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# Trading Encounters between Non-Elite Whites and African Americans in Savannah, 1790–1860

By TIMOTHY J. LOCKLEY

**B**ETWEEN 1790, WHEN CIVIC GOVERNMENT WAS FIRST INSTITUTED IN Savannah, Georgia, and 1848, when records of fines ceased to be noted in the council minutes, the city council, acting as the mayor's court, handed down more than fifteen hundred fines to nearly nine hundred individuals convicted of violating the trading ordinances.<sup>1</sup> The offenses included retailing liquor without a license, keeping a shop open after official hours, trading with slaves, and, after 1829, violating the prohibition on Sunday trading.<sup>2</sup> The citizens summoned before the mayor's court did not reflect the racial, class, and gender makeup of the city as a whole. Offenders were generally lower-class white males. This article seeks to explain why non-elite whites repeatedly violated

<sup>1</sup> Details of the offenders and the offenses they committed, together with the fines they paid, are included in the City of Savannah, City Council Minutes, March 8, 1790–March 17, 1848 (Georgia Historical Society, Savannah), microfilm (hereinafter cited as CCM). Fines were also levied between 1782 and 1790, when the town of Savannah was governed by the Board of Wardens, and after 1848, but no record of these fines survives.

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<sup>2</sup> Early city ordinances from Savannah have not survived unless they were reprinted in the city press. Illegal traders were convicted mainly under the market and shop ordinances. For examples of these ordinances see "An ordinance for regulating the Market in the town of Savannah," Passed April 8, 1788, in *Savannah Gazette of the State of Georgia*, April 17, 1788 (unless otherwise noted, all newspapers cited here were published in Savannah); "An ordinance to amend an Ordinance regulating shops, stores, and barrooms, and for granting licenses for retailing spirituous liquors, or for vending goods, wares and merchandize in the streets, lanes, alleys, and squares, within the City of Savannah and its extended limits," Passed October 12, 1826, in Charles S. Henry, comp., *A Digest of all the Ordinances of the City of Savannah which were in force on the 1st July 1854* (Savannah, 1854), 298–304.

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restrictions on when, where, and with whom they could trade and to ascertain what the long-term defiance of the law by shopkeepers and petty traders reveals about how non-elite men and women regarded their socioeconomic role in a city divided along lines of race, gender, and class.

Any discussion of the lives and attitudes of the so-called non-elite of the antebellum South must offer a definition of that class. Three recent works on this social group each use a different nomenclature and define it in different ways. Bill Cecil-Fronsman prefers to use the term *common white* because it encompasses both poor whites and yeomen farmers. Charles Bolton's use of the term *poor white* seems to define them as landless laborers, while Stephanie McCurry's definition of yeomen as *self-working farmers* owning up to ten slaves, seemingly appropriate for the lowcountry, would not fit elsewhere in the South.<sup>3</sup> Further examination exposes the pitfalls of generic terms. For example, artisans fit into none of these groups: some were non-slaveholders barely making a living, while others owned, and directed the labor of, several slaves.<sup>4</sup> Nevertheless, historians require a term that is suitable to their own ends, while being easily understood and broad in scope. The term *non-elite* can potentially encompass all of Savannah's social groups, including African Americans and excluding only the white elite. For the purposes of this essay *non-elite* will refer to whites who did not own substantial amounts of property, measured as real estate, slaves, and merchandise. While this definition has inconsistencies, especially around the margins, it permits a contrast to be drawn between the attitudes of those undertaking illegal trading and those trying to control it.

An examination of who was willing to break trading laws in Savannah and why they did so requires a brief explanation of how African Americans in the lowcountry came to the practice of trading goods in the first place and what limitations had been placed on this so-called

<sup>3</sup> Bill Cecil-Fronsman, *Common Whites: Class and Culture in Antebellum North Carolina* (Lexington, Ky., 1992), 1; Charles C. Bolton, *Poor Whites of the Antebellum South: Tenants and Laborers in Central North Carolina and Northeast Mississippi* (Durham, N.C., and London, 1994), 4; Stephanie McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country* (New York, 1995), 47–48.

<sup>4</sup> For the best recent work on Georgia artisans see Michele K. Gillespie, "Planters in the Making: Artisanal Opportunity in Georgia, 1790–1830," in Howard B. Rock, Paul A. Gilje, and Robert Asher, eds., *American Artisans: Crafting Social Identity, 1750–1850* (Baltimore and London, 1995), 33–47; and Gillespie, "Artisan Accommodation to the Slave South: The Case of William Talmage, a Blacksmith, 1834–1847," *Georgia Historical Quarterly*, LXXXI (Summer 1997), 265–86.

informal economy. As an economic institution, American slavery aimed primarily to make money by exploiting the labor of African Americans, and, consequently, slaves throughout the South spent most of their time working for their owners. However, bondpeople in the environs of Savannah, many of whom worked under the task system, used the free time permitted by the system, usually Sundays and evenings, to satisfy some of their material needs through hunting, tending garden patches, and craft work. Self-interest persuaded many owners that permitting slaves a measure of economic freedom was beneficial. Crops grown by the slaves for their own consumption permitted the planter to reduce food rations and, thereby, the cost of keeping slaves. In addition, some planters believed—or hoped—that slaves would be made more dependent on the plantation. As Roswell King, overseer on the Butler plantations south of Savannah, stated, “no Negro, with a well stocked poultry house, a small crop advancing, a canoe partly finished, or a few tubs unsold, all of which he calculates soon to enjoy, will ever run away.”<sup>5</sup>

In order to obtain items that they could not produce and their owners did not supply, bondpeople frequently sold their surplus goods and produce for cash to other slaves and local shopkeepers. For the several thousand bondpeople resident in Chatham County, a corner of Georgia bounded by South Carolina to the north and the Atlantic Ocean to the east, such selling required that they visit Savannah—the largest city in the state and the county seat.<sup>6</sup> By trading in Savannah, bondpeople had access to a wide variety of merchandise, and the trade was regulated in order to address concerns about slaves obtaining articles such as weapons and alcohol. The first Georgia slave code of 1755 limited the goods in which slaves could trade freely to garden produce, fruit, and fish; however, slaves who had tickets from their owners giving them permission to trade faced no such restrictions.<sup>7</sup> This exception opened a

<sup>5</sup> *Southern Agriculturalist*, I (December 1828), 525. On the informal economic activities of slaves see especially Betty Wood, *Women's Work, Men's Work: The Informal Slave Economies of Lowcountry Georgia* (Athens, Ga., and London, 1995); Loren Schwener, “Slave Independence and Enterprise in South Carolina, 1780–1865,” *South Carolina Historical Magazine*, XCIII (April 1992), 101–25; and Joseph P. Reidy, “Obligation and Right: Patterns of Labor, Subsistence, and Exchange in the Cotton Belt of Georgia, 1790–1860,” in Ira Berlin and Philip D. Morgan, eds., *Cultivation and Culture: Labor and the Shaping of Slave Life in the Americas* (Charlottesville, Va., and London, 1993), 138–54.

<sup>6</sup> The enslaved population of Chatham County grew from 8,201 in 1790 to 14,807 by 1860. Aggregate federal census statistics broken down by state and county from 1790 through 1970 are available online at <http://fisher.lib.virginia.EDU/census>. Accessed May 1999.

