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978-1-107-10527-0 - Institutional Slavery: Slaveholding Churches, Schools, Colleges, and  
Businesses in Virginia, 1680–1860

Jennifer Oast

Excerpt

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## Introduction

Conjure up an image of slavery in old Virginia: the traditional plantation with the big house, dozens of slaves toiling in a nearby tobacco field, and a master and mistress sitting by in dignified idleness. Historians have long argued that this stereotypical portrait of slavery is incomplete: many slaves did not live on large plantations but on small farms with few slaves, and many more lived in cities. Slaves did many kinds of work besides growing staple crops; they worked as domestics, skilled artisans, sailors, industrial laborers, and in a variety of other jobs. Slavery was a far more complex institution than the traditional story of slavery presents.

Yet another reason that this traditional story is incomplete is that a number of slaves did not have a traditional master or mistress. They were owned by “masters” who have been nearly forgotten in the historical memory of slavery. These slaves were owned not by individuals but by churches, schools, and colleges. They were institutional slaves, and their lives differed from those of more typical slaves in important ways. Despite the unique nature and importance of institutional slavery, the stories of slaves owned by institutions are rarely told in the modern historical literature on slavery. While it makes sense to begin a study of slavery by examining it on the archetypal plantation, it is to the advantage of historians to recognize and explore institutional slavery in order to define more fully the complex nature of slavery. How did institutional slavery differ from traditional slavery? Events in the lives of two institutional slaves serve as an introduction to their larger story.

In 1692, a slave woman in Elizabeth City County (now Hampton), Virginia, was caught in the middle of a legal dispute between the overseers of the Eaton Free School, the institution that owned her, and

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Ebenezer Taylor, its former schoolmaster. Taylor had enjoyed the use of the unnamed woman's labor for the past year, probably as part of his salary for teaching at the school. Since Taylor was not the woman's owner, however, he had not provided appropriate clothing for her. The overseers of the Eaton Free School, also trying to avoid the cost of clothing the slave, brought the matter to court. On October 19th, the county magistrates ruled against Taylor, arguing that, "it is thought reasonable that a negro woman belonging to the said school should be cloathed at the charges of the said schoolmaster, she being almost naked." Taylor was ordered to give to the school overseers, for the enslaved woman's use, a cotton waistcoat and petticoat, three yards of canvas for a shift, a pair of new shoes and stockings, and three barrels of corn within fourteen days.<sup>1</sup> This was a victory for the school and its budget against what must have been a most miserly man. But what of the slave woman? How long had she been "almost naked" while the parties involved bickered and the courts investigated the issue? Once the matter was decided, did she have to wait the full two weeks in a chilly Virginia October before she finally received her ration of clothing?

A century and a half later, Louisa was born into slavery around 1832 in Prince Edward County, Virginia. Her "owner" was the congregation of the Briery Presbyterian Church. Along with her mother, Mary, and her younger sister, Martha, Louisa was auctioned off to the highest bidder at the beginning of each year by the church trustees. The income brought by the annual hire of her family and many other related slave families provided a substantial income that the church relied on to pay the salary of its minister, keep the church in repair, and care for the poor whites in the congregation. Louisa was grouped with her mother and sister in the auctions as a young child, but by January, 1840, when she was between seven and nine years old, the trustees decided that Louisa was old enough to be hired out individually. During the next six years, Louisa was hired out to six different masters. Each year, this child had to start over in a new household, probably among strangers both white and black. Each year, she had to make a new life for herself, learning new types of work, the rules of a new household, making new friends, and perhaps finding a substitute parent. Only once in those six years was she able to live with a family member, when Martin B. Jones hired both Louisa and her mother in 1842. The joy that Louisa and her mother would have felt at

<sup>1</sup> "Education in Colonial Virginia: Part III: Free Schools," *William and Mary College Quarterly Historical Magazine* 1st ser., 6, no. 2 (1897), 74.

