/000053/html/index.html>

Background: Indentures were formal written contracts that were legally binding; it was not unusual for the contract to be registered in a court or other government office, as in the case of Anne Ges's children. In general, indentures legally obligated an individual to serve a particular master for a set period of years; in return, the servant usually received room and board, and (sometimes) a wage or the right to earn money when not working for the master. Parents had the right to agree to an indenture on behalf of their minor children, often without their consent. Anne Ges's husband Walter emigrated from England in 1646 when he was 14, making him about 30 at the time of his death. It's probable that Anne was also in her twenties or early thirties, but other than this court appearance, nothing else is known about her.

[Paragraph 1] January 28, 1662: Anne Ges, the Relict [widow] of Walter Ges deceased, doath here in open Court bind over unto Mr. Thomas Baker his heirs Executors Administrators but not Assigns¹ Mary Ges her daughter in Law [i.e., her step-daughter] to serve the said Baker as aforesaid from the day of the date hereof until the 28th day of January 1667 in all such Services and employments as he the said Baker his heirs Executors Administrators shall employ herein, and the said Mary being demanded in open Court whether she was thereunto Condesending who very freely replied that she was therewith very well contented.

[Paragraph 2] Whereupon it was ordered that the said Mary Ges should serve the said Baker his heirs Executor Administrators but not assigns the full and just term of six years from the day of the date hereof in all such services and employments as he or they shall employ her in and he and they during the term of the said time finding and allowing her sufficient meat, drink and good Lodging fitting for a servant in that kind.

[Paragraph 3] Anne the Relict of Walter Ges doath hereby in open Court binds over unto Mr. Henry Addames his heirs Executors Administrators but not Assigns one Lewis Ges her son being about three years old from the day of the date hereof the full and just term of eighteen years to serve him or them in all such services and employments as he or they shall employ him in during the said term of time. And for the Confirmation of the said

¹ “Mr. Thomas Baker his heirs Executors Administrators but not Assigns”: this is a provision made in case Baker died before the end of the contract. In that case, Mary Ges would continue to serve Baker’s heirs, the executor of his will, or the people appointed to administer his estate. However, neither they nor Baker could “assign” Mary’s contract to another, meaning that her labor couldn’t be sold, transferred or gifted to someone else.

Assignment it is ordered that the said Lewis Ges shall Serve the said Mr. Addames his heirs Executors Administrators but not Assigns from the day of the date hereof the full and just term of time of eighteen years in all such services and employments that he or they shall employ him in, he and they during the said term finding and allowing the said Lewis Ges sufficient meat, drink, washing and Lodging fitting for a servant.



Tobacco planters in New Amsterdam, c. 1640, accessed August 25, 2015, http://www.newamsterdamhistorycenter.org/media/images/explore_manuel_Nieu_Amsterdam_c1640.jpg

A Brief Description of the Province of Carolina, on the Coasts of Florida, and more particularly of a New Plantation begun by the English at Cape Feare, on that River now by them called Charles-River, the 29th of May, 1664 (London: Printed for Robert Horne, 1666), accessed July 15, 2015, http://mith.umd.edu/eada/html/display.php?docs=horne_briefcarolina.xml&action=show

Background: King Charles I granted a charter to Cecil Calvert, Lord Baltimore, in 1632, which allowed him to set up the colony called Maryland. Two ships arrived in 1634 under the supervision of Lord Baltimore's brother and founded its first town, St. Mary's City. While settlers continued to arrive, the population remained small and efforts were undertaken to promote the colony to English men and women. This pamphlet published by Robert Horne was one such effort.

[Paragraph 1] If therefore any industrious and ingenious persons shall be willing to partake of the Felicities of this Country, let them embrace the first opportunity, that they may obtain the greater advantages. The chief of the Privileges are as follows.

[Paragraph 2] First, There is full and free Liberty of Conscience granted to all, so that no man is to be molested or called in question for matters of Religious Concern; but every one to be obedient to the Civil Government, worshipping God after their own way..

[Paragraph 3] Secondly, There is freedom from Custom [taxes], for all Wine, Silk, Raisins, Currance, Oyl, Olives, and Almonds, that shall be raised in the Province for 7 years, after 4 Ton of any of those commodities shall be imported in one Bottom..

[Paragraph 4] Thirdly, Every Freeman and Freewoman that transport themselves and Servants by the 25 of March next, being 1667. shall have for Himself, Wife, Children, and Men-servants, for each 100 Acres of Land for him and his Heirs for ever, and for every Woman-servant and Slave 50 Acres, paying at most 1/2d. per acre, per annum, in lieu of all demands, to the Lords Proprietors: Provided always, That every Man be armed with a good Musket full bore, 10l. Powder, and 20l. of Bullet, and six Months Provision for all, to serve them whilst they raise Provision in that Country.