<sup>7</sup> “An Act for the better Ordering and Governing Negroes and other Slaves in this Province,” Passed March 7, 1755, in Allen D. Candler, Lucian Lamar Knight, Kenneth Coleman, and Milton

loophole that was exploited by slaves and white traders alike: tickets were often forged and then used to protect illegal trade. As early as 1783 the Chatham County Grand Jury cited the “villainous traffick” that city shopkeepers conducted with slaves “without tickets.”<sup>8</sup>

White shopkeepers were legally obliged to close their shops on Sunday out of respect for the Lord’s Day—which was the only day that slaves from the neighboring plantations had sufficient time off to make the journey to Savannah. The colonial act for “keeping holy the Lord’s day” remained on the statute books after the institution of state government in Georgia and permitted courts to impose fines on any person who worked on Sunday. The only exceptions to the Sunday observance act in Savannah permitted the retailing of fresh fish and milk before nine o’clock in the morning and milk after four o’clock in the afternoon.<sup>9</sup>

Even before 1791, when the state government ceded control over licensing in Savannah to the city council, regulations concerning Sunday trading in the city had been tightened. In 1788 the Board of Wardens, which governed Savannah between 1782 and 1791, passed an ordinance permitting a market to be held “on every day of the week except Sunday.” In 1794 the council passed, with little opposition, an ordinance compelling “due observance of the Sabbath.”<sup>10</sup> However, several sources reveal that white shopkeepers did not observe Sunday trading regulations. Slaves had established a Sunday market for themselves in Savannah before the Revolution, and it became clear that white shopkeepers were prepared to violate Sunday trading laws in order to trade with slaves.<sup>11</sup>

Successive pieces of legislation by state and civic authorities attempted to outlaw “that mischievous kind of commerce too frequently

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Ready, eds., *The Colonial Records of the State of Georgia* (32 vols. to date; Atlanta and Athens, 1904–1916, 1976–1995), XVIII, 125–26 and 128–29.

<sup>8</sup> *Gazette of the State of Georgia*, October 16, 1783. See also *ibid.*, October 19, 1786; and *Columbian Museum and Savannah Advertiser*, October 24, 1797.

<sup>9</sup> “An Act for preventing and punishing Vice, Profaneness, and Immorality, and for keeping holy the Lord’s Day, commonly called Sunday,” Passed March 4, 1762, in Oliver H. Prince, comp., *A Digest of the Laws of the State of Georgia*. (Athens, Ga., 1837), 886–89. Sections II, VI, and VII.

<sup>10</sup> “An Act for regulating Taverns and reducing the Rates of Tavern License,” Passed December 24, 1791, in Sec IV, Prince, comp., *Digest of the Laws*, 839; “An Ordinance For regulating the Market in the Town of Savannah,” Passed April 8, 1788, in *Gazette of the State of Georgia*, April 17, 1788; and “An ordinance for enforcing due observance of the Sabbath or Lord’s Day,” Passed April 15, 1794, in *Georgia Gazette*, April 24, 1794. Under section three of this ordinance, citizens were permitted to purchase fish, milk, and bread before Sunday services.

<sup>11</sup> *Georgia Gazette*, June 22, 1774, and June 21, 1775.

carried on by petty shopkeepers on Sundays with negroes.”<sup>12</sup> The attack on illicit trading with slaves was launched on two fronts: slaveholders were required to limit the range and number of goods that slaves had access to, and white shopkeepers were fined for trading outside of officially sanctioned hours and for purchasing stolen goods. In 1786 a conviction in county court for trading illegally with slaves carried a £10 fine, which was increased just two years later to £50. By 1818 white people convicted by the county court of trading with slaves could receive a \$500 fine and up to six months in jail. However, the large number of serious crimes coming before the Chatham County Superior Court meant that the vast majority of trading law transgressions came before city council instead. While this was perfectly in order—the council had the authority to fine those violating city ordinances—the result was that for all practical purposes the maximum fine for illicit trading, before revisions to the ordinances in 1854, was \$30.<sup>13</sup> The fact that city fines never reached the levels possible in the county court severely dented their potential impact.

In 1824 the state legislature amended the law to prohibit bondpeople from selling cotton, tobacco, rice, corn, and poultry, in fact all articles “except . . . such . . . as are known to be usually manufactured or vended by slaves for their use only,” meaning basically that they could sell only vegetables, fish, and milk. Yet legal restrictions regarding the trading activities of slaves were easily circumvented by the ingenuity of bondpeople and shopkeepers. For example, the Chatham County Grand Jury in 1825, composed of a large majority of slaveowners, stated that a common method of stealing pre-bagged cotton from the city wharves was for slaves to take “from each bale a part, not possible to be missed by the owner at the time.” This cotton was then “carried constantly to shops for sale [and] . . . amounts to a heavy loss.” A year later the grand jury cited “the trade in old iron recently commenced in this city, which holds out a temptation to our slaves to render articles

<sup>12</sup> *Gazette of the State of Georgia*, October 6, 1785. For similar presentments see *Georgia Gazette*, December 24, 1766, October 19, 1786, February 20, 1794; *Columbian Museum and Savannah Advertiser*, January 14, 1814; and *Daily Georgian*, June 4, 1823.

<sup>13</sup> “An Act to Regulate Taverns and to Suppress vice and immorality,” Passed August 14, 1786, in Candler *et al.*, eds., *Colonial Records*, XIX, pt. 2, pp. 556–60. “An Act for the Better Regulating of Taverns,” Passed February 1, 1788, in *Statutes of Georgia, 1778–1789, Records of the States of the United States* (Microfilm Series 15, Cambridge University Library); and “An Act to alter and amend ‘An Act to prohibit Slaves from selling certain commodities therein mentioned,’” Passed December 19, 1818, in Prince, comp., *Digest of the Laws*, 794. For city fines for trading violations see Edward G. Wilson, comp., *A Digest of All the Ordinances of the City of Savannah* (Savannah, 1858), 391–96 and 407–16. In 1854 fines were raised from \$30 to \$100.

of value useless and purloin plantation tools always certain of finding a ready sale for such articles.”<sup>14</sup> White shopkeepers were apparently unconcerned that they undermined the control of slaves and that they broke state and city laws by doing so.

The most common trade violations that came before council between 1790 and 1848 were “entertaining Negroes,” “retailing spirituous liquor without a license,” and “violating the Sabbath ordinance.”<sup>15</sup> These offenses were committed by 879 individuals, 80 women and 799 men, and, while charges against men were spread fairly evenly among the three most common transgressions, more than half of the women appearing before the council were charged with retailing liquor illegally. This may have been because few women applied for a license to enter the male-dominated liquor trade (men received more than 95 percent of the liquor licenses granted by council). Gender conventions prevalent in Savannah dictated that white women be limited to domestic matters—not engaged in commerce—which restricted them to conducting the secret, backdoor sale of liquor to slaves.<sup>16</sup>

In order to discover the social status of those violating trading ordinances, it is necessary to examine the city tax records. From 1809 forward, the city treasurer constructed a tax digest, itemizing the property of heads of households such as real estate, merchandise, and slaves, and calculating their tax bill. Of those appearing before council for violating trading ordinances, just over a third also appear in the city

<sup>14</sup> “An Act to Amend the Law Prohibiting Slaves From Selling Certain Articles Without License,” Passed December 20, 1824, in *Georgia Laws, 1813–1825, Records of the States of the United States*; and *Daily Georgian*, June 8, 1825. Only six of the twenty jurors in 1825 did not own slaves. City of Savannah, Tax Digest, 1825 (Georgia Historical Society); and Georgia Superior Court (Chatham County). Minutes, Vol. 12, 1826–30, April Term 1826 (Georgia Department of Archives and History, Atlanta), microfilm (hereinafter cited as Chatham County Superior Court Minutes with appropriate volume number and year).