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that fortunate reunion must have been tempered, however, by the fact that Louisa's younger sister, Martha, was living apart from their mother for the first time that year. In 1840, Louisa's year of labor brought only \$2.00 in revenue for the church, but by the beginning of 1845, as Louisa entered her teens, her annual hire had grown to \$16.00 for the congregation. Unfortunately, Louisa died on February 17, 1845, a detail preserved in the records of Briery Presbyterian Church primarily because as a result the congregation had to return that \$16.00 to James A. Allen, Jr., who had hired her for 1845.<sup>2</sup>

Here are the stories of two Virginia slaves who were separated by many generations, yet connected in one critical way: each one was owned by an institution rather than by an individual owner. Their stories help illuminate the distinct nature of institutional slavery as well as some of the challenges faced by those who endured it. The term "institutional slave" is used in this book to describe a slave who was owned by a group of people united in a common purpose – nonprofit educational and religious organizations, the public (as organized into state government), and for-profit companies. Sometimes, the term also included slaves who were not owned by institutions but rather were hired by them to do work for the institution. It is often difficult to differentiate owned slaves from hired slaves in the records of institutions, so the term must be somewhat elastic. These slaves were used in two ways by institutions: first, they sometimes worked directly for the institutions, such as a slave who labored in an Anglican parish poorhouse, on the campus of a Virginia university, or in a Richmond-area coal mine. The second way these slaves were used by institutions was as an endowment; these slaves did not work *at* an institution, but were owned *by* one and were then hired out annually to raise funds for the institution. Several Presbyterian congregations owned slaves in this way, and free schools for white children were sometimes supported by slave labor endowments as well.

A key element that separated institutional slaves from those owned by traditional masters and mistresses was that they worked for the benefit of an institution and under the direction of a body of men, often referred to as trustees, who represented the institution legally and administered in its affairs. In the case of slave-owning institutions, trustees made hiring arrangements, determined when slaves would be bought or sold, and determined their daily work and living conditions. They had many of the

<sup>2</sup> Briery Presbyterian Church (Prince Edward County, Virginia), *Session Book, 1840–1892*, Accession 20587, Church Records Collection, Library of Virginia, Richmond, Virginia.

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responsibilities of masters but only a limited financial or personal stake in these slaves' well-being. Their motivations were governed by their loyalty to the institution they served, by their own humanity or inhumanity, and perhaps by a desire to maintain an honorable reputation in the community. Some men who governed institutional slaves had some economic interest in the work of institutionally owned slaves, as in the case of a college president or the manager of a tobacco factory, both of whom benefitted personally when the college or factory ran efficiently; however, this interest would be less than what either would have in a slave he personally owned.

The individual masters of slaves had a raw economic interest in feeding, clothing, and housing their slaves at a minimal level in order to lengthen their working lives, increase their productivity, and perhaps dissuade them from running away. Individual slaveholders might also harbor paternalist pretensions that might govern their actions toward slaves they owned, sometimes resulting in a better material quality of life or even limited protection of their family relationships. But institutional slaves had no human owner with either economic or paternalistic impulses, and this aspect of institutional slavery could cause serious problems for slaves, as the two examples that open this introduction reveal. In the first example, the woman owned by the Eaton Free School suffered because while the school master felt entitled to her labor (as part of his compensation) he did not feel obliged to meet her basic clothing requirement; he felt that the trustees of the Eaton Free School should pay for the clothing out of school funds. The trustees, on the other hand, may have withheld the clothing for various reasons, such as a desire to save money for the school, a personal dislike of the teacher, or simple lack of attention. This slave's material standard of living was likely lower than it would have been, therefore, if she had lived in the household of a person who owned her and had an economic interest in her. In the second case, young Louisa spent her short life being hired out on annual contracts for the benefit of the Briery Presbyterian Church. She was hired away from her family at a young age and never worked in one household more than one year at a time. Did this instability contribute to her early death? While the records do not give a cause of death, it is impossible not to wonder if her death might have been avoided if those who controlled her daily life had a stronger personal interest in her well-being. Many American slaves were hired out at some point in their lives, and some of the problems faced by institutionally owned slaves such as Louisa were common to all slaves. However, Louisa and those like her were different in that they were hired

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out by church trustees, removing them one step further from a relationship with a self-interested slave owner. They also differed from most hired slaves in that being hirelings was their permanent condition, from birth to death.

Individual owners had a property interest in their slaves that encouraged them to provide the basic necessities of life such as food, shelter, and clothing. This economic motive was not infallible; there are horrifying examples of slave owners abusing and killing slaves they owned, and many more of general mistreatment. Henry Boswell Jones, a prosperous Virginia farmer, wrote in 1851, “It is in the interest of every master to take good care of his servants; to see that they are not unnecessarily exposed to bad weather; to work them moderately and treat them kindly; in this way they are less liable to disease, more attached to home, and not given to pilfering, and generally become much attached to the family.” Jones asserts that slaves “never want for the substantial of life ... when sick, medical aid is afforded, and generally they are well nursed.”<sup>3</sup> While Jones had philosophical reasons to assert that slave owners were kind to their slaves, it is true that the slave owners themselves had self-serving economic reasons to take care of their slaves’ most basic needs for food, clothing, shelter, and medical care; an owner’s investment in slaves would have been wasted if his slaves died prematurely or became too worn out to work effectively or produce healthy children. Further, treating slaves decently paid off in greater work productivity. Owners learned that when they helped, their slaves became “attached to home”; by giving them privileges or by protecting their family relationships, their slaves would be less likely to steal from them, run away, or resist their enslavement in other ways.

