

# The Ownership of Property by Slaves in the Mid-Nineteenth-Century Low Country

By PHILIP D. MORGAN

PERHAPS THE MOST DISTINCTIVE AND CENTRAL FEATURE OF SLAVE life in the low-country region of South Carolina and Georgia was the task system. In Lewis C. Gray's words, "Under the task system the slave was assigned a certain amount of work for the day, and after completing the task he could use his time as he pleased." However, under the gang system, prevalent in most Anglo-American plantation societies, "slaves were worked in groups under the control of a driver or leader. . . . [and] the laborer was compelled to work the entire day . . . ." <sup>1</sup> The significance of this peculiar labor arrangement for those who operated it—particularly the use slaves made of "their time" to produce goods and gain access to property—has never before been systematically explored. This is the aim of the present essay.

The most obvious advantage of the task system to the slaves was the flexibility it permitted them in determining the length of the working day. The nearly universal lament that we hear whenever ex-slaves reminisce is that labor under slavery was "exhausting and unremitting." Working from sunup to sundown "was the pervasive reality."<sup>2</sup> Ex-slaves from the low country recall a different reality. Listen to Richard Cummings, a former field hand: ". . . a good active industrious man would finish his task sometimes at 12, sometimes at 1 and 2 o'clock and the rest of the time was his own to use as he pleased." Or to Scipio King, another former field hand: "I could save for myself sometimes a whole day if I could do 2 tasks in a day then I had the next day to myself. Some kind of work I could do 3 tasks in a day." Or to the ex-slave cooper who remembered "hav[ing] from midday till night—

<sup>1</sup> Gray, *History of Agriculture in the Southern United States to 1860* (2 vols., Washington, 1933), I, 550–51.

<sup>2</sup> See George P. Rawick, *From Sundown to Sunup: The Making of the Black Community* (Westport, Conn., 1972); and Paul D. Escott, *Slavery Remembered: A Record of Twentieth-Century Slave Narratives* (Chapel Hill, 1979), 38 (quotations).

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sometimes from 3 o'clock and sometimes later" to work on his own behalf. Or, finally, to the former slave driver who recalled seeing men split two hundred rails a day, "and in that way have a day for themselves." But perhaps the most impressive feat of task labor must be reserved for the former field hand who reckoned he could sometimes finish his task by 9 o'clock in the morning if, as he put it, "I began just before day and worked in the marsh and light ground."<sup>3</sup> Exhausting as task labor undoubtedly was, its prime virtue was that it was not unremitting.

Angrier voices occasionally make themselves heard above the swelling choruses of praise. One ex-slave voiced a criticism which, in general, would have undermined the main advantage of the system. Harry Porter, a former field slave, remembered that if the slaves on his plantation "got through early or half an hour before sundown . . . [their master] would give them more next day."<sup>4</sup> During harvest time or other periods of comparable urgency the temptation to increase the work load must have been hard for planters to resist. And yet Frederick Law Olmsted identified one pertinent reason why few planters succumbed: "In nearly all ordinary work," Olmsted observed, "custom has settled the extent of the task, and it is difficult to increase it." If these customs were systematically ignored, Olmsted continued, the planter simply increased the likelihood "of a general stampede to the 'swamp'.<sup>5</sup> Another complaint was less against the task system itself than against its incomplete application. One former slave remembered that slaves sometimes "had no task but worked by the day, then they worked till 5 o'clock." Olmsted witnessed a group of low-country women "working by the day" rather than by task; and his observations once again explain its relative infrequency. The women, he noted, were "keeping steadily, and it seemed sullenly, on at their work," but they cleared only a quarter of the ground that would have been accomplished in task work.<sup>6</sup> To work "steadily" was just not the

<sup>3</sup> Testimony of Richard Cummings, claim of Lafayette Delegal, July 11, 1873; claimant's deposition, claim of Scipio King, July 9, 1873; claimant's deposition, claim of William Caswell, February 19, 1874; claimant's deposition, claim of Lafayette Delegal, July 11, 1873; testimony of Cato Holmes, claim of July LeCounte, July 14, 1873. All these are to be found in the Liberty County, Georgia, Case Files, Southern Claims Commission, Records of the Third Auditor, Records of the U. S. General Accounting Office, Record Group 217 (National Archives, Washington, D. C.). Hereinafter only the name of the claimant and date of the claim will be given for Liberty County, Georgia, claims, followed by SCC. County and state will be added for claims originating elsewhere.

<sup>4</sup> Claimant's deposition, claim of Harry Porter, February 27, 1874, SCC.

<sup>5</sup> Olmsted, *A Journey in the Seaboard Slave States, with Remarks on Their Economy* (New York, 1863), 435-36. For a particularly good example of the difficulty in modifying a long-established task (in this case, threshing) see James M. Clifton, ed., *Life and Labor on Argyle Island: Letters and Documents of a Savannah River Rice Plantation, 1833-1867* (Savannah, 1978), 8-9.

<sup>6</sup> Testimony of Sterling Jones, claim of Sandy Austin, July 21, 1873, SCC; Olmsted, *A*

low-country way. Indeed, more than one low-country ex-slave was unable to recall a single planter “who worked his hands from sun to sun.”<sup>7</sup>

A less tangible, but no less real, reason for the attachment of slaves to the tasking system was the sense of personal responsibility that it inculcated. Planters certainly tried to “create responsibility,” as one put it, by offering the same task of ground to a slave throughout the season. In that way, “Where a negro knows that the task he is working is to be worked by him the next time he goes over the field, he is induced, in order to render the next working as light as possible, to work it well as [at] first.”<sup>8</sup> Olmsted was impressed by the results of this policy. The laborer under the task system, he noted, “works more rapidly, energetically, and, within narrow limits, with much greater use of discretion, or skill, than he is often found to do elsewhere.”<sup>9</sup> By assuming responsibility for his task, the slave had to be treated responsibly. He was not to be called away from his task: this would be tantamount to an invasion of his “customary privileges,” one planter explained. Put another way, one former slave recalled how “his master used to come in the field, and tell the overseer not to balk we, if we got done soon to let us alone and do our own work as we pleased.”<sup>10</sup> This sense of personal responsibility, this quasi-proprietorial attitude that the system encouraged, may well explain one of the most distinctive responses of low-country slaves when confronted with freedom. It is graphically captured in the exchange that occurred in 1866 between a woman field hand and a plantation agent who had apparently overstepped his authority. She “ordered me out of her task,” the agent reported, “saying if I come into her Task again she would put me in the ditch.” An army officer who inspected another lowland plantation was “hooted at” and told by the freedmen that “they wanted nothing to do with white men.”<sup>11</sup> Without in any way suggesting that slavery was a beneficent school in which slaves

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*Journey*, 430–31.

<sup>7</sup> Claimant’s deposition, claim of Samuel Harris, July 15, 1873; claimant’s deposition, claim of Lafayette Delegal, July 11, 1873, both in SCC.

<sup>8</sup> “On the Management of Slaves,” *Southern Agriculturalist*, VI (June 1833), 286.

<sup>9</sup> Olmsted, *A Journey*, 478.

<sup>10</sup> The Hon. Whitmarsh B. Seabrook, “Instructions for Planting Sea-Island Cotton, as practised on Edisto Island,” *Southern Agriculturalist*, III (March 1830), 148 (first quotation); testimony of Joshua Cassell, claim of George Gould, August 11, 1873, SCC (second quotation).