[Paragraph 5] Fourthly, Every Man-Servant at the expiration of their time, is to have of the Country a 100 Acres of Land to him and his heirs for ever, paying only 1/2d. per Acre, per annum, and the Women 50. Acres of Land on the same conditions; their Masters also are to allow them two Suits of Apparel and Tools such as he is best able to work with, according to the Custom of the Country.

[Paragraph 6] Fifthly, They are to have a Governor and Council appointed from among themselves, to see the Laws of the Assembly put in due execution; but the Governor is to rule but 3 years, and then learn to obey; also he hath no power to lay any Tax, or make or abrogate any Law, without the Consent of the Colony in their Assembly.

[Paragraph 7] Sixthly, They are to choose annually from among themselves, a certain Number of Men, according to their divisions, which constitute the General Assembly with the Governor and his Council, and have the sole power of Making Laws, and Laying Taxes for the common good when need shall require.

[Paragraph 8] These are the chief and Fundamental privileges, but the Right Honourable Lords Proprietors have promised (and it is their Interest so to do) to be ready to grant what other Privileges may be found advantageous for the good, of the Colony.

Mary Rowlandson, *The Sovereignty and Goodness of God, Together with the Faithfulness of His Promises Displayed, being A Narrative of the Captivity and Restoration of Mrs. Mary Rowlandson (1682)*, accessed July 13, 2015, http://www.gutenberg.org/files/851/851-h/851-h.htm#link2H_4_0001

Background: Mary Rowlandson (1637-1711) was the wife of a minister in Lancaster, Massachusetts at the time of King Philip's War (1675-1676). At the time of this raid, Mary's husband Joseph was away, trying to raise funds to improve the town's defenses. Mary was held captive for three months before being ransomed for £20 (more than \$4000 today) along with other captives, and she wrote this text within two years of her release, even though it was not published until several years later. According to the title page, this was "Written by her own Hand, for her private Use, and now made Publick at the earnest Desire of some Friends, and for the Benefit of the Afflicted." She may have been encouraged to write this by Increase Mather, the influential Puritan minister based in Boston; historians believe that Mather wrote the anonymous introduction to the narrative. This captivity narrative has been called "one of the first American bestsellers," and at least four editions were published in 1682 (including one published in London). It continued to be reprinted and read for many years.

[Paragraph 1] On the tenth of February 1675 [1676]², came the Indians with great numbers upon Lancaster: their first coming was about sunrising; hearing the noise of some guns, we looked out; several houses were burning, and the smoke ascending to heaven. There were five persons taken in one house; the father, and the mother and a sucking child, they knocked on the head; the other two they took and carried away alive. There were two others, who being out of their garrison upon some occasion were set upon; one was knocked on the head, the other escaped; another there was who running along was shot and wounded, and fell down; he begged of them his life, promising them money (as they told me) but they would not hearken to him but knocked him in head, and stripped him naked, and split open his bowels. Another, seeing many of the Indians about his barn, ventured and went out, but was quickly shot down. There were three others belonging to the same garrison who were killed; the Indians getting up upon the roof of the barn, had advantage to shoot down upon them over their fortification. Thus these murderous wretches went on, burning, and destroying before them. . . .

[Paragraph 2] I had often before this said that if the Indians should come, I should choose rather to be killed by them than taken alive, but when it came to the trial my mind changed; their glittering weapons so daunted my spirit, that I chose rather to go along with those (as I may say) ravenous beasts, than that moment to end my days; and that I may the better declare what happened to me during that grievous captivity, I shall particularly speak of the several removes we had up and down the wilderness. . . .

[Paragraph 3] It was upon a Sabbath-day-morning, that they prepared for their travel. This morning I asked my master whether he would sell me to my husband. He answered me "Nux," which did much rejoice my spirit. My mistress, before we went, was gone to the burial of a papoose, and returning, she found me sitting and reading in my Bible; she snatched it hastily out of my hand, and threw it out of doors. I ran out and caught it up, and put it into my pocket, and never let her see it afterward. Then they packed up their things to be gone, and gave me my load. I complained it was too heavy, whereupon she gave me a slap in the face, and bade me go; I lifted up my heart to God, hoping the redemption was not far off; and the rather because their insolency grew worse and worse. . . .

[Paragraph 4] My master had three squaws, living sometimes with one, and sometimes with another one, this old squaw, at whose wigwam I was, and with whom my master had been those three weeks. Another was Wattimore [Weetamoo] with whom I had lived and served all this while. A severe and proud dame she was, bestowing every day in dressing herself neat as much time as any of the gentry of the land: powdering her hair, and painting her face, going with necklaces, with jewels in her ears, and bracelets upon her hands. When she had dressed herself, her work was to make girdles of wampum and beads. The third squaw was a younger one, by whom he had two papooses. By the time I was refreshed by the old squaw, with whom my master was, Weetamoo's maid came to call me home, at which I fell weeping. Then the old squaw told me, to encourage me, that if I wanted victuals, I should come to her, and that I should lie there in her wigwam. Then I went with the maid, and quickly came again and lodged there. The squaw laid a mat under me, and a good rug over me; the first time I had any such kindness showed me. I understood that Weetamoo thought that if she should let me go and serve with the old squaw, she would be in danger to lose not only my service, but the redemption pay also. And I was not a little glad to hear this; being by it raised in my hopes, that in God's due time there would be an end of this sorrowful hour. Then came an Indian, and asked me to knit him three pair of stockings, for which I had a hat, and a silk handkerchief. Then another asked me to make her a shift, for which she gave me an apron. . . .