<sup>15</sup> Details of the offenders and the fines they paid are found in the minutes of the Savannah City Council. Further information about offenders was gleaned from tax digests of the City of Savannah and of Chatham County as well as from the Chatham County Superior Court Minutes. Of 1,566 offenses, 417 were for “entertaining Negroes,” 531 for “retailing spirituous liquor without a license,” and 554 for “violating the Sabbath ordinance.”

<sup>16</sup> In the twenty-five years that the council kept a record of liquor licenses (1791–1816), women received only 22 of the 505 licenses issued. This was not because women applied for licenses and were refused; in fact, only 1 woman, Eleanor Morgan, applied for a license and was refused. CCM, October 8, 1804. In colonial Savannah women had held 3 of the 29 liquor licenses granted by the provincial government. *Georgia Gazette*, January 19, 1764. For more on the gender conventions of southern society see McCurry, *Masters of Small Worlds*; and Jane H. Pease and William H. Pease, *Ladies, Women, and Wenches: Choice and Constraint in Antebellum Charleston and Boston* (Chapel Hill and London, 1990). For examples of public statements in the lowcountry concerning the role of white women in society see Circular Letter, Savannah River Baptist Association Minutes, November 1807 (Special Collections, Mercer University Library, Macon, Ga.); and Letters of “Fides,” and “Carolus,” in Darien (Ga.) *McIntosh County Herald*, September 3 and October 1, 1839.

tax records.<sup>17</sup> Considering that more than a hundred offenders committed their transgressions before tax records began to be kept in 1809 and that one in ten of the offenders between 1790 and 1848 were women, who were not usually taxed separately from their husbands, the location of information about a third provides a respectably large sample.<sup>18</sup>

The tax records indicate that a quarter of those trading illegally were slaveholders and that, even among those, extremely few might be considered as verging on elite status in the city.<sup>19</sup> Again there are significant differences between males and females who violated trading ordinances. While slaveholding women were a majority of those women who were fined for trading illegally with bondpeople, their male counterparts were in a small minority of the men.<sup>20</sup> The slaveholding women who violated trading ordinances were hardly members of the Savannah elite: only three owned more than one slave. Moreover, the ownership of one slave made little difference to the economic status of the owner, depending on the age and gender of the slave. Bondwomen in town frequently acted in a domestic capacity, which was not an income-producing activity.<sup>21</sup> Bondmen may have been hired out to third parties, but the income from such arrangements, rarely more than three dollars per week, was hardly enough to live on if there was no other source of revenue.<sup>22</sup> To the women violating trading ordinances, many of whom were probably widowed, the quick

<sup>17</sup> To be exact, 304 (34.6 percent) of the 879 offenders appeared in the tax records. City of Savannah, *Tax Digests, 1809–1848*.

<sup>18</sup> Indeed there is a marked gender difference in the numbers located, 35.4 percent of male offenders were located in the city tax records, while only 26.2 percent of females were.

<sup>19</sup> Exact figures were 73.7 percent non-slaveholding, 26.3 percent slaveholding. Elite status here is suggested by owning more than three slaves, which might start to produce a notable improvement in the standard of living of the owner.

<sup>20</sup> Among women, 57.2 percent owned slaves, among men only 23.7 percent owned slaves.

<sup>21</sup> For more on the working lives of black and white women in Savannah see Timothy J. Lockley, "Spheres of Influence: Working Black and White Women in Antebellum Savannah," in Susanna Delfino and Michele Gillespie, eds., *Neither Lady, Nor Slave: Working Women of the Old South* (forthcoming, Oxford University Press); Wood, *Women's Work, Men's Work*, 80–121; and Timothy J. Lockley, "A Struggle for Survival: Non-Elite White Women in Lowcountry Georgia, 1790–1830," in Christie Anne Farnham, ed., *Women of the American South: A Multicultural Reader* (New York and London, 1997), 26–42.

<sup>22</sup> CCM, July 25, 1822. For more on slave hire see Sean Mooney, "A History of the Legal Regulation of Slave Hire in Georgia" (M.Phil. thesis, Cambridge University, 1996); Loren Schweninger, "The Underside of Slavery: The Internal Economy, Self-Hire, and Quasi-Freedom in Virginia, 1780–1865," *Slavery and Abolition*, XII (September 1991), 1–22; James Walvin, "Slaves, Free Time, and the Question of Leisure," *ibid.*, XVI (April 1995), 1–13; Sarah S. Hughes, "Slaves for Hire: The Allocation of Black Labor in Elizabeth City County, Virginia, 1782 to 1810," *William and Mary Quarterly*, 3d Ser., XXXV (April 1978), 260–86; and Wood, *Women's Work, Men's Work*, 101–21.



and easy profits from trading illegally with slaves overrode their racial sensibilities and identification with the slaveholding elite.<sup>23</sup>

Of the three-quarters of offenders who did not own slaves, nearly a third paid tax on merchandise, denoting that they owned a store or were merchants of some sort. Several of the non-slaveholding women were married to shopkeepers, and their convictions probably arose from a period when they were left in charge of the shop. For example, Bridget and Dominic Gilligan, immigrant Irish shopkeepers, were both fined by the council for violating the Sabbath ordinance in 1844; similarly, Mary Prendergast was fined for trading on Sundays three years after the council had fined her husband, Edward, for precisely the same violation.<sup>24</sup> Another third of male taxpaying offenders paid nothing more than a poll tax, denoting that they were a head of household but owned no property. The several hundred male offenders who were not located in the tax records were either dependents in households where only the head of the household was taxed or were transients not normally resident in the city. The remaining offenders owned some property, usually a dwelling place and little else. Of the slaveholding one-quarter, a minority owned several slaves (only five owned more than five slaves) or substantial amounts of other property, or were members of the legal or medical professions. In general, therefore, while there were significant differences among those who violated regulatory laws in order to trade with slaves, they generally belonged to what can be termed the non-elite class. Extremely few belonged to the social circle that provided Savannah's city aldermen and grand jurors.

Only a portion of those who were dealing illegally with bondpeople were brought before city council or the Chatham County Superior Court, because the testimony of slaves, who were often the only witnesses to transactions with shopkeepers, was not admitted by Georgia courts. In the absence of testimony many prosecutions simply collapsed, and in order to strengthen the cases against illegal traders, city and county authorities struggled to circumvent established rules concerning the testimony of slaves.<sup>25</sup> During the colonial period, legis-

<sup>23</sup> Of 80 female offenders, 36 had been, or were, married. It is impossible to tell how many were widowed at the time of their offense.

<sup>24</sup> CCM, February 8 and November 14, 1844; April 28, 1836; and December 19, 1839. The Gilligans were married on May 9, 1842; the Prendergasts, on November 4, 1834. *Marriages of Chatham County, Georgia*. Vol. I, 1748–1852 (Savannah, 1993), 136 and 173. Bridget Gilligan ran the store after Dominic's death from fever on June 30, 1844. *Register of Deaths in Savannah, Georgia* (6 vols.; Savannah, 1986–1989), V, 207.

<sup>25</sup> See, for example, the 53 failed prosecutions for trading with slaves before Chatham County Superior Court between 1845 and 1861. Chatham County Superior Court Minutes, Vols. 18–24.

lators had become so exasperated at the failure of the judicial system in cases of illegal trading that they passed a law permitting slave testimony to be used by a magistrate in order to secure convictions against white traders. While there is no evidence that this proviso was ever utilized, it remained the case that any testimony simply stating that slaves were present in a particular shop was deemed *prima facie* evidence of trading.<sup>26</sup> The frustration felt by those in authority toward illegal traders influenced legislators to reassess rules that were designed to confirm the inferior status of African Americans. In some instances lawmakers clearly believed that, in order to suppress deviant white people, they should put aside their racial prejudices against accepting black testimony.