<sup>11</sup> B. H. Pinner to Col. B. F. Smith, May 1, 1866, Letters Received, Ser. 2392, Post of Georgetown, South Carolina, Records of U. S. Army Continental Commands, 1821–1920, Pt. 2, No. 142, Record Group 393 (National Archives; cited hereinafter as RG 393). In recognition of the value of the Freedmen and Southern Society Project files at the University of Maryland at College Park, I shall also supply in brackets their notations for all documents that I read there; in this case [C1607]. Gen. W. T. Bennett to Bvt. Lt. Col. W. L. M. Burger, October 11, 1865, B-69 (1865), Letters Received, Ser. 4109, Dept. of the South, Pt. 1, RG 393 [C1361].

gained a valuable education, perhaps a low-country master was close to the mark (closer than he realized) when he suggested that, under the task system, the slaves had "learnt in many instances to govern themselves and to govern each other . . . ."<sup>12</sup>

A sharply felt sense of personal responsibility was allied to a recognition of the merits of collective solidarity. A task system could conceivably encourage an individualistic, not to mention competitive, ethic; low-country slaves, on the other hand, seem on the whole to have valued the relative freedom it permitted for pooling resources when necessary. One planter recalled witnessing "with much pleasure the husband assisting the wife after he has finished his own task, and sometimes I have seen several members of a family in like manner, unite in aiding those who have been less fortunate than themselves in accomplishing their tasks." Speaking to the same point, but less romantically, James R. Sparkman reckoned "it is customary (and never objected to) for the more active and industrious hands to assist those who are slower and more tardy in finishing their daily task." Even less romantically, Richard Mack, an ex-slave interviewed in the 1930s, remembered that when he had "done all my task, and I help[ed] others with their task so they wouldn't get whipped . . . ."<sup>13</sup> The first few years of freedom could conceivably have seen an overthrow of any preexisting communal straitjacket. Instead, observers were astonished at the solid front presented by the low-country freedmen. "It is really wonderful," noted one army commander in January 1866, "how unanimous they are; communicating like magic, and now holding out, knowing the importance of every day in regard to the welfare of the next crop, thinking that the planters will be obliged to come to their terms."<sup>14</sup>

The merits of collective solidarity could also be experienced in familial form. Once tasks were completed, slaves could work in groups of their own choosing. Many ex-slaves recall that family groups were by far the most preferred units. Susan Bennett, a former

<sup>12</sup> James R. Sparkman to Benjamin Allston, March 10, 1858, in J. Harold Easterby, ed., *The South Carolina Rice Plantation as Revealed in the Papers of Robert F. W. Allston* (Chicago, 1945), 349. This suggests a basis for Willie Lee Rose's observation that after the war Sea Islanders "became, in their own way, as self-governing as many a small New England town." Rose, *Rehearsal for Reconstruction: The Port Royal Experiment* (Indianapolis, New York, and Kansas City, 1964), 407.

<sup>13</sup> "Reflections and Suggestions of a Retired Planter," *Southern Agriculturalist*, VII (August 1834), 407; Sparkman to Allston, March 10, 1858, Easterby, ed., *South Carolina Rice Plantation*, 346; George P. Rawick, ed., *The American Slave: A Composite Autobiography* (19 vols., Westport, Conn., 1972), III: *South Carolina Narratives*, Pt. 3, pp. 152-53.

<sup>14</sup> Bvt. Lt. Col. B. F. Smith to Lt. M. H. Rice, January 21, 1866, Letters and Reports Received Relative to Freedmen and Civil Affairs, Ser. 4112, Dept. of the South, Pt. 1, RG 393 [C1404].

slave, remembered how she and her husband had worked “together on our own works after we got through our tasks”; George Gould and his wife, both former slaves, “put their labor together” after completing their tasks; Prince Wilson, an ex-slave from Chatham County, Georgia, recollected how his family of nine had “all worked together and all worked at task work and raised [their own] corn in that way.”<sup>15</sup> Toney Elliott had resided on a different plantation from his wife when he was a slave, but he recalled how “my wife and myself raised this corn and rice together. We both worked by task and when I had done my task I went over to her house and we both worked together.” A neighbor added that Toney Elliott’s son also helped his father; in fact, the neighbor noted with some surprise, the son worked only for his father and mother because he “had a master that didn’t put his boys into the field until they were 15 or 16 years old.”<sup>16</sup> In other words, slave kin groups and families in the low country could function as significant *economic* units for at least a part of the working day.

Another facet of this collective solidarity can be detected in the reaction of the freedmen to their former drivers. Throughout the South the authority of the driver generally evaporated once freedom came. Many an ex-slave, interviewed in the 1930s, testified to the hatred felt by field hands towards these men.<sup>17</sup> Although a loss of the driver’s prestige occurred in the low country—Edward S. Philbrick reckoned that the driver’s influence was reduced to “a cypher”—a more ambivalent response, traceable perhaps to the special role of the driver in a task system, can also be discerned.<sup>18</sup> The special role of the driver in the low country stemmed from his role as “the second Master,” as one former slave put it, whose function was not to wield a whip over a line of gang slaves but, rather, to allocate tasks, to ensure that they were satisfactorily performed, and to fulfill other managerial duties.<sup>19</sup> Furthermore, in some respects, the driver was seen to be

<sup>15</sup> Claimant’s deposition, claim of Scipio (and Susan) Bennett, March 7, 1874; testimony of Joshua Cassell, claim of George Gould, August 11, 1873; claimant’s deposition, claim of Prince Wilson, Jr., July 28, 1873, Chatham County, Ga., all in SCC. See also testimony of Jacob Quarterman, claim of Joseph Bacon, August 12, 1873; claimant’s deposition, claim of Silvia Baker, August 9, 1873; claimant’s deposition, claim of Patsey Campbell, February 25, 1874, all in SCC.

<sup>16</sup> Claimant’s deposition and testimony of Peter Stevens, claim of Toney Elliott, August 8, 1873, SCC.

<sup>17</sup> Escott, *Slavery Remembered*, 67–68; Leon F. Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York, 1979), 411.

<sup>18</sup> Philbrick to American Freedmen’s Inquiry Commission, August 17, 1863. Filed with O-328, 1863, Letters Received, Ser. 12, Records of the Adjutant General’s Office, 1780s–1917, Record Group 94 (National Archives) [K83].

<sup>19</sup> Testimony of Jacob Quarterman, claim of Joseph Bacon, August 12, 1873, SCC. Richard Cummings, a former driver, explained that he “didn’t work at all. I only saw that the others worked. When they all got through I worked for myself.” Claimant’s deposition, claim of Richard Cummings, February 28, 1874, SCC. Raymond Cay, Jr., a Liberty County planter, spoke in glowing terms of the managerial capacities of one slave driver. “He was foreman of

at a disadvantage for having, as one ex-slave put it, "no task-work and [having] no time of his own." By way of compensation, low-country drivers were entitled to receive a certain amount of help in tending their own crops.<sup>20</sup>

The task system was, in other words, the yardstick by which most work in the low country was measured. It bound all slaves together. Thus, the unusual spectacle of field hands rallying behind their former drivers, which occurred in the low country in the immediate postemancipation years, becomes a little more explicable. When a white agent ordered a "Headman" to "take his hoe and work under the contract with the rest," he found himself facing the fury of a number of field hands; when he returned with a party of soldiers, he had to beat another hasty retreat under a barrage of blows from the women laborers.<sup>21</sup> In one labor contract drawn up between a Georgia planter and thirty-four freedmen, the freedmen agreed to pay out of their share of the crop an extra cash sum to their foreman. This contract is a testimonial to the respect with which at least some foremen were held.<sup>22</sup>

One final feature of this collective solidarity was the sense of pride that freedmen obviously felt for their forebears. Slave complements on low-country plantations were not only large but also unusually stable.<sup>23</sup> This, together with the autonomy permitted under the task system, fostered a sense of collective identity. The sense of respect felt by Ben Horry, an ex-slave interviewed in the 1930s, for his ancestors' accomplishments is made in resounding terms: "All them rice field been nothing but swamp. Slavery people cut kennel (canal) and dig ditch through the raw swamp."<sup>24</sup> An even more emphatic memo-

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Richland Plantation where there were 100 hands and second to Mr. Walthour [his master] was the manager in chief of three large plantations. I know his judgment as a planter was considered unequalled and I have often heard my father ask his opinion as to the time for planting and mode of working crops." Testimony of Raymond Cay, Jr., claim of Paris James, June 2, 1874, SCC.