Therefore, the slave owners’ economic interest, sometimes coupled with a moral or philosophical concern for the welfare of their slaves, did usually encourage the slave owners to provide their bondsmen and women with the basic necessities of life. Philip D. Morgan notes, “Slaves faced all sorts of insecurities – about whether they might be sold, or whipped, or have to endure some fresh humiliation ... but the one compensation for such dependence was that a slave generally could expect a minimal subsistence. The master had an obvious and real incentive to see that the slave survived.”<sup>4</sup> Walter Johnson observes that “slaves’ market

<sup>3</sup> Henry Boswell Jones’s letter, *Commissioner of Patents*, Washington, D.C., 1851, quoted in Nancy Sorrells, “Francis McFarland and the Black Community: A Case Study of the Hiring Practices within the Upper Shenandoah Valley,” 1994, James Madison University Library, 6–7.

<sup>4</sup> Philip D. Morgan, “Slaves and Poverty,” in Billy G. Smith, ed., *Down and Out in Early America* (University Park, PA: Pennsylvania State University Press, 2004), 121.

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value – ‘advantage, worth, quality’ – was often cited as the best guarantee that their owners would treat them well.”<sup>5</sup> In other words, slaves (at least before they grew old) were too valuable a possession to be denied the necessities of life. The slave owner who wanted to improve his slaves’ productivity and reduce their desire to run away might invest a little more in making his slaves materially comfortable as well.

The most “mild” forms of slavery, in which conscientious masters and mistresses provided the best of care and sustenance to their slaves, still denied those slaves their freedom, something more precious than the best clothes or a full stomach. James Oakes rightly asserts that historians should not give too much credit to comparative differences in the material standard of living of slaves: “A slave was a slave, whether he lived a healthy hundred years or a sickly forty, whether she was better fed than a Polish peasant or more miserably housed than an American yeoman.”<sup>6</sup> Yet comparative studies are necessary to fully understand the nature of American slavery, and sometimes, that will mean discovering that some slaves had advantages over others within an otherwise oppressive and evil system. None of those comparative advantages, however, ever made this coercive labor system benign.

In addition to economic self-interest, slave owners, especially in the nineteenth century, were also influenced by the ideology of paternalism. Beginning as enlightened patriarchy in the late eighteenth century and emerging as a well-developed justification for slavery in the nineteenth, paternalism was a set of beliefs that meant to govern the behavior of masters and their slaves. A paternalist master justified his ownership of people by arguing that slaves were better off under his “fatherly” care than they would be if they were free, and that in return for his protection and guidance, slaves owed their masters work and deference. Peter Kolchin considers paternalism “a conscious movement to strengthen slavery by making it more humane – to counter the abolitionist onslaught by ridding slavery of its abuses and making the peculiar institution as benevolent as proslavery ideologues were already insisting that it was.”<sup>7</sup>

<sup>5</sup> Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge, MA: Harvard University Press, 2001), 26.

<sup>6</sup> James Oakes, *Slavery and Freedom: an Interpretation of the Old South* (New York, NY: Alfred A. Knopf, 1990), xv.

<sup>7</sup> Peter Kolchin, *Unfree Labor: American Slavery and Russian Serfdom* (Cambridge, MA: Harvard University Press, 1987), 130; paternalism has been a controversial topic among the scholars of slavery for decades. Eugene Genovese’s *Roll, Jordan, Roll: the World the Slaves Made* (New York, NY: Vintage Books, 1976) still ranks as one of the best studies of paternalism in the antebellum South, and is further elaborated on in the more recent work by Eugene D. Genovese and Elizabeth Fox-Genovese, *Fatal Self-Deception: Slaveholding*

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A master who bought into the paternalist self-image was more likely to make certain that his slaves were adequately fed, clothed, and housed. The slaves, for their part, did not accept this ideology that made them, in effect, perpetual children, but they did manipulate the ideology of paternalism for their own purposes to negotiate for better living and working conditions. They could do so because many slave owners desired so strongly to believe in these paternal relationships. Former slave Lewis Clarke asserted, “There is nobody deceived quite so bad as the masters down South; for the slaves deceive them, and they deceive themselves.”<sup>8</sup> The improvement in the material lives that slaves sometimes experienced under a paternalist master, therefore, was not only a result of the owner’s beneficence, they were conditions negotiated for by slaves themselves with slave owners who were anxious to justify their slave ownership to themselves, to their neighbors, and to the world.<sup>9</sup>