The elite disliked economic transactions between shopkeepers and slaves because such commerce blurred racial boundaries. Indeed, one lowcountry grand jury ridiculed the “equality of sociability” that existed between slaves and shopkeepers, especially immigrant owners of grog shops.<sup>27</sup> By trading with slaves, white shopkeepers and peddlers frequently broke the law; and, more significantly, they reversed the normal pattern of race relations within their society. By encouraging and facilitating economic enterprise among bondpeople, white shopkeepers, either deliberately or unintentionally, empowered those who were normally subjugated. Without the help of shopkeepers, bondpeople would not have been able to purchase a wide range of goods that ameliorated their day-to-day existence nor would they have had access to alcohol. Many planters traded with their own slaves, buying or giving credit mainly for foodstuffs, and they exercised coercive power over the transactions.<sup>28</sup> Shopkeepers existed outside of that nexus: they had no coercive power over the bondpeople. Consequently, they had to attract slaves to their stores by offering the best prices for produce or by opening at convenient hours.

Probably the strongest motive for violating trading laws and

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On Georgia courts see also [William Craft], *Running a Thousand Miles for Freedom; Or the Escape of William and Ellen Craft from Slavery* (London, 1860; revised edition with different pagination and a foreword by R. J. M. Blackett, Baton Rouge and London, 1999), 30.

<sup>26</sup> CCM, 1790–1848; and “An Act For Ordering And Governing Slaves,” Passed May 10, 1770, Sec. 33, in Robert and George Watkins, eds., *A Digest of the Laws of the State of Georgia to 1798* (Philadelphia, 1800), 175; and Sabbath Ordinance, April 11, 1839, in Wilson, comp., *Digest of All the Ordinances*, 392.

<sup>27</sup> Presentment of the Charleston Grand Jury, May Term, 1846, in Bernard E. Powers Jr., *Black Charlestonians: A Social History, 1822–1885* (Fayetteville, Ark., 1994), 24.

<sup>28</sup> Wood, *Women’s Work, Men’s Work*, 62–70; and Robert Olwell, “‘A Reckoning of Accounts’: Patriarchy, Market Relations, and Control on Henry Laurens’s Lowcountry Plantations, 1762–1785,” in Larry E. Hudson, ed., *Working Toward Freedom: Slave Society and Domestic Economy in the American South* (Rochester, N.Y., 1994), 33–52.

ordinances was profit. Charles Ball, an escaped slave, believed, with some justification, that the income brought in by slaves was very important for storekeepers as they usually “pay cash, whilst the white people require credit.”<sup>29</sup> In an era when cash was scarce, shopkeepers went to great lengths to secure the year-round business of slaves. Bondpeople tended to spend their money on “tobacco, clothes, and other articles of use or luxury,” and Savannah’s shopkeepers may well have purchased stock with their African American customers in mind.<sup>30</sup> Large numbers of bondpeople each supplying small amounts of cash year-round made a highly prized contribution not only to the market economy through the recirculation of capital but also to the finances of individual lowcountry shopkeepers. Few of these merchants could afford to ignore the volume of business that the slaves provided.<sup>31</sup>

Thus it was economic self-interest that persuaded the poorest white people in Savannah that trading with slaves was a viable business. Some traders used their profits to purchase slaves. The most striking of these offenders was Mary Garnett, a non-slaveholder before 1810 but by the time of her appearances before council starting in 1823 the owner of three slaves. Over the next four and a half years she appeared sixteen times before the city council, who fined her a total of \$335 for illegal trading. Evidently the council did not know what to do with her: in November 1823, February, June, and again in September 1824, they resolved to “lay such information before the proper magistrate that the said Mary Garnett may be dealt with according to law,” going so far as to “order her prosecuted.” Eventually in December 1824, no doubt from exasperation, the council arrived at a truce with Mary Garnett, “on the payment of five dollars and costs and taking out a license.” Thus a white woman of questionable social status defied the council and caused its members to accept that she could not be prevented from forming her own relationship with African Americans. Despite her fines, Mary Garnett evidently made sufficient profits to purchase several slaves as well as property in three other counties. She disappears from the city records after 1834, probably “retiring” to one of the other

<sup>29</sup> [Charles Ball], *Life of a Negro Slave*, re-edited by Mrs. Alfred Barnard (Norwich, Conn., and London, 1846), 77.

<sup>30</sup> Sir Charles Lyell, *A Second Visit to the United States of North America* (2 vols.; London, 1849), II, 2.

<sup>31</sup> Lewis E. Atherton, *The Southern Country Store, 1800–1860* (Baton Rouge, 1949), 94; and Wood, *Women’s Work, Men’s Work*, 131–32.

counties where she owned land and where her reputation would not precede her.<sup>32</sup>

Interestingly many of the regular, chronic offenders shared an Irish heritage. No fewer than six of the ten most frequently appearing before council between 1790 and 1830 had been born in Ireland. It is possible to conjecture that making money in this way was frequently discussed in the dram shops and gambling haunts popular among Irish immigrants. Furthermore, the Irish had little knowledge of the slave system or of a social hierarchy that necessitated the oppression of blacks and, therefore, may not have been overly concerned about the racial impropriety of trading illegally with African Americans.<sup>33</sup>

Most of the non-elite whites who traded with blacks seem to have used the trade only for economic self-advancement, but it remains an open question to what extent the most successful of these traders were accepted in polite society. Charles Manigault recorded in 1845 that the purchaser of a four-thousand-dollar property near his own on Argyle Island was Mr. Dillon, who “has been keeping a grog shop in Savannah for several years, & made his money by trading with Negroes, & has already established a grog & trading shop on his new purchase.” Between 1827 and 1836 John Dillon had been fined by the city council fifteen times for “entertaining Negroes,” violating Sunday trading laws, or retailing liquor without a license. The substantial amounts of money he made, enough to purchase prime rice lands, offset the \$118 in fines that he paid during this nine-year period. Despite his newfound wealth, Dillon’s neighbors knew his background, making it unlikely

<sup>32</sup> Mary Garnett owned 6 slaves in 1826, 8 in 1828, and 11 in 1830. See City of Savannah Tax Digests, 1809–1835; and Georgia Tax Receiver (Chatham County). Tax Digests, 1832–35 (microfilm available at GDAH) (hereinafter cited as Chatham County Tax Digests with appropriate years). For further information on Mary Garnett see also *Marriages of Chatham County, Georgia*, I, 76, 133, and 184; *Register of Deaths*, III, 57 and 138, IV, 273; Alien Declarations, Chatham County, 1825, (GDAH); and CCM, November 13, 1823, and February 19 (first quotation), June 24 (second quotation), September 2 and December 2, 1824. The only Mary Garnett living in Georgia in 1840 was aged between 50 and 60 and lived in Cobb County north of Atlanta with her two sons and three daughters but no slaves. Index to Manuscript Census Returns, Sixth Census of the United States, Georgia, 1840 (GDAH).