<sup>20</sup> Testimony of William Winn, claim of David Stevens, July 17, 1873, SCC. For evidence of compensation see claimant's deposition, claim of Joseph Bacon, August 12, 1873; testimony of Peter Way, claim of Silvia Baker, August 9, 1873; testimony of Tony Law, claim of Linda Roberts, July 19, 1873. See also D. E. Huger Smith, *A Charlestonian's Recollections, 1846-1913* (Charleston, 1950), 29.

<sup>21</sup> Affidavit of Dennis Hazel, April 4, 1866, Letters Received, Ser. 2392, Post of Georgetown, S. C., Pt. 2, No. 142, RG 393 [C1606].

<sup>22</sup> Agreement between Clotaire S. Gay and thirty-four Freedmen, Chatham County, Ga., January 16, 1866, Miscellaneous Records, Ser. 1021, Savannah, Georgia, Subassistant Commissioner, Records of the Bureau of Refugees, Freedmen, and Abandoned Lands, Record Group 105 (National Archives) [A5787]. For a good example of the retention of posts of authority by former drivers see Clifton, ed., *Life and Labor on Argyle Island*, 363.

<sup>23</sup> For a depiction of the size and stability of low-country estates as early as the late eighteenth and early nineteenth centuries see Philip D. Morgan, "Black Society in the Lowcountry, 1760-1810," and Allan Kulikoff, "Black Migration in the Age of the American Revolution," in Ira Berlin and Ronald Hoffman, eds., *Slavery and Freedom in the Age of the American Revolution* (Charlottesville, 1983), 83-141, 143-71.

<sup>24</sup> Rawick, ed., *The American Slave, II: South Carolina Narratives*, Pt. 2, p. 312.

rial is provided by a low-country resident in 1866: "They often speak of their Relations upon the Lands that their Fathers and Mothers cleared, those Swamps and Marshes, and Made them the Fruitful Rice Fields they are."<sup>25</sup> A sense of collective esteem, communal solidarity, and personal responsibility went hand in hand among low-country slaves and freedmen.

The task system was characterized by, and indeed encouraged, a number of traits – an ability to lengthen or shorten the working day, a sense of personal responsibility, a commitment to and economic underpinning for the slave family, and attitudes of collective solidarity and communal worth. All these features manifested themselves, and in one sense reached their fullest expression, in the ability of low-country slaves to accumulate property. An investigation of this subject is the focus for the remainder of this essay.

Mid-nineteenth-century evidence exists by which it is possible to assess, however imprecisely, the scale and range of property-owning by slaves. It takes the form of depositions and supporting testimony submitted to the Southern Claims Commission from former slaves who could prove both their loyalty and their loss of property to Federal troops. Frank W. Klingberg, the author of the standard monograph on the work of the commission, may well have been correct, in general terms, when he stated that "A very small number of claims were filed by former slaves, for the obvious reason that during the war years they were virtually a propertyless class."<sup>26</sup> But this statement is inaccurate for the low-country region of South Carolina and Georgia. The settled or allowed claims from Liberty County, Georgia, amounted to ninety-two, of which eighty-nine were from ex-slaves. There were an additional sixty-one settled claims from ex-slaves in the neighboring counties of Chatham, Georgia, and Beaufort, South Carolina.<sup>27</sup> As it is, the settled claims from the low-country region come overwhelmingly from ex-slaves; but if, as Klingberg suggests, most claims filed by former slaves were disallowed for lack of clear title, the disproportion between white and black claims would be greatly magnified.<sup>28</sup>

<sup>25</sup> J. M. Simms to Brig. Gen. O. O. Howard, February 3, 1866, Letters Received, Ser. 15, Washington Headquarters, RG 105 [A5161].

<sup>26</sup> Klingberg, *The Southern Claims Commission* (Berkeley and Los Angeles, 1955), 100.

<sup>27</sup> I also investigated the claims of Charleston and Georgetown counties, South Carolina, but there were few claims from these areas and even fewer submitted by former slaves. For a recent listing of all South Carolina claimants see John Hammond Moore, "Getting Uncle Sam's Dollars: South Carolinians and the Southern Claims Commission, 1871-1880," *South Carolina Historical Magazine*, LXXXII (July 1981), 257-62. The Liberty County, Georgia, claims are the most numerous, most detailed, contain few urban claimants, and therefore form the ideal sample for the purposes of this essay.

<sup>28</sup> Klingberg, *Southern Claims Commission*, 100. I have not yet investigated the disallowed claims.

TABLE 1  
NUMBER BY OCCUPATION OF EIGHTY-NINE SLAVE CLAIMANTS,  
LIBERTY COUNTY, GEORGIA

<i>Occupations</i>	<i>Males</i>	<i>Females</i>	<i>Total</i>	<i>Total and Percentage by Occupation Group</i>
Field hands	44	4	48	
Field hand couple			1	
Field hand/House servant couple*			<u>1</u>	50 - 56%
Drivers	12		12	
Driver/Field hand couples*			<u>4</u>	16 - 18%
Plowman	1		1	
Stockminder	1		1	
Wagoner	2		<u>2</u>	4 - 4%
Carpenter	7		7	
Cooper	5		<u>5</u>	12 - 13%
House servant	1	1	2	
Waiting man	3		3	
Spinner		1	1	
Butler	<u>1</u>	<u>1</u>	<u>1</u>	7 - 8%
Totals	77	6	89	

\*The original claim for couples was submitted by the husband. The spouse assumed responsibility for the claim when the husband died. I have therefore assigned claims of couples to the occupation of the original claimant. It should be noted that only one claimant described herself as a field hand, but the occupation can be deduced in most cases from internal evidence.

TABLE 2  
AGES OF EIGHTY-NINE FORMER SLAVES AT THE TIME  
OF LOSING THEIR PROPERTY, LIBERTY COUNTY, GEORGIA

<i>Age Range</i>	<i>Number of Slaves</i>
15-19	3
20-24	3
25-29	12
30-34	7
35-39	10
40-44	12
45-49	12
50-54	13
55-59	6
Over 60	8
Not given	<u>3</u>
Total	89



Apart from the exaggeration virtually inherent in claims for loss of property (discussed below), a consideration of the background of these claims enhances, rather than diminishes, their historical value. First of all, only those areas where Federal troops officially took or were furnished quartermaster and commissary "stores and supplies" could produce claimants. In other words, the geographical origins of the claimants are bound to reveal a significant clustering, with some areas of the low country being totally unrepresented; moreover, the claims themselves probably do not represent all the property that the claimant owned. Second, although the total number of ex-slave claimants from the low country is small (a minute fraction of the number of slaves resident in their respective counties), they were not a privileged minority. Former field hands outnumber all other occupational groups, and while most claimants were mature adults when their property was taken, a significant number were under the age of thirty-five (see tables 1 and 2).