In contrast to most slaves, the experiences of institutional slaves were shaped by a weakened form of white self-interest and paternalism. When institutional slaves, like other slaves, bargained with a master, to whose economic self-interest could they appeal? They were less likely to have someone whose pocketbook or whose reputation hinged on his treatment of them. Although some trustees of institutional slaves acted in a paternal fashion toward certain slaves they favored, most institutional slaves had few opportunities to negotiate for better conditions by playing on the stereotype of the grateful, childlike slave. Commodore Lewis, a slave at the

*Paternalism in the Old South* (Cambridge: Cambridge University Press, 2011). The early development and nature of southern paternalism is well explained in Philip D. Morgan, *Slave Counterpoint: Black Culture in the Eighteenth-Century Chesapeake and Lowcountry* (Chapel Hill, NC: University of North Carolina Press, 1998), 284–296. Orlando Patterson places southern paternalism in a broader perspective, arguing that slaveholders across the world and over many centuries have also practiced this sort of “self-deception” in *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1982), 338–339. Lacy Ford examines regional differences in the development of paternalism in *Deliver Us from Evil: The Slavery Question in the Old South* (Oxford: Oxford University Press, 2009), 4–14.

<sup>8</sup> Lewis Clarke, “Leaves from a Slave’s Journal of Life,” quoted in Eugene D. Genovese and Elizabeth Fox-Genovese, *Fatal Self-Deception: Slaveholding Paternalism in the Old South* (Cambridge: Cambridge University Press, 2011), 146.

<sup>9</sup> Kathleen Brown argues that slaves themselves helped create paternalism in the eighteenth century in *Good Wives, Nasty Wenches and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill, NC: University of North Carolina Press, 1996). Brown writes, “slaves successfully moved their masters toward a paternalistic style of authority by midcentury” (350) though she questions whether “paternalism represents a qualitative improvement in human relations over patriarchy” (322). Peter Kolchin agrees that paternalism did not necessarily improve the lives of slaves in *Unfree Labor*, 134.

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University of Virginia, was one who did take advantage of the paternalist sympathies of the school trustees; he and the trustees worked out a bargain in which he received a reduced workload in exchange for remaining sober.<sup>10</sup> But many institutional slaves did not live in such close proximity with those in power over them as Commodore Lewis did. Paternalism was a flawed and psychologically damaging ideology, and some historians question whether or not it made a difference in the material lives of slaves. However, even the limited negotiating room it created for some slaves was circumscribed for institutionally owned slaves. This problem appears to different degrees in the examples of institutional slaves discussed in the chapters that follow.

The relationship between institutional slavery and paternalism also created a problem for many whites, trustees, and other interested persons alike: if paternalism was the slaves' "reward" for a lifetime of service, and if paternalism justified the whole system of human bondage based on the well-being of the slave, where did institutional slaves fit into this picture? Nineteenth-century Presbyterians, in particular, saw the hypocrisy inherent in this system by which their congregations benefitted so greatly. Asa Dupuy, a slave owner and no abolitionist, argued firmly against slaveholding by his own church, Briery Presbyterian, for this very reason. He was not opposed to slavery, but had serious qualms about institutional ownership of slaves. He noted that it was especially problematic because it separated husbands and wives, promoting infidelity, and that in addition the church's slaves were not well cared for by hirers, leading to lower birth rates, for example. Dupuy would have known that this practice did not reflect the values of Christian mastery promoted by Protestant ministers in the antebellum South. Christian masters were responsible for the spiritual as well as physical well-being of their slaves. Presbyterian minister Joseph R. Wilson's 1861 sermon "Mutual Relation of Masters and Slaves as Taught in the Bible" summarizes decades of thought about the religious responsibilities of Christian masters: "notwithstanding the careful guardianship of the principle of authority on the part of owners, yet must they [slave masters] not forget that they are to give an account to God at last for the right use of their exalted stewardship – the stewardship over souls of immortal men, placed directly underneath their control. They are to endeavor to train up their servants for heaven – as much bound to do this as they are bound to attend to the religious instruction

<sup>10</sup> "Minutes of the Board of Visitors of the University of Virginia," 498–499, Albert and Shirley Small Special Collections Library, University of Virginia, Charlottesville, Virginia.