<sup>33</sup> City of Savannah Tax Digests, 1809–1811 and 1819–1821. For Irish nativity see the death records of John Dillon, John G. Doon, Bernard McGran, Pierce Howard, and Lawrence Durphrey and the marriage record of Constantine Connolly. *Register of Deaths*, V, 106; III, 73; IV, 115; VI, 43; V, 25. *Marriages of Chatham County, Georgia*, I, 90. For more on the lives of immigrants in the South see Ira Berlin and Herbert G. Gutman, “Natives and Immigrants, Free Men and Slaves: Urban Workingmen in the Antebellum American South,” *American Historical Review*, LXXXVIII (December 1983), 1178–1200; and Herbert Weaver, “Foreigners in Ante-Bellum Savannah,” *Georgia Historical Quarterly*, XXXVII, (March 1953), 7. For a study of Savannah’s Irish populations see Edward M. Shoemaker, “Strangers and Citizens: The Irish Immigrant Community of Savannah, 1837–1861” (Ph.D. dissertation, Emory University, 1990).

that he would have been socially accepted by the planters in his new neighborhood.<sup>34</sup>

John Dillon may have been socially ostracized because he was tainted with an improper relationship with slaves, but others who traded illegally with slaves were punished by the vigilante justice of neighboring planters. According to Charles Ball, many slave owners believed that anyone who had regular contact with slaves in an unofficial capacity was holding “criminal intercourse with them.” After terrorizing a forester believed to be buying stolen items from bondpeople, Ball’s master burned the man’s house to the ground, rejoicing that “he had routed one receiver of stolen goods out of the country.” The planters with whom Ball’s master discussed this issue agreed that there were “many white men who, residing in the district without property, or without interest in preserving the morals of the slaves, . . . [carried] on an unlawful and criminal traffic with the negroes.” As he listened to this conversation Ball “began to suppose the losses of the planters in this way must be immense” because “so many white men were referred to by name as being concerned in this criminal business.”<sup>35</sup> But Ball may have misunderstood the real issue at stake. Trading with another man’s slave seems to have been viewed by planters as a personal insult. Not only was trading with a slave often a criminal act, it also undermined owners’ domestic household relations with their “family”—white and black.

By 1846 lowcountry planters had formed the Savannah River Anti-Slave Traffick Association in order to combat “the extensive and growing traffick unlawfully carried on with slaves by white persons and chiefly by Retailers of Spirituous Liquors.” Primary among their concerns was that slaves were becoming unmanageable; and whereas “[f]ormerly Slaves were essentially members of the family to which they belonged . . . now Masters and Slaves are beginning to look upon each other as natural enemies.” In this sense the actions of those trading with slaves struck at the heart of owner-slave relations and thus at the very fabric of southern society. In light of this perception of racial enmity, it is not surprising that slaveholders feared and hated traders; they objected to traders supplying slaves with alcohol, which seemed to make them defiant and encouraged them to steal goods for

<sup>34</sup> Charles Manigault, *Plantation Journal*, April 7, 1845, in James M. Clifton, ed., *Life and Labor on Argyle Island: Letters and Documents of a Savannah River Rice Plantation, 1833–1867* (Savannah, 1978), 22; and CCM, December 7, 1827–July 21, 1836.

<sup>35</sup> Charles Ball, *Fifty Years in Chains* (originally published, 1937; New York, 1970), 308 (first quotation), 312 (second quotation), and 313 (last three quotations).

trade. The regulations adopted by the association, while designed to bring “negro trafficker[s]” to justice, were more concerned with limiting the independent economic activities of slaves and punishing those who transgressed. Slaveholders resolved to prevent slaves from hiring their own time and to purchase, at market rates, all of the produce that the slaves had to sell. Slaveholders reasoned that they had a better chance of halting the supply of goods sold by slaves than of reducing the demand from the shopkeepers.<sup>36</sup>

The difficulties of controlling trade between non-elite whites and slaves had two sources: lack of unity among the elite and biracial cooperation between the slaves and the whites who traded with them. First, as the debates over regulations in the council and in city newspapers showed, the elite was not completely united on this issue. Most elite planters and merchants supported regulations to halt the corruption of their slaves by city shopkeepers, but some slaveholders were concerned about the consequences of reform. Preventing bondpeople from trading in Savannah would require that slave owners provide more supplies for their slaves and would also, no doubt, create dissidence and unrest among slaves. To some planters it was less trouble to let the status quo continue. Furthermore, the council undermined enforcement by its lax implementation of fines. The penalties of up to thirty dollars imposed by the city council for selling alcohol to slaves were apparently no deterrent to white shopkeepers in Savannah. The reluctance to increase fines stemmed partly from concerns about the ability of offenders to pay them, and aldermen balked at deliberately driving voters out of business. During several elections from the mid-1820s forward, shopkeepers exerted control over the council by choosing aldermen sympathetic to their cause. Second, and more significant, the city council was frustrated in its attempt to control the trade between shopkeepers and slaves, even when minded to do so, because the two groups had effectively formed an informal class conspiracy against the white elite. Such biracial alliances of convenience and mutual profit were extremely difficult to break.<sup>37</sup>

Responsibility for stamping out the trade between shopkeepers and slaves fell not only upon the city council but also upon the county

<sup>36</sup> *Preamble and Regulations of the Savannah River Anti-Slave Traffick Association* (n. p., 1846), 3–8 (quotations on pp. 3 and 5).

<sup>37</sup> “An Act for the better regulation of Tavern and Shop-keepers, and more effectually to prevent their trading with slaves,” Passed December 22, 1808, in *Acts of the General Assembly of the State of Georgia* (Milledgeville, 1809), 33–35; and Wood, *Women’s Work, Men’s Work*, 155.

court, which was empowered to assess fines and jail sentences. Examination of the superior court records from Chatham County reveals that the vast majority of those indicted by the grand jury for trading illegally were eventually acquitted or released without trial. Before the Civil War, only seven people were convicted of trading illegally: of these, only one received a jail sentence, and the others were fined.<sup>38</sup> The only person jailed for trading illegally was Elizabeth Dotson who, on April 20, 1826, was sentenced by Chatham County Superior Court to pay a one-hundred-dollar fine and to spend thirty days in the common jail for buying rice from a male slave named Wallace “without a ticket from the owner or overseer.” Only after a “petition of a number of respectable citizens” to the governor was the fine remitted, and even then the jail term remained.<sup>39</sup>

The failure of the civic authorities in Savannah to control the activities of white traders and African Americans frequently irritated Chatham County Grand Juries. In 1788 ninety Savannah residents petitioned the grand jury to include a diatribe against “the traffick carried on by Negroes with a number of people keeping tipping houses,” but grand juries went unheeded by shopkeepers involved in the liquor trade. In 1794 the Chatham County Grand Jury, which was, as far as can be ascertained, composed entirely of slaveholders, again cited the retailers of liquor for keeping their shops open in the evening and on Sundays “by which practice, the Negroes are induced and encouraged to steal and pillage and commit other enormities to the injury of our citizens.”<sup>40</sup>

Despite opposition from the elite, white shopkeepers went to great lengths to protect the illicit trade with slaves. Some shopkeepers found it was so important to accommodate their black customers that their

<sup>38</sup> Charles E. Beveridge and Charles Capen McLaughlin, eds., *The Papers of Frederick Law Olmsted: Volume II, Slavery and the South, 1852–1857* (Baltimore and London, 1981), 185. For the 6 who were fined see the cases of Samuel Dibble (penalty not recorded for “buying from a negro”), Augustus Walter (\$110 fine for giving a slave liquor in return for bacon), William Salte (\$30 fine for retailing liquor to slaves), and Tobias Turner, Amos Rahm, and Henry Mistick (each a \$50 fine for selling liquor to slaves). Chatham County Superior Court Minutes, Vol. 13, January Term 1831; Vol. 19, May Term 1848; Vol. 20, May Term 1851; Vol. 21, January Term 1853; and Vol. 24, January Term 1860. The 7 convictions were from 62 indictments recorded in the Superior Court Minutes between 1782 and 1861.

<sup>39</sup> Chatham County Superior Court Minutes, Vol. 12, 1826–30, April Term 1826; and *Georgian*, May 12, 1826. The sources do not reveal who Elizabeth Dotson was or who petitioned for her sentence to be reduced. Her harsh sentence was perhaps because she was purchasing a staple, rice, rather than more mundane goods.