Finally, an awareness of the hurdles that had to be overcome before a claim could even be submitted, not to mention settled, makes the list of ex-slave claimants more impressive. To find a competent attorney and to be able to pay him (most freedmen had to employ a succession of attorneys) were major obstacles.<sup>29</sup> Overcoming the ridicule and opposition of neighboring whites must have tested the determination of many an aspiring claimant. One ex-slave refused to call his former master as a witness in his claim "because he always was a great Rebel and now tries to cry down this claims business and tells people that they never will get nothing."<sup>30</sup> Just being available when the commissioners came to the neighborhood was not necessarily a simple matter. One freedwoman, acting as a witness in another's claim, mentioned in passing that Federal troops had taken her buggy, potatoes, and poultry but that she had submitted no claim, for "when they were putting in claims, I had the rheumatism and couldn't go."<sup>31</sup>

The historical value of these claims is enhanced because in them the authentic voice of the slave (or rather, the recently freed slave) can be heard, not recalling experiences some sixty or seventy years after the event but immediately and pointedly. These claim depositions are not simply matter-of-fact inventories of lost property but personal, moving statements. They combine a touching concern for detail (names of purchasers, prices paid, and dates of purchase); a

<sup>29</sup> For discussions of numbers of attorneys and payments made to them see reports of R. B. Avery in claims of Jacob Dryer, November 1, 1873; claim of Jane Holmes, July 21, 1873; claim of Marlborough Jones, July 30, 1873; claim of Joshua LeCounte, July 26, 1873, all in SCC.

<sup>30</sup> Claimant's deposition, claim of James Ruth, n.d., Beaufort County, S. C., SCC.

<sup>31</sup> Testimony of Antoinette Graham, claim of Prince Stewart, July 29, 1873, SCC.

TABLE 3  
 QUANTITIES OF CERTAIN TYPES OF PROPERTY LISTED IN CLAIMS OF  
 EIGHTY-NINE FORMER SLAVES, LIBERTY COUNTY, GEORGIA

<i>Number of Items Owned</i>	<i>1</i>	<i>2</i>	<i>3-5</i>	<i>6-10</i>	<i>11-20</i>	<i>21-50</i>	<i>50-100</i>	<i>100+</i>	<i>Uncertain</i>	<i>Total and Percent Slaves Holding</i>
Hogs	5	7	24	24	16	10				86 - 97%
Cows	5	13	20	8	2	1				29 - 55%
Horses	45	7	1							53 - 60%
Buggies/Wagons	22	4								26 - 29%
Saddles	9	1								10 - 11%
Corn (bushels)			5	17	18	26	3	2	1	72 - 81%
Rice (bushels)			5	8	17	22	7		2	61 - 69%
Potatoes (bushels)			3	4	5	3				15 - 17%
Chickens				4	21	14	2		7	48 - 54%
Ducks			2	3	7	1			2	15 - 17%
Beehives			4	5	5	3			3	20 - 22%

dash of pride (one freedman referred to having raised stock “ever since I had sense”; another to having raised “fowls almost as soon as I could walk”; and a third claimed that “some slaves had more property than the crackers”);<sup>32</sup> and an occasional display of emotion (Lydia Brown “cried when they took [my property]. I know I was foolish but I couldn’t help it. I was very glad to see them come; but I didn’t think they would take my things”);<sup>33</sup> while the overall flavor was salty and direct (the appearance of William Tecumseh Sherman’s troops was likened, among other things, to a pack of “ravenous wolves [that] didn’t say howdy” and to “a flock of blackbirds only you could not scare them”).<sup>34</sup>

An analysis of these claims — and for this the Liberty County, Georgia, claims will serve as the sample — provides as detailed a survey as one can ever expect of the amount and variety of property owned by slaves on the eve of emancipation. Virtually all the Liberty County ex-slave claimants had apparently been deprived of a number of hogs and a substantial majority listed corn, rice, and fowls among their losses (see Table 3). In addition, a surprising number apparently possessed horses and cows, while buggies or wagons, beehives, peanuts, fodder, syrup, butter, sugar, and tea were, if these claims are to be believed, in the hands of at least some slaves. The average cash value (in 1864 dollars) claimed by Liberty County former slaves was \$357.43, with the highest claim totaling \$2,290 and the lowest \$49.

Before passing to a more detailed analysis of these claims, a pertinent question needs to be addressed. Can a person who is owned himself “own” property in any meaningful sense? A partial answer to this question is supplied by the claim process itself. Many ex-slaves were, after all, reimbursed for their loss of property, which constitutes one test of the validity of their titles. On average, the freedmen received 40 percent of the asserted value of their claims.<sup>35</sup> But this, in turn, raises the question of why the commissioners discounted almost two-thirds of most freedmen’s claims. The answer does not generally lie in exaggerated claims (although some undoubtedly were) or in disputed titles but, rather, in the construction put on the term “army supply.” Virtually all claims for buggies, fowls, beehives, clothing, and crockery were automatically disregarded because these items were

<sup>32</sup> Claimant’s deposition, claim of Henry Stephens, March 6, 1874; claimant’s deposition, claim of George Gould, August 11, 1873; testimony of Joseph James, claim of Linda and Caesar Jones, August 1, 1873, all in SCC.

<sup>33</sup> Testimony of Lydia Brown, claim of Sido Brown, February 1, 1873, Chatham County, Ga., SCC.

<sup>34</sup> Claimant’s deposition, claim of Eliza James, March 16, 1874; claimant’s deposition, claim of Silvia Baker, August 9, 1873, both in SCC.

<sup>35</sup> The average award totaled \$134.93, with the highest claim \$450 and the lowest \$20.

not considered to be legitimate army supplies. Though the commissioners and some planters often took issue with the values attached to the ex-slaves' property, rarely did they dispute the fact of possession.<sup>36</sup> In fact, the testimony of whites is impressive in its support of the details of many freedmen's claims. Raymond Cay, Sr., a Liberty County planter, knew that slaves owned cattle on George Howe's plantation because he had himself purchased cattle from them; a slave's ownership of a buggy was proved when the county postmaster and his wife admitted to hiring it on Sundays; and one master even acknowledged paying taxes for one of his slaves who possessed horses, cattle, and a buggy.<sup>37</sup>

While conceding that slaves in some sense possessed property, it may be argued that this property was held only on the sufferance of the master. In the final analysis, could not the master always expropriate all the property supposedly owned by the slave? Many ex-slaves addressed this question and, not surprisingly, showed a keen understanding of it. Some were exceedingly forthright and blunt about the matter: Hercules LeCount stressed that his master "did not own or even claim a cents worth of . . . [his property]"; Prince Wilson asserted that he was "the only one who has any legal right to the property"; and Henry Stephens "never heard of a master's claiming property that belonged to his slaves."<sup>38</sup> When one witness was asked to address directly the proposition that a horse claimed by a slave in fact belonged to his master, he emphatically refuted the suggestion by stating "what was his'n [that is, the slave's] was his'n."<sup>39</sup> One former bondsman, who, as a slave, was married to a free black woman, made the interesting claim that she "could own and hold

<sup>36</sup> The construction put on the term "army supply" was not the only problem the freedmen faced. Jane Holmes recalled vividly that the Federal troops ransacked her property but that the agent investigating her claim declared that, since the soldiers who "wantonly shot" her cattle had used "very little of the meat," most of her claim would be discounted. See claimant's deposition and report of R. B. Avery, claim of Jane Holmes, July 21, 1873, SCC. For a similar argument see claim of Thomas Rahn, n.d., Chatham County, Ga., SCC. Sandy Austin was one of the few to benefit from Avery's prejudices. The claim for two horses was granted because Avery reckoned that they "were too small to excite the cupidity of the Confederates, or he would not have had them when the federals came." Report of R. B. Avery, claim of Sandy Austin, July 21, 1873, SCC. Even when the commissioners were moved to compliment a freedman for the "minuteness and fairness" of his testimony, as they did in Bason Johnson's case, he still was awarded only \$155 of a claim of \$514.50. Claim of Bason Johnson, March 22, 1873.