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of their own children. Masters are, for this end, even required to guard their tempers, that they may be guiltless of unnecessary severity in the treatment of their domestics; to ‘avoid threatening:’ but to administer a firm, consistent, orderly, paternal government, which will suitably mingle the mercy of punishment with the justice of reward. They must remember to treat their servants as they will expect their own Master in heaven to treat them.”<sup>11</sup>

Asa Dupuy was not successful in his attempt to persuade his church to divest itself of slave property, even though he was not asking the congregation to free the slaves, only to sell them to reputable masters. The congregation probably chose not to because the large slave endowment they had built up over the years was very profitable. This is where the calculating economic rationale for slavery clashed with the paternalist sentiment. Therefore, institutional slavery helps to mark the limits of paternalism as a justification for slave ownership in nineteenth-century Virginia. Many of the church members might have considered themselves good paternalist slave owners, yet they could tolerate putting slaves in positions where paternalist concern did not reach.

Institutional slavery was also appealing to whites for reasons beyond the purely economic. Institutional slavery widened the circle of beneficiaries of slavery, allowing many whites who did not own slaves to reap benefits of slavery nonetheless. Members of slave-owning church congregations benefitted from slavery even when they were not slave owners themselves; the families of children who attended free schools benefitted in a similar way. Both received concrete benefits because of the existence of institutional slavery. In another example, businesses made profitable by slave ownership provided benefits to a broad array of whites: business owners and investors, of course, but also white employees, purchasers of products who understood that reasonable prices were made possible by slave labor, even those who simply aspired to profit from slave labor in these ways – all would feel that slavery was inherently positive. Other whites benefitted even more directly from being able to practice

<sup>11</sup> Joseph R. Wilson, “Mutual Relation of Masters and Slaves as Taught in the Bible. A Discourse Preached in the First Presbyterian Church, Augusta, Georgia, on Sabbath Morning, Jan. 6, 1861,” *Documenting the American South*, University Library, University of North Carolina at Chapel Hill, Retrieved from <http://docsouth.unc.edu/imls/wilson/wilson.html>. Mark Auslander’s fascinating study of Methodist Bishop James Osgood Andrew examines the demands of Christian mastery made by the ideology of paternalism in *The Accidental Slaveowner: Revisiting a Myth of Race and Finding an American Family* (Athens: University of Georgia Press, 2011), 25, 77.

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mastery on the institutional slaves themselves; for example, ministers who received a glebe with parish slaves attached, or college students who attended a school with enslaved servants, enjoyed the benefits of mastery, and learned its social norms. In this way, institutional slavery “institutionalized” slavery in Virginia. It normalized slavery, and enlarged its reach; it was good for the community, not just the rich upper-classes who owned most of the slaves. Finally, the connection between slavery and nonprofit institutions and the state certainly must have given slavery an aura of community (even divine) approval. If the church, the university, the local school, or the state accepted and benefitted from slavery, could it be very wrong?

This book begins by closely investigating the nonprofit institutional slaveholding of church congregations, free schools, and colleges in Virginia across three centuries. It then turns to slaveholding by public and private industries as a variation on institutional slaveholding in the last chapter. Chapter 1 focuses on slaveholding by Anglican and Episcopal churches (see Figure 1). After the Virginia Company itself, the Church of England was the first institution in Virginia, so it is not surprising that the church was the first institution in the colony to adopt slave ownership. While only a few parishes owned slaves in the seventeenth century, the practice became widespread in the eighteenth century as slavery itself became more common in the colony. Parishes initially used their slaves to add value to the glebe, which they offered a minister. Later, parishes purchased slaves to help support the poor, sometimes assigning them to work in the poorhouses established by a few vestries in the eighteenth century. The Anglicans set an important precedent for institutional slaveholding that other groups in Virginia would quickly follow.

As early as the 1650s, some pious Anglicans donated slaves as well as other property to their parish for the specific purpose of supporting free schools for poor children, based on the English model. Chapter 2 examines this variant of institutional slavery in which slaves did not work at the school, but rather raised the tobacco that paid the salary of the teachers. In the second half of the eighteenth century, as the slave hiring system became more common, slaves belonging to free schools were frequently hired out annually to raise money for the schools. This is one of the first cases of slaves being used as an endowment for humanitarian purposes. Surviving records of the Yeats Free Schools offer insight into how a large portion of the white community of Nansemond County, Virginia, became beneficiaries of slavery through the free school system, even when they were not slaveholders themselves.