<sup>40</sup> *Georgia Gazette*, October 23, 1788, and February 20, 1794; and Chatham County Tax Digest, 1793. The composition of grand juries in the 1780s cannot be determined as no pertinent tax or census records have survived.

stores had “private doors for the admission of Negroes on the Sabbath day.” By 1808 grand jurors had become exasperated at “the little attention heretofore paid to the presentments of the Grand Inquest of this county. . . . Every man of observation must see with deep regret, the multiplied offences which flow from our tipping shops, and tho’ these have been frequently complained of, the morals of the people continue to grow more corrupt. Let those whose duty it is, look to this sink of corruption, and apply the cleaning hand *er [sic]* it is too late.”<sup>41</sup>

Elite whites wished to control the economic activities of non-slaveholders and African Americans, and the inability to do so suggests that their perception of interracial trade—documented by grand jury presentments, state laws, and city ordinances—as inappropriate, irreligious, and dangerous to society was not shared by all white social classes. By trading with slaves, white shopkeepers obtained goods and raw materials at a fraction of the normal cost. In return, shopkeepers provided goods to bondpeople that they would have otherwise struggled to obtain and that owners may well have forbidden them to have. Elite disapproval of this trade seems to have been irrelevant; the evidence suggests that non-slaveholders had their own views as to what constituted proper contact with African Americans and that these differed radically from views held by the elite.

The major obstacle to limiting the activities of white shopkeepers in Savannah was the political power of non-elite white males. While non-slaveholding men did not constitute the economic and political elite, they were enfranchised, and their willingness to vote regularly in city elections meant that their views on a wide range of issues could not be ignored. Consequently, the city council usually moved cautiously when revising ordinances that regulated trade. One city resident even claimed that nothing was “done to prevent. . . . negroes from trading at the shops—*with or without a ticket,*” despite “the prayer of two hundred and sixty of the citizens,” because the council relied “upon the votes of the shop-keepers” and were thus unwilling to “put in force their own violated ordinances” or take “the least notice . . . of the offenders.” In 1820 one city alderman, writing under the pseudonym “Humanitas,” defended the council’s position on the trade with slaves by claiming that prohibition would be ineffective and would encourage “unprincipled men” to conduct “a species of traffic, calculated to corrupt the morals of negroes and endanger the interests of their masters.” “Humanitas” also stated that the criticism of the council’s policy was

<sup>41</sup> Chatham County Superior Court Minutes, Vol. 7, 1804–8, January and April Terms 1808.



hypocritical because “Honestus,” the person who had started this debate, had himself no doubt purchased items at the markets operated by slaves in the city.<sup>42</sup>

By the 1820s the central issue in dispute between the elite and the shopkeepers had become the volume of biracial trading that took place on Sundays. Savannah, like the rest of the eastern United States, had seen the rapid emergence of Sabbatarianism during the 1820s, especially among elite members of the Baptist, Presbyterian, and Episcopal churches.<sup>43</sup> Sabbatarians no doubt realized that by ending Sunday trading they would effectively end biracial trading as well, and this perhaps accounts for the willing support of other, less religious, members of the elite. The grand jury, as usual composed primarily of slaveowners, railed against the “many interests [that] combine in opposition to the entire suppression of the Sunday trade, and how difficult it is to enforce the law to its fullest extent.” Unfortunately the grand jury did not declare which interests opposed controlling the trade with slaves, but the prime target for suspicion is the city council, which, being mindful of the revenue from licenses and fines, was perceived to be lax in enforcing trade laws. The council also had to heed the shopkeepers. An increase in the fees for liquor and trading licenses in 1826 led to a swift protest from Savannah grocers, the most vocal of all those trading with slaves. As one grocer wrote to the *Georgian*, “All the Grocers ask . . . is, that the Corporation will let them alone . . . and learn that some evils must exist for which no remedies can be found.” The grocers demonstrated their displeasure with council in this instance by a political mobilization that took control of the council at the next election.<sup>44</sup>

By controlling the city council, the grocers were able to protect the Sunday trade. Petitions from the Baptist-dominated Sabbath Union,

<sup>42</sup> Letter of “Philo-Honestus,” *Daily Georgian*, December 4, 1820, p. 2; and letter of “Humanitas” *Daily Republican*, November 29, 1820, p. 2. For the original letters of “Honestus” see *Daily Georgian*, November 21, 22, and 25, 1820, p. 2 in each issue.

<sup>43</sup> For more on the countrywide growth of Sabbatarianism see Paul Boyer, *Urban Masses and Moral Order in America, 1820–1920* (Cambridge, Mass., and London, 1978); and Bertram Wyatt-Brown, “Prelude to Abolitionism: Sabbatarian Politics and the Rise of the Second Party System,” *Journal of American History*, LVIII (September 1971), 316–41. For its impact on the South see Anne C. Loveland, *Southern Evangelicals and the Social Order, 1800–1860* (Baton Rouge and London, 1980), 174–80.

<sup>44</sup> Chatham County Superior Court Minutes, Vol. 11, 1822–26, May Term 1824. Only 3 of 19 jurors in 1824 were non-slaveholders. City of Savannah Tax Digest, 1824. For the attitude of grocers and their opponents see the letters of “Justice and Co.,” “Grocers and Co.,” “One of the People,” and “A Citizen” to the *Georgian*, on respectively August 24, 29 (quotation), and 31 (final two letters), 1826. In the election, only 1 candidate who was not on the “Grocers’ ticket” was elected. *Ibid.*, September 5, 1826.

formed in part to end market trading on Sundays, were twice rejected by the “Grocers council,” despite earning the support of local planters.<sup>45</sup> In 1827 the subcommittee of the city council that examined the petition from the Sabbath Union reported that “the trade carried on between the shopkeepers and slaves . . . originated in necessity” as Sunday was the only day when slaves were permitted by their owners to come to town. Moreover, the committee pointed out that without the agency of shopkeepers, planters would have to provide more food for their slaves. In recommending rejection of “the visionary hopes” of the Sabbath Union, the committee took a practical stance by claiming that all interests would be served if trade were “openly carried” rather than clandestine.<sup>46</sup> In 1828 another petition from the Sabbath Union, despite claiming that “public sentiment . . . is decidedly opposed to the profanation [of the Sabbath],” was also rejected.<sup>47</sup> The failure of the Sabbath Union petitions in 1827 and 1828 was based on concerns about opportunities for slaves to purchase food on the only day they could leave the plantation, about the necessity for planters to provide more supplies to their slaves, and about attempts to limit Sunday trading being disregarded by large sections of the populace. On the eve of the city election of 1829 aldermen were moving toward a more pragmatic policy—one in which fines for illegal trading were assessed with regard to the ability to pay rather than punishing penniless offenders. In this sense, the non-elite were winning the battle with council over their relationship with African Americans—the trouble associated with enforcing trading regulations was simply not worth the effort involved.<sup>48</sup>

However, the Sabbath Union remained poised to resist the liberal attitude demonstrated by council. While the stated objective of the Sabbath Union was to change the city ordinance that permitted retailing on Sundays, the obvious consequence of a such an ordinance would be to limit the interaction between shopkeepers and slaves in the city. Few plantation slaves had the opportunity to trade in Savannah on any day other than Sunday, and the potential effect from the loss of their trade on individual businesses was immense. As one supporter of the Sabbath Union wrote to the *Argus*, slaves knew that the main

<sup>45</sup> See for example the meeting of White Bluff planters who offered their support to the Sabbath Union. *Daily Georgian*, July 31, 1828. Betty Wood identifies most Sabbatarians in 1829 as belonging to the Episcopal and Baptist churches. Wood, *Women's Work, Men's Work*, 145–59.