<sup>37</sup> Testimony of Raymond Cay, Sr., claim of Linda (and Caesar) Roberts, July 19, 1873; report of R. B. Avery, claim of Jacob Quarterman, July 5, 1873, both in SCC. Appeal of Abiel Winn to Brig. Gen. Tillson, n.d., enclosed in Col. H. F. Sickles to Brig. Gen. Tillson, December 4, 1865, Unregistered Letters Received, Ser. 1013, Savannah, Georgia, Subassistant Commissioner, RG 105 [A5751].

<sup>38</sup> Claimant's deposition, claim of Hercules LeCount, July 18, 1873; claimant's deposition, claim of Prince Wilson, Jr., July 28, 1873, Chatham County, Ga.; testimony of Henry Stephens, claim of Clarinda Porter, February 18, 1874, all in SCC.

<sup>39</sup> Testimony of Andrew Stacey, claim of Clarinda Porter, February 18, 1874, SCC.

property the same as slaves were allowed by their masters to hold property." Some slaves obviously believed that their titles to property were more, rather than less, secure because it was held, as one freedman put it, "by [the] master's protection."<sup>40</sup> Others were prepared to admit the de facto nature of their property ownership, but this did little to diminish their assertiveness. Joseph Bacon admitted that "legally the property was his [master's] but a master who would take property from his slaves would have a hard time"; his master, he averred, "never interfered with me and my property at all."<sup>41</sup> Toney Elliott, after emphasizing that "our masters had nothing to do with our property any more than I had with their's," described how, when his master died, "some of the young heirs begrudged me my hogs because I had so many more than they did and wanted to take it, but they didn't and could not because it was mine and they knew it was mine." He recognized that "they could have taken it and I could not have helped myself legally"; but such an eventuality was obviously unthinkable.<sup>42</sup> Thus, while virtually all slaves were extremely assertive about their de facto rights, some were willing to concede their lack of legal title. Others were not willing to concede that much.

If one accepts, then, that the property (or at least some of it) listed in these claims actually belonged to the slaves, what can this information tell us? Most conspicuous perhaps is the sheer amount of property claimed by some slaves. Paris James, a former slave driver, was described by a neighboring white planter as a "substantial man before the war [and] was more like a free man than any slave." James claimed, among other things, a horse, eight cows, sixteen sheep, twenty-six hogs, and a wagon.<sup>43</sup> Another slave driver, according to one of his black witnesses, lived "just like a white man except his color. His credit was just as good as a white man's because he had the property to back it." Although the commissioners of claims were skeptical about his alleged loss of twenty cows (as they explained, "Twenty cows would make a good large dairy for a Northern farmer"), his two white and three black witnesses supported him in his claim.<sup>44</sup> Other blacks were considered to be "more than usually

<sup>40</sup> Claimant's deposition, claim of Pompey Bacon, August 7, 1873; testimony of Simon Harris, claim of Thomas Irving, March 11, 1874, both in SCC.

<sup>41</sup> Claimant's deposition, claim of Joseph Bacon, August 12, 1873, SCC.

<sup>42</sup> Claimant's deposition, claim of Toney Elliott, August 8, 1873, SCC. A Georgia planter confirmed these freedmen's convictions. The slave's "absolute personal possession was guaranteed and inviolable," he noted. Charles S. Wylly, *The Seed That Was Sown in the Colony of Georgia and the Harvest and the Aftermath, 1740-1870* (New York and Washington, 1910), 50-51.

<sup>43</sup> Testimony of Raymond Cay, Jr., claim of Paris James, June 2, 1874, SCC. Cay also said that he "looked upon . . . [James] as one of the most thrifty slaves in Liberty County." The claim totaled \$1,218.

<sup>44</sup> Testimony of W. A. Golding, claim of Linda (and Caesar) Roberts, July 19, 1873, SCC. The claim totaled \$1,519. Golding was black.

prosperous," "pretty well off," and "hardworking and moneysaving," unremarkable characterizations perhaps but surprising when the individuals were also slaves.<sup>45</sup> Alexander Steele, a carpenter by trade and former house servant in Chatham County, Georgia, submitted a claim for \$2,205 based on the loss of his four horses, mule, a silver watch, two cows, a wagon, and large quantities of fodder, hay, and corn. He had been able to acquire these possessions by "tradeing" for himself for thirty years; he had had "much time of . . . [his] own" because his master "always went north" in the summer months. He took "a fancy . . . [to] fine horses," a whim he was able to indulge when he purchased "a blooded mare," from which he raised three colts. He was resourceful enough to hide his livestock on Onslow Island when Sherman's army drew near, but the Federal troops secured boats and took off his prized possessions. Three white planters supported Steele in his claim; indeed, one of them recalled that before the war he had made an offer of \$300 for one of Steele's colts, an offer that Steele refused.<sup>46</sup>

The ownership of horses was not, however, confined to a privileged minority of slaves. Among the Liberty County claimants, almost as many ex-field hands claimed horses as did former drivers and skilled slaves. This evidence supplies a context for the exchange recorded by Frederick Law Olmsted when he was being shown around the plantation of Richard J. Arnold in Bryan County, Georgia. Olmsted noticed a horse drawing a wagon of "common fieldhand negroes" and asked his host if he usually let the slaves have horses to ride to church.

"Oh, no; that horse belongs to the old man."

"Belongs to him! Why, do they own horses?"

"Oh, yes; William (the House servant) owns two, and Robert, I believe, has three now; that was one of them he was riding."

"How do they get them?"

"Oh, they buy them."<sup>47</sup>

Although a few freedmen recalled that former masters had either prohibited horse ownership among slaves or confined the practice to drivers, most placed the proportion of horse owners on any single

<sup>45</sup> Report of R. B. Avery, claim of Jacob Quarterman, July 5, 1873; report of R. B. Avery, claim of Prince Stewart, July 29, 1873; report of the Commissioners of Claims, claim of James Stacy, August 15, 1873, all in SCC.

<sup>46</sup> Claimant's deposition and testimony of John Fish, claim of Alexander Steele, August 17, 1872, Chatham County, Ga., SCC.

