

## Bonds of Empire

*Bonds of Empire* presents an account of slave law that is entirely new: one in which English law imbued plantation slavery with its staying power even as it insulated slave owners from contemplating the moral implications of owning human beings. Emphasizing practice rather than proscription, the book follows South Carolina colonists as they used English law to maximize the value of the people they treated as property. Doing so reveals that most daily legal practices surrounding slave ownership were derived from English law: Colonists categorized enslaved people as property using English legal terms, they bought and sold them with printed English legal forms, and they followed English legal procedures as they litigated over enslaved people in court. *Bonds of Empire* ultimately shows that plantation slavery and the laws that governed it were not beyond the pale of English imperial legal history; they were yet another invidious manifestation of English law's protean potential.

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*The English Origins of Slave Law in South Carolina  
and British Plantation America, 1660–1783*

LEE B. WILSON

*Clemson University*



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## Acknowledgments

When I began this project as a PhD student at the University of Virginia, I had little idea where it would take me. I started my scholarly career hoping to study constitution-making in early South Carolina, and I imagined that I would write an intellectual history that traced the roots of the colony's early legal development. In the years that followed, my sterile original plan morphed into something infinitely more complicated – and hopefully more interesting. As I hopped from archive to archive, dusting off obscure transactional documents and legal ephemera, I came to understand that it is not possible to understand early American legal history without first seeking to understand early American slavery. Try as I might to write a tidy constitutional history, the documents got in the way. Instead, they pointed to a messier story, one that defied my instinct to sort legally inflected activities into their proper silos. For all its messiness, this story yielded a broader truth: in colonial America, all law was slave law.

I would not have noticed this but for the support of friends and colleagues over the years. As a History major at Loyola College (now University) in Maryland, Joseph Walsh, Tom Pegram, Matthew Mulcahy, and the rest of the talented faculty nurtured my budding interest in the field. At the University of Virginia, I was fortunate to study with S. Max Edelson, who has been an unflagging source of support, criticism, and mentorship. Without him, this project would not have been possible. Paul D. Halliday guided me through the intricacies of English property law and transformed a staid subject into a riveting one by mere motion, as only he can. Chuck McCurdy and Risa Goluboff likewise helped me to place my

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## A Note on Text

Throughout this monograph, I refer to modern-day Charleston, South Carolina, as Charlestown, the common spelling of the port city until it was incorporated as Charleston in 1783. All monetary values are in pounds sterling. Between 1725 and 1775, £100 sterling was approximately £700 in South Carolina currency. Where applicable, I have adjusted dates to reflect the beginning of the calendar year on January 1 rather than March 25.

Abbreviations

APC	<i>Acts of the Privy Council of England, Colonial Series</i> , W. L. Grant and James Munro, eds., 6 vols. (London, 1908–1912)
BL	The British Library, London, UK
BOD	The Bodleian Library, Oxford University, Oxford, UK
BPRO	Records in the British Public Record Office Relating to South Carolina, 1663–1782, ed. W. Noel Sainsbury, 36 vols., Emory University, Woodruff Library, Atlanta, GA
CSP	Calendar of State Papers, Colonial Series
ECCO	Eighteenth-Century Collections Online, Gale Group, <a href="http://gale.net.galegroup.com">gale.net.galegroup.com</a>
EEBO	Early English Books Online, Chadwyck-Healey, <a href="http://eebo.chadwyck.com">eebo.chadwyck.com</a>
HLP	<i>The Papers of Henry Laurens</i> , eds. Philip M. Hamer et al., 16 vols. (Columbia: University of South Carolina Press, 1968–2003)
JNA	Jamaica Archives and Records Department, Spanish Town, Jamaica
LMA	London Metropolitan Archives, London, UK
LOC	Library of Congress, Manuscripts Division, Washington, DC
NARA	National Archives and Records Administration, Atlanta, GA
RG	<i>Royal Gazette</i>
RSCG	<i>Royal South Carolina Gazette</i>

SAL	<i>The Statutes at Large of South Carolina</i> , eds. Thomas Cooper and David J. McCord, 10 vols. (Columbia: A. S. Johnston, 1836–1841)
SCDAH	South Carolina Department of Archives and History, Columbia, SC
SCG	<i>South Carolina Gazette</i>
SCHM	<i>South Carolina Historical Magazine</i>
SCHS	South Carolina Historical Society, Charleston, SC
SHC	Southern Historical Collection, University of North Carolina, Wilson Library, Chapel Hill, NC
SNA	Scottish National Archives, Edinburgh, Scotland, UK
SP	<i>The Shaftesbury Papers</i> , ed. L. Cheves (Charleston: Home Press, 2010)
TNA	The National Archives, Kew, UK
WMQ	<i>The William and Mary Quarterly</i> , 3rd ser.