[Paragraph 5] But to return again to my going home, where we may see a remarkable change of providence. At first they [i.e. the Indians] were all against it, except my husband would come for me, but afterwards

² Until the middle of the next century, Britain and its colonies used a calendar that marked the first of the year on March 25. In our modern calendar, this date would be February 10, 1676.

they assented to it, and seemed much to rejoice in it; some asked me to send them some bread, others some tobacco, others shaking me by the hand, offering me a hood and scarf to ride in; not one moving hand or tongue against it. Thus hath the Lord answered my poor desire, and the many earnest requests of others put up unto God for me. In my travels an Indian came to me and told me, if I were willing, he and his squaw would run away, and go home along with me. I told him no: I was not willing to run away, but desired to wait God's time, that I might go home quietly, and without fear. And now God hath granted me my desire. O the wonderful power of God that I have seen, and the experience that I have had. I have been in the midst of those roaring lions, and savage bears, that feared neither God, nor man, nor the devil, by night and day, alone and in company, sleeping all sorts together, and yet not one of them ever offered me the least abuse of unchastity to me, in word or action. . . .

**Gottlieb Mittelberger, *Journey to Pennsylvania in the Year 1750*, accessed July 15, 2015,
<http://www.let.rug.nl/usa/documents/1600-1650/gottlieb-mittelberger-on-the-misfortune-indentured-servants.php>**

Background: Gottlieb Mittelberger was a German musician and teacher and in 1750, he travelled to Philadelphia to take up a position as a church organist. After returning to Germany in 1754, he wrote an account of his travels to America, including the nearly four month voyage across the Atlantic in company with many poor people who hoped to get a new start in the colonies. Many could not pay for their passage, and Mittelberger (who was able to pay) describes what happened to them upon arrival.

[Paragraph 1] When the ships have landed at Philadelphia after their long voyage, no one is permitted to leave them except those who pay for their passage or can give good security; the others, who cannot pay, must remain on board the ships till they are purchased, and are released from the ships by their purchasers. The sick always fare the worst, for the healthy are naturally preferred and purchased first; and so the sick and wretched must often remain on board in front of the city for 2 or 3 weeks, and frequently die, whereas many a one, if he could pay his debt and were permitted to leave the ship immediately, might recover and remain alive.

[Paragraph 2] The sale of human beings in the market on board the ship is carried on thus: Every day Englishmen, Dutchmen and High-German people come from the city of Philadelphia and other places, in part from a great distance, say 20, 30, or 40 hours away, and go on board the newly arrived ship that has brought and offers for sale passengers from Europe, and select among the healthy persons such as they deem suitable for their business, and bargain with them how long they will serve for their passage money, which most of them are still in debt for. When they have come to an agreement, it happens that adult persons bind themselves in writing to serve 3, 4, 5 or 6 years for the amount due by them, according to their age and strength. But very young people, from 10 to 15 years, must serve till they are 21 years old.

[Paragraph 3] Many parents must sell and trade away their children like so many head of cattle; for if their children take the debt upon themselves, the parents can leave the ship free and unrestrained; but as the parents often do not know where and to what people their children are going, it often happens that such parents and children, after leaving the ship, do not see each other again for many years, perhaps no more in all their lives. It often happens that whole families, husband, wife, and children, are separated by being sold to different purchasers, especially when they have not paid any part of their passage money.

[Paragraph 4] When a husband or wife has died at sea, when the ship has made more than half of her trip, the survivor must pay or serve not only for himself or herself, but also for the deceased. When both parents have died over half-way at sea, their children, especially when they are young and have nothing to pawn or to pay, must stand for their own and their parents' passage, and serve till they are 21 years old. When one has served his or her term, he or she is entitled to a new suit of clothes at parting; and if it has been so stipulated, a man gets in addition a horse, a woman, a cow.

[Paragraph 5] When a serf has an opportunity to marry in this country, he or she must pay for each year which he or she would have yet to serve, 5 to 6 pounds. But many a one who has thus purchased and paid for his bride, has subsequently repented his bargain, so that he would gladly have returned his exorbitantly dear ware, and lost the money besides.

[Paragraph 6] If some one in this country runs away from his master, who has treated him harshly, he cannot get far. Good provision has been made for such cases, so that a runaway is soon recovered. He who detains or returns a deserter receives a good reward. If such a runaway has been away from his master one day, he must serve for it as a punishment a week, for a week a month, and for a month half a year.