<sup>47</sup> Charles C. McLaughlin and Charles E. Beveridge, eds., *The Papers of Frederick Law Olmsted* (2 vols. to date, Baltimore and London, 1977- ), II, 182. Of the fifty-three freedmen in Liberty County claiming to have lost horses, twenty-four had been field hands.

plantation at between 15 and 20 percent.<sup>48</sup> A former slave of George Washington Walthour reckoned that “In all my master’s plantations there were over 30 horses owned by slaves . . . I think come to count up there were as many as 45 that owned horses—he would let them own any thing they could if they only did his work.”<sup>49</sup> Nedger Frazer, a former slave of the Reverend Charles Colcock Jones, recalled that on one of his master’s plantations (obviously Arcadia, from Frazer’s description) there were forty working hands, of whom five owned horses; and on another (obviously Montevideo) there were another ten hands out of fifty who owned horses.<sup>50</sup> This, in turn, supplies a context for an interesting incident that occurred within the Jones “family” in 1856. In that year Jones, after much soul-searching, sold one of his slave families, headed by Cassius, a field hand. Jones, a man of integrity, then forwarded Cassius the balance of his account, which amounted to \$85, a sum that included the proceeds from the sale of Cassius’s horse.<sup>51</sup> Perhaps one freedman was not exaggerating when he observed in 1873 that “there was more stock property owned by slaves before the war than are owned now by both white and black people together in this county.”<sup>52</sup>

The spectacular claims and the widespread horse ownership naturally catch the eye, but even the most humdrum claim has its own story to tell. Of particular interest for this essay, each contains a description of how property was accumulated. The narrative of John Bacon can stand as proxy for many such accounts: “I had a little crop to sell and bought some chickens and then I bought a fine large sow and gave \$10.00 for her. This was about ten years before the war and then I raised hogs and sold them till I bought a horse. This was about eight years before freedom. This was a breeding mare and from this mare I raised this horse which the Yankees took from me.”<sup>53</sup> This was painstaking accumulation: no wonder one freedman referred to his former property as his “laborment.”<sup>54</sup> And yet, occasionally, the mode of procurement assumed a slightly more sophisticated cast. Some

<sup>48</sup> Two Liberty County freedmen testified to a ban on horse ownership on their plantations; three recalled that only drivers had horses; and fourteen supply the proportions mentioned here.

<sup>49</sup> Claimant’s deposition, claim of Paris James, June 2, 1874, SCC.

<sup>50</sup> Claimant’s deposition, claim of Nedger Frazer, February 27, 1874, SCC. This is the same Niger, as he was known as a slave, who objected to being hired out in 1864 because he was unable, as he put it, to “make anything for himself,” and who pretended to have yellow fever so that Sherman’s troops would not deprive him of his property. See Robert M. Myers, ed., *The Children of Pride: A True Story of Georgia and the Civil War* (New Haven and London, 1972), 1162, 1237.

<sup>51</sup> Myers, ed., *Children of Pride*, 244, 306.

<sup>52</sup> Testimony of W. A. Golding, claim of Linda (and Caesar) Roberts, July 19, 1873, SCC.

<sup>53</sup> Claimant’s deposition, claim of John Bacon, July 7, 1873, SCC.

<sup>54</sup> Report of R. B. Avery, claim of Robert Bryant, October 6, 1877, Beaufort County, S. C., SCC.

slaves recalled purchasing horses by installment;<sup>55</sup> some hired additional labor to cultivate their crops;<sup>56</sup> two slaves (a mill engineer and a stockminder) went into partnership to raise livestock;<sup>57</sup> and a driver lent out money at interest.<sup>58</sup>

But whatever the mode of accumulation, the ultimate source, as identified by virtually all the ex-slaves, was the task system. Even slaves who had escaped field labor attributed their acquisition of property to this form of labor organization. Thus, a former wagoner was able to work on his own behalf, he recalled, because he was tasked; a waiting man explained that "if . . . [he] was given Morning work and . . . got thro' before 12 oclock . . . [he] was allowed to go" and produce for himself; and a dairy woman was able to acquire her possessions because she "worked and earned money outside her regular task work."<sup>59</sup> For field hands, of course, this advantage was universally recognized. Provided a slave had "a mind to save the time," one former slave pointed out, he could take advantage of the task system to produce goods and acquire possessions. Joseph James, a former field hand, emphatically underlined the connection between tasking and property owning; all low-country slaves "worked by tasks," he noted, "and had a plenty of time to work for themselves and in that way all slaves who were industrious could get around them considerable property in a short time."<sup>60</sup>

What all this suggests is that by the middle of the nineteenth century it is correct to speak of a significant internal economy operating within a more conventional low-country economy. According to the depositions of the freedmen this internal economy rested on two major planks. The first concerns the degree to which some slaves engaged in stock raising. One white planter, testifying on behalf of a freedman, recalled that "a good many" slaves owned a number of animals; he then checked himself, perhaps realizing the impression that he was creating, and guardedly stated that "What I mean was they were not allowed to go generally into stock raising."<sup>61</sup> And yet some

<sup>55</sup> Claimant's deposition, claim of William Drayton, February 20, 1874, Beaufort County, S. C.; testimony of Sterling Jones, claim of Sandy Austin, July 21, 1873, both in SCC.

<sup>56</sup> James Miller, for example, recalled that "Many times I would get some one to help me, and get along that way, I would pay them whatever they asked according to the time they worked." Report of R. B. Avery, claim of James Miller, July 29, 1873. See also claimant's deposition, claim of Pompey Bacon, August 7, 1873, both in SCC.

<sup>57</sup> Claimant's deposition, claim of Edward Moddick and Jacob Hicks, March 17, 1873, Chatham County, Ga., SCC.

<sup>58</sup> Report of J. P. M. Epping, claim of Pompey Smith, n.d., Beaufort County, S. C., SCC.

<sup>59</sup> Testimony of Abraham Norman, claim of July LeCounte, July 14, 1873; claimant's deposition, claim of Windsor Stevens, July 12, 1873; testimony of Charles Jess, claim of Mary Jess, March 12, 1873, Chatham County, Ga., all in SCC.

<sup>60</sup> Claimant's deposition, claim of John Bacon, July 7, 1873; testimony of Joseph James, claim of Linda and Caesar Jones, August 1, 1873, both in SCC.

<sup>61</sup> Testimony of T. Fleming before R. B. Avery, claim of Prince Wilson, Jr., July 28, 1873, Chatham County, Ga., SCC.



slaves seem to have been doing just that. One ex-slave spoke of raising "horses to sell"; another claimed to have raised fourteen horses over a period of twenty-five to thirty years, most of which he had sold; and one freedwoman named the purchasers, all of whom were slaves, of the nine horses that she had raised.<sup>62</sup>

The other major foundation upon which this internal economy rested was the amount of crop production by slaves. Jeremiah Evarts observed that the slaves in Chatham County, Georgia, had "as much land as they can till for their own use."<sup>63</sup> The freedmen's recollections from all over the low country support this statement. A number of ex-slaves reckoned that they had more than ten acres under cultivation, though four or five acres was the norm; and one freedman pointed out that low-country slaves "were allowed all the land they could tend without rent."<sup>64</sup> The proprietorial attitude that this independent production encouraged is suggested in one freedman's passing comment that, when he was a slave, he used to work in his "own field" after completing his task.<sup>65</sup>

Through the raising of stock and the production of provisions, together with the sale of produce from woodworking, basketmaking, hunting, and fishing, slaves were able to draw money into their internal economy. Some of these exchanges were regarded as legitimate, and their scale can occasionally be glimpsed. Robert Wilson Gibbes, for example, knew of an individual slave who received \$120 from his master for his year's crop of corn and fodder; Richard J. Arnold owed his slaves \$500 in 1853 when Olmsted visited him.<sup>66</sup> Other exchanges

<sup>62</sup> Testimony of Fortune James, claim of Charles Warner, August 6, 1873; claimant's deposition, claim of Prince Wilson, Jr., July 28, 1873, Chatham County, Ga.; claimant's deposition, claim of Jane Holmes, July 21, 1873, all in SCC.