<sup>46</sup> CCM, May 24, 1827.

<sup>47</sup> CCM, July 31 (quotation), and August 14, 1828.

<sup>48</sup> On the debate among councilmen over ability to pay see the report of the city council meeting as reported in the *Argus*, May 30, 1828. This report was far more complete than the official minutes of council.

consequence of putting an end to Sunday trading would be to prevent them from purchasing whiskey from the grocery stores in Savannah. Such anecdotal evidence strengthened the case for reform of the city's trading laws. The council committee appointed to examine the new petition of "a numerous and respectable body of the citizens of Savannah" reported that proper observance of the Sabbath should ultimately override concerns as to the ability of residents to purchase food on Sundays. What seemingly motivated the change of heart in the aldermen was the influence of evangelical religion and, secondly, the acknowledgment that "the chief profit of the shopkeeper is derived from the sale of liquor [to slaves]"; and "so great is the profit as to enable him to carry on his business after occasionally paying a fine of \$5 or \$10" that harsher penalties were necessary. A new ordinance therefore became a matter of "vital importance" to the city electorate.<sup>49</sup>

Those non-elite whites who traded with the slaves were not prepared to permit the elite to reduce their economic freedom without a fight. In a series of letters written to the city newspapers, supporters of Sunday trading attacked the stance of the Sabbath Union from a variety of angles. Most potent was the charge that the Union, despite its denials, was trying to "mingle religion with politics." As one correspondent asked, "[W]ould you willingly submit to be the slaves of a code of religion, framed by one sect for its own benefit—its own interest?" Indeed, by drawing direct parallels among slavery, submission, loss of independence, and the intentions of the Sabbath Union if elected, shopkeepers revealed their innermost fears. In a slave society, where just earning enough to survive was a daily struggle for many non-elite people, any attempt to reduce their income provoked a vigorous response.<sup>50</sup>

The council elections of September 1829 did not simply pit the elite against the non-elite or planters against shopkeepers. Most of the men putting themselves forward for election owned substantial property of some sort, though not all owned slaves.<sup>51</sup> When the votes were counted neither the People's Ticket, in favor of regulating Sunday trading, nor the Independent Ticket, which supported the liberal laws then in force,

<sup>49</sup> Letter of "Vox Populi," *Argus*, July 23, 1829; CCM, June 22 (first quotation), and July 2 (second and third quotations), 1829. *Daily Georgian*, June 15, 1829 (fourth quotation); and Wood, *Women's Work, Men's Work*, 140–59.

<sup>50</sup> Letter of "Philo-Reipublicae," *Argus*, August, 27, 1829 (quotations). See also the letters of "A Friend to Liberal Principles, Morality and Religion, in their proper place" and "Observer," *Argus*, September 3, 1829, and letters of "Sincerity" and "Senex," *ibid.*, September 10, 1829.

<sup>51</sup> Of 25 men standing for election, 4 did not own slaves, 1 was a doctor, and the other 3 were merchants/storekeepers. City of Savannah Tax Digest, 1829.

won outright. Those elected were a mixture of the two tickets, though, confusingly, some individuals had stood on both tickets. The first issue to come before the new council was the Sunday trading ordinance. The five aldermen elected solely on the People's Ticket voted four in favor of change, one absent; the three elected solely on the Independent Ticket voted two against and one in favor of change; and the six elected on both tickets hedged their bets with two in favor, two against, and two absent.<sup>52</sup> Of the four who voted against reform, William R. Waring and Moses Sheftall were both doctors and, though slaveholders, had long argued that changing the Sunday trading law was hypocritical and unenforceable; John B. Gaudry and George Shick were both storekeepers, and, of all the aldermen, Shick was the most likely to oppose tightening the trading ordinances, having himself been fined fifteen dollars for "entertaining Negroes" ten years previously.<sup>53</sup> The heterogeneous mix of the anti-reform camp is matched by the group in favor of reform, which included mason Thomas Clarke, merchant Francis H. Welman, saddler Jacob Shaffer, planter George W. Anderson, and shopkeeper Charles Gildon. What linked these reformers, as Betty Wood has shown, was religious idealism. All but one of the seven supporting change were regular churchgoers: three attended the Baptist church, which spearheaded the Sabbath Union's assault on the ordinances, two were Episcopalians, and one belonged to the Presbyterian church. Of those opposing reform, William Waring was an Episcopalian, Moses Sheftall was Jewish, and Aldermen Gaudry and Shick, as far as can be ascertained, did not belong to a church. None belonged to the Baptist church.<sup>54</sup>

The Sabbatarian majority on the council enabled the passage of a new ordinance mandating the closure of all shops on Sunday, thus supposedly ending the illicit trade between shopkeepers and bondpeople. In 1830, the following year, slave owners serving on the Chatham County Grand Jury welcomed the new ordinance: "the act to prohibit slaves from trading with white persons, is founded not less in a state of mercy to them, than of safety to society and taken in communion with the extended jurisdiction of the city, must by the combined effort of the county and city officers, have the desired effect and

<sup>52</sup> CCM, November 19, 1829; *Argus*, August 27 and September 3, 1829; and *Daily Georgian*, September 3, 1829. The new ordinance was read a first time on November 5, 1829, and passed on a vote of 7 to 4 on November 19, 1829. CCM. The ordinance was published in the *Daily Georgian*, November 6, 1829. See also Wood, *Women's Work, Men's Work*, 158–59.

<sup>53</sup> CCM, November 15, 1819, May 24, 1827, and July 16, 1829; and *Argus*, May 30, 1828.

<sup>54</sup> Wood, *Women's Work, Men's Work*, 157–59 and 229n50.

prove a benefit to all.”<sup>55</sup> However, the ordinance closed only the shops, not the Sunday market operated in Savannah by slaves, thus gaining the support of planters, who otherwise might have had to provide more food for their slaves or deal with their dissidence. African Americans still came to the city to trade on Sundays, and consequently the new ordinance did not immediately reduce the number of black and white people trading on Sundays. Indeed, in the decade following the enactment of the ordinance the number of prosecutions for illegal trading more than doubled over those during the previous decade.<sup>56</sup> The deterrent effect of the ordinance was dampened by the low fines that were imposed.

In 1836 shopkeepers petitioned the council either to permit the shops once again to open on Sunday or to change the weekly market day to Saturday. For the first time, shopkeepers put a figure on the financial value of the trade with slaves. In their opinion, “the trade of the Negro population of the country with the Citizens of Savannah for low priced Cloths and Groceries of the first necessity, (however small the several amounts taken separately) cannot . . . be less in the aggregate than One Hundred Thousand Dollars per annum.”<sup>57</sup> If the trade were actually worth that amount—and there is no way of proving the claim—then it was for good reason that shopkeepers were keen to protect it regardless of the opinions of the elite. Though the council acknowledged that the law as it stood seemed to suggest that it was “morally right to sell on Sunday in the public market, and morally wrong for the Grocer to sell from his store on that day,” the aldermen were so divided on the issue that no revision to the ordinance could be achieved. White grocers were angered by African Americans holding a Sunday market and being allowed to trade, but their chief complaint was that the city gave “one class of citizens privileges to the exclusion of others.” The shopkeepers noted further that slaves came to Savannah to trade because owners did not provide them with “the necessaries and most of the comforts of life.” Most of Savannah’s aldermen in the mid-1830s were slave owners themselves and had little financial in-

<sup>55</sup> Chatham County Superior Court Minutes, Vol. 12, 1826–30, January Term 1830. Only 5 of the 20 jurors were non-slaveholders. City of Savannah Tax Digest, 1830.