<sup>63</sup> Jeremiah Evart's Diary, April 5, 1822 (Georgia Historical Society, Savannah, Ga.), as quoted in Thomas F. Armstrong, "From Task Labor to Free Labor: The Transition Along Georgia's Rice Coast, 1820-1880," *Georgia Historical Quarterly*, LXIV (Winter 1980), 436.

<sup>64</sup> Testimony of Richard Cummings, claim of Lafayette Delegal, July 11, 1873, SCC. The Liberty County claimants who mention such acreages include Daniel Bryant, William Caswell, Prince Cumings, George Gould, Ned Quarterman, Paris James, and Richard LeCounte. The Chatham County claimants include Dennis Smith and Alfred Barnard. The Beaufort County claimants include John Morree, Andrew Riley, Pompey Smith, Moses Washington, and Benjamin Platts. When James Miller's brother Lawrence, a student at Howard University, was asked whether the hundred bushels of rice claimed by his brother was not excessive, he replied: "I should not think so—not in his condition." James's "condition" was only that of a field hand, but he was the "director" of the family, and the family planted five acres. Testimony of Lawrence Miller, claim of James Miller, July 29, 1873, SCC.

<sup>65</sup> Claimant's deposition, claim of Adam LeCount, February 26, 1874, SCC.

<sup>66</sup> Gibbes, "Southern Slave Life," *De Bow's Review*, XXIV (April 1858), 324; Olmsted, *A Journey*, 443. Fanny Kemble noted that two carpenters on the Butler estate sold a canoe to a neighboring planter for \$60 and that slaves could earn large sums by collecting Spanish moss. Frances Anne Kemble, *Journal of a Residence on a Georgian Plantation in 1838-1839*, edited by John A. Scott (New York, 1961), 62, 364. The slaves of one low-country planter had six hundred bushels of corn for sale in 1843. Katharine M. Jones, *The Plantation South* (Indianapolis and New York, 1957), 157-58. Unfortunately, there are no estimates of the propor-

were regarded as illegitimate, and the scale of these transactions remain clouded in obscurity. One freedman spoke of being about to sell the fruits of his three-acre crop "to a man in Tatnall County" when the plundering Federal troops dashed his hopes; another ex-slave spoke of taking his corn to Riceboro in exchange for tobacco.<sup>67</sup> The recipients of such exchanges were, according to Richard Dennis Arnold, waxing fat on the proceeds. He noted that "These little shops [of Savannah] afford an ever ready market where the demand is always equal to the supply." As a result, he added, these shopkeepers "often acquire large fortunes." He cited one "man who commenced one of these negro shops with perhaps not fifty dollars of capital, some thirteen years [ago] . . .," and in 1850 "bought at public outcry some wharf property for which he paid \$19,000." Similarly, Daniel Elliott Huger Smith reckoned that "the keepers of the smaller grocery shops" in Charleston "made a good profit" from trading with slaves.<sup>68</sup> Thus, while produce and livestock were constantly being bartered by slaves ("swapping" was rife, according to the freedmen) one observer of the mid-nineteenth-century low country was undoubtedly correct when he noted that "In a small way a good deal of money circulated among the negroes, both in the country and in the towns."<sup>69</sup>

The autonomy of this internal economy is further indicated by the development of a highly significant practice. By the middle of the nineteenth century, if not before, slave property was not only being produced and exchanged but also inherited. The father of Joseph Bacon bequeathed him a mare and left all his other children \$50 each.<sup>70</sup> Samuel Elliott claimed a more substantial legacy. His father "had 20 head of cattle, about 70 head of hogs — Turkeys Geese Ducks and Chickens a Plenty — he was foreman for his master and had been raising such things for years. When he died the property was divided among his children and we continued to raise things just as he had been raising."<sup>71</sup> Property was also bequeathed to less immediate kin. Two freedmen recalled receiving property from their grandfathers; another inherited a sow from his cousin; and William Drayton of

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tion of money circulating among the slaves. However, the handling of money certainly gave rise to some discrimination: one freedman remembered paying \$60 in "good money" for a horse. He continued, "I call silver money good money, I call confederate money wasps' nests." Claimant's deposition, claim of Simon Middleton, June 2, 1873, Chatham County, Ga., SCC.

<sup>67</sup> Claimant's deposition, claim of Richard LeCounte, July 26, 1873; claimant's deposition, claim of Marlborough Jones, July 30, 1873, both in SCC. Freedmen also asserted their right, as slaves, to sell the proceeds of their labor, in the words of Henry Stephens, "to anybody who had the money." Testimony of Henry Stephens, claim of Clarinda Porter, February 18, 1874.

<sup>68</sup> Richard H. Shryock, ed., *Letters of Richard D. Arnold, M. D., 1808–1876* (Trinity College Historical Society, *Papers*, Double Series, XVIII–XIX, New York, 1929), 44–45; Smith, *Recollections*, 65.

<sup>69</sup> Alice R. Huger Smith and Herbert R. Sass, eds., *A Carolina Rice Plantation of the Fifties* (New York, 1936), 72.

<sup>70</sup> Claimant's deposition, claim of Joseph Bacon, August 12, 1873, SCC.

<sup>71</sup> Claimant's deposition, claim of Samuel Elliott, July 17, 1873, SCC.

Beaufort County, South Carolina, noted that when his father died he “left with his oldest brother, my uncle, the means or property he left for his children”; and Drayton bought a mule “by the advice of my uncle who had the means belonging to me.”<sup>72</sup> There were rules governing lines of descent: one woman claimant emphasized that she had not inherited any of her first husband’s property because she had borne him no children; rather, the property went to his son by a former marriage.<sup>73</sup> The ability to bequeath wealth and to link patrimony to genealogy serves to indicate the extent to which slaves created autonomy for themselves while they were still enslaved.

Slave property rights were recognized not only across generations but also across proprietorial boundaries. Some slaves employed guardians to facilitate the transfer of property from one plantation to another. Thus, when Nancy Bacon, belonging to John Baker, inherited cattle from her deceased husband, who had belonged to a Mr. Walthour, she employed her second cousin, Andrew Stacy, a slave on the Walthour plantation, to take charge of the cattle and drive them over to her plantation. According to Stacy, Mr. Walthour “didn’t object to my taking them . . . [and] never claimed them.”<sup>74</sup> The way slaves took advantage of divided ownership is suggested by Diana Cummings of Chatham County, Georgia. Her husband’s master, she explained, “allowed him to sell but mine didn’t,” so Diana marketed her crops and stock through her husband and received a part of the proceeds. On her husband’s death she received all his property for, as she put it, her “entitle” (surname) was then the same as her husband’s. She had since changed it through remarriage to Sydney Cummings, but, she noted, “He has no interest in [the] property [being claimed].”<sup>75</sup>

By the middle of the nineteenth century the ownership of property by low-country slaves was relatively extensive and had assumed relatively sophisticated dimensions. By way of conclusion, the scale and significance of this phenomenon needs to be assessed as precisely as

<sup>72</sup> Claimant’s deposition, claim of York Stevens, March 2, 1874; claimant’s deposition, claim of Edward Brown, February 20, 1874, Beaufort County, S. C.; claimant’s deposition, claim of William Roberts, July 4, 1873; claimant’s deposition, claim of William Drayton, February 20, 1874, Beaufort County, S. C., all in SCC.

<sup>73</sup> Claimant’s deposition, claim of Jane Holmes, July 21, 1873, SCC. Twenty-three Liberty County freedmen referred to inheriting property within their own plantations.

<sup>74</sup> Claimant’s deposition and testimony of Andrew Stacy, claim of Nancy Bacon, March 14, 1874. Stacy performed the same service for Clarinda Porter, claimant’s deposition, claim of Clarinda Porter, February 18, 1874. Nine Liberty County freedmen referred to inheriting property across plantation boundaries.

<sup>75</sup> Claimant’s deposition, claim of Diana Cummings, June 17, 1873, Chatham County, Ga., SCC. When a slave family was divided in this way, the husband generally kept the bulk of his property at his wife’s residence, although this was not always the case. See for example claimant’s deposition, claim of William Cassell, February 19, 1874; claimant’s deposition, claim of William Gilmore, August 6, 1873; claimant’s deposition, claim of Samuel Harris, July 15, 1873, all in SCC.

the evidence will admit. As far as scale is concerned, the proportion of slaves who possessed sizable amounts of property will, of course, never be known, although it is possible to report estimates of horse ownership on some plantations. Moreover, those freedmen who claimed property were not, on the face of it, an unrepresentative group. And yet, for a slave to take advantage of the opportunities inherent in a task system required consistent physical effort. Presumably, the young, the sick, and the aged were very largely excluded from these opportunities. Even those who were not excluded on these grounds may have been unwilling to endure or assume the attendant physical strains. William Gilmore suggests as much when he likened Raymond Cay's slaves to the "five wise and five foolish" and disparaged those who "slept and slumbered the time away."<sup>76</sup>

Much more frequent, however, are the claims of ex-slaves that "almost all had property" or that "Every man on the place had property. . . . Our master allowed us everything except guns."<sup>77</sup> White planters concurred in this view. One planter from Chatham County, Georgia, recollected that "people generally throughout the country permitted their servants to own hogs, and cattle, and other property to a certain extent. I knew a good many who had one, two, or even four cows. . . . There may have been some plantations where the owners did not allow them to own property, but none such in my knowledge."<sup>78</sup> But perhaps the best witnesses are the outsiders. R. B. Avery, the special agent investigating freedmen claims, reported that Somerset Stewart was "poor in slavery times" – not the sort of characterization one would expect of a slave. At the same time, Avery confirmed Stewart's claim to a horse, for which he was allowed \$90. If a "poor" slave could own a horse, then property ownership must have been extensive indeed. Rufus Saxton's discovery in the early 1860s that low-country slaves "delight in accumulating" would appear fully justified.<sup>79</sup>

The ownership of property by low-country slaves had a number of short-term consequences. First, the particular conjunction of task system and domestic economy that characterized the lives of low-country slaves afforded a measure of autonomy unusual in New

<sup>76</sup> Testimony of William Gilmore, claim of York Stevens, March 2, 1874, SCC.

<sup>77</sup> Claimant's deposition, claim of James Anderson, November 26, 1872; testimony of Peter Stevens, claim of Toney Elliott, August 8, 1873, both in SCC. See also claimant's deposition, claim of Thomas Irving, March 11, 1874; and testimony of William Winn, claim of David Stevens, July 3, 1873, both in SCC.

<sup>78</sup> Testimony of T. Fleming, claim of Prince Wilson, Jr., July 28, 1873, Chatham County, Ga., SCC.

<sup>79</sup> Report of R. B. Avery, claim of Somerset Stewart, July 30, 1873, SCC; testimony of Brigadier General Rufus Saxton before the American Freedmen's Inquiry Commission, 1863, filed with 0-328, 1863, Letters Received, Ser. 12, RG 94 [K70].

World plantation societies. The low-country slaves worked without supervision in their private endeavors, and even their plantation work was loosely superintended. Second, the private economic activities of the slaves necessarily involved them in a whole range of decision-making, ranging from the planting of a crop to the purchase of an article of consumption. These calculations fed individual initiative and sponsored collective esteem. Third, when laboring in their own plots, slaves could work in cooperative units of their own choice, and these generally took the form of family groups. In addition, low-country slaves not only accumulated wealth in this way, they bequeathed it, which in turn strengthened the family unit. In these respects, low-country slaves resembled the protopeasants found among Caribbean slaves.<sup>80</sup>

This similarity was derived from very different origins: in the low country, from a particular mode of labor organization; in the Caribbean, from the need for slaves to grow their own food and also provision the free population. These dissimilar origins help explain why the slaves in some Caribbean societies gained *de facto* titles to their provision grounds, even to the extent of bequeathing them, privileges that apparently eluded low-country slaves.<sup>81</sup> Similarly, the dominance of the provisioning trade by slaves in some Caribbean societies involved them in far greater marketing opportunities than was the case in the low country. On the other hand, the greater amount of spare time that low-country slaves had perhaps led to their having a higher level of personal possessions than the Caribbean slaves. The available evidence suggests that the ownership of horses and wagons by low-country slaves set them apart from their Caribbean counterparts.<sup>82</sup> Still, while there were variations in the nature of these two internal economies, their very existence involved slaves in a way of life that was at distinct variance with their ascribed status. In short, there were slaves in both regions who, in some ways, behaved like peasants even before they became free.

While protopeasant adaptations had a comparable short-term significance for slaves in both Caribbean and low country, there were also comparable long-term results. Wherever there were significant

<sup>80</sup> For the evidence of protopeasants in certain Caribbean plantation societies see Sidney W. Mintz, "The Origins of Reconstituted Peasantries," in his *Caribbean Transformations* (Chicago, 1974), 146–56; Mintz, "Slavery and the Rise of Peasantries," in Michael Craton, ed., *Roots and Branches: Current Directions in Slave Studies* (Toronto and other cities, 1979), 213–42; and Mintz, "Was the Plantation Slave a Proletarian?" *Review*, II (Summer 1978), 81–98.

<sup>81</sup> See the articles by Mintz cited in the preceding footnote and Roderick A. McDonald, "The Internal Economies of Slaves on Sugar Plantations in Jamaica and Louisiana" (paper presented at the annual meeting of the Southern Historical Association, 1981).

<sup>82</sup> Again, see the articles by Mintz and the unpublished paper by McDonald.

protopeasant activities among the slaves there emerged after emancipation a class of people who had acquired as slaves the skills that helped them escape, at least in part or temporarily, their dependence on the plantation.<sup>83</sup> In those Caribbean societies where slaves had played significant marketing and provisioning roles, there emerged after emancipation a substantial peasant class. In the low country, given its antebellum history, no class of similar size or significance emerged. And yet the experience of freedmen in this region was different from that of the former slaves in most other sections of the postwar South. Very few low-country freedmen became sharecroppers; instead, many became small landowners or tenants whose production was primarily oriented toward subsistence. Even those low-country freedmen who became plantation laborers were not tied to the plantation estate in any conventional sense; the "two-day" system accorded them a large measure of autonomy both in terms of land and time.<sup>84</sup> In short, low-country freedmen more closely resembled their Caribbean peasant counterparts than they did the freedmen in other parts of the postwar South. The long-term significance of the property that low-country slaves had acquired before emancipation—and all that this property represented—is nowhere better revealed than in the particular configuration of this region's postwar labor history.

<sup>83</sup> Mintz, "Slavery and the Rise of Peasantries," especially 226–33.

<sup>84</sup> This argument is made more fully in my "Work and Culture: The Task System and the World of Lowcountry Blacks, 1700–1880," *William and Mary Quarterly*, 3d Ser., XXXIX (October 1982), 563–99. The "two-day" system was an arrangement whereby the laborer worked two out of six days on his employer's crop in return for land that he could then work on his own account. See Joel Williamson, *After Slavery: The Negro in South Carolina During Reconstruction, 1861–1877* (Chapel Hill, 1965), 135–36.