<sup>56</sup> Chatham County Superior Court Minutes, Vol. 12, 1826–30, January Term 1830. During the two periods, the comparison of the number of fines for retailing liquor without license, keeping a shop open after hours, and violating the Sabbath ordinance is as follows: 1820–29, 155 cases; 1830–39, 377 cases.

<sup>57</sup> CCM, May 12, 1836; reprinted in the *Georgian*, May 18, 1836. This would amount to slightly less than 30¢ per week for each of the approximately 7,500 adult slaves in Chatham County in 1835.

centive to restrict the independent economic activities of their bondpeople, nor did they wish to facilitate the disruption to plantation life that would inevitably have followed the curtailment of trading privileges.<sup>58</sup>

After two weeks of deliberation the committee appointed by council to examine the shopkeepers' petition reported that the aldermen had a "difference of opinion," with some advocating a liberalization of the law and others more concrete enforcement. Aldermen D'Lyon and Shaw argued that shops should be allowed to open for the same number of hours as the market on Sunday. That would prevent major disruption to the plantation routine while permitting white people who were not paid until the end of the week to continue to purchase their groceries on Sunday. More significantly, these aldermen recognized that the 1829 ordinance was in "complete conflict with public opinion [and] cannot be enforced without great difficulty." Many white people violated the current ordinance because "the fines were light [and] they can realize greater profits on their goods," and the aldermen feared public disorder if they tried to enforce the full power of the ordinance. The shopkeepers' proposal would have revived the ordinance of 1817, which had been superseded by that of 1829. Alderman Purse pointed out that by permitting shops to open on Sundays the council would violate a state law, which would make the aldermen individually liable for prosecution, while the mayor declared that just because an ordinance was unpopular and poorly enforced did not mean that council should repeal it. After much discussion the final recommendation of the committee that the ordinances should be altered was rejected.<sup>59</sup>

The council's decision to do nothing received scathing criticism from some sections of the press. "Spectator," writing in the *Georgian*, condemned the council for "invit[ing]" the rural slave population to come to Savannah on Sunday "when our own coloured population is idle and at leisure to plot mischief with them if disposed to do so." Stung by this and other attacks, in July 1836 the council passed an ordinance that closed the Sunday market, allowing late opening on Saturday instead. As with other ordinances, the effect of this one on the behavior of lowcountry slaves is unclear. Enforcement was lax from the outset: in 1838 the Council declared that "there is no law forbidding the sale of goods, wares & merchandise by colored persons" and permitted slaves to trade on Sundays—in violation of an ordinance barely

<sup>58</sup> CCM, May 12 and 26, 1836.

<sup>59</sup> CCM, May 26, 1836; and *Georgian*, May 31, 1836.

two years old—while trying to prevent white shopkeepers from opening their establishments. The class divisions in white society (and nothing divided whites in Savannah like this particular issue), therefore, contributed to the functioning of the informal economic contacts between non-elite whites and African Americans. The elite were unwilling to end the trading privileges of their slaves and unable to prevent shopkeepers selling to them from their stores. The shopkeepers knew that bondpeople desired to trade and chose to ignore the wishes of the elite in favor of serving their own class interests. African Americans got the best of both worlds: the elite did not prevent them from trading, and the shopkeepers bought from and sold to bondpeople for economic gain. No matter what ordinances were passed, the resourcefulness of the non-elite and African Americans—either by means of political action or by simply ignoring the law—meant that attempts to control their trading activities were doomed to failure.<sup>60</sup>

Illicit Sunday trading between African Americans and non-elite whites in the city continued right up to the Civil War despite increasing elite pressure to curb their activities. Savannah's elections frequently turned on the issue of illegal trading, and civic power changed hands many times between those supported by the elite and those backed by shopkeepers.<sup>61</sup> In the 1840s the Chatham County Grand Jury, urging strict enforcement of the Sabbath ordinances, was "happy to see the vigilance of our police, bringing up offenders."<sup>62</sup> However, by 1850 the shopkeepers had managed to persuade Dr. Richard Wayne, the mayor, to pursue a policy of non-implementation of the sabbath ordinances. When Dr. Richard Arnold ran against Wayne for mayor in 1850, Arnold's ticket was defeated by almost three hundred votes. He complained that Wayne was able to "regulate the shopkeepers politically by *not* regulating them as to the law" and that the voting was marked by intimidatory "bands of Irishmen with shillalabs, who raised a shout and blocked up the way whenever one of our men was bringing up a voter, but whenever one of theirs came along the waves were stilled and he was pushed along quietly." Apparently Wayne had told the shopkeepers that, if elected, Arnold "would fine every shop-

<sup>60</sup> *Georgian*, May 31 ("Spectator" quotations), June 28, July 12, 1836; and CCM, July 5 and 19 (council quotation), 1838.

<sup>61</sup> Pro-shopkeeper councils were elected in 1841, 1843, 1844, 1848, 1849, 1850, 1852, 1857, and 1858. Anti-shopkeeper councils were elected in 1842, 1851, 1859, and 1860. CCM, 1840–1860.

<sup>62</sup> Chatham County Superior Court Minutes, Vol. 16, 1841–43, May Term 1841.

keeper a hundred dollars who might be convicted of breaking the ordinances."<sup>63</sup>

The stranglehold of shopkeepers on the city government did not prevent the local elite from protesting through the grand jury about the violations of city ordinances. In 1852 the grand jury complained that "the ordinance forbidding the sale of liquors or trading on the Sabbath, is habitually violated the more bold do not hesitate to open their doors publicly on that day, while the more timid evade the law by admitting their customers in a private manner."<sup>64</sup> Later the same year, the jury declared that the council led by the shopkeepers' friend, Richard Wayne, was not doing its duty with regard to the suppression of this trade.<sup>65</sup>

Frustrated with the "peculiar privileges" given to the shopkeepers and the "injudicious and inefficient" implementation of the trading ordinances, the elite of Savannah mounted a concerted campaign to win the council election of 1859.<sup>66</sup> Charles Colcock Jones Jr. explained why it was necessary to take this stand: "Under the present administration the Sunday ordinance has become almost a dead letter; the police is unsustained in executing the internal regulations affecting public peace and order. They may report offenders, but the cases are not unfrequently, even after they are placed on the mayor's docket, *never called*. The rum shops are filled with Negroes drinking at all hours of the day and night. Gambling is rampant. In fine, the present condition of the city is anything but desirable."<sup>67</sup> The ticket led by the veteran opponent of shopkeepers, Richard Arnold, won the election, and the following January the council passed a new ordinance giving the police extra powers and responsibilities. Within six months of the election the council was able to impose fines of up to \$150, per offense, for trading illegally. While such fines were financially punitive, it was

<sup>63</sup> Richard Arnold to Mrs. Louisa McAllister, December 6, 1850, and Arnold to Col. John W. Forney, December 18, 1850, in Richard H. Shryock, ed., *Letters of Richard D. Arnold, M.D.* (Durham, N.C., 1929), 39 (first quotation), 47 (second quotation), and 46 (third quotation); Fred Siegel, "Artisans and Immigrants in the Politics of Late Antebellum Georgia," *Civil War History*, XXVII (September 1981), 226–27; Dennis C. Rousey, "From Whence They Came to Savannah: The Origins of an Urban Population in the Old South," *Georgia Historical Quarterly*, LXXIX (Summer 1995), 327; and Shoemaker, "Strangers and Citizens," 346–47.

<sup>64</sup> Chatham County Superior Court Minutes, Vol. 20, 1850–53, January Term 1852.

<sup>65</sup> *Ibid.*, May Term 1852.

<sup>66</sup> *Republican*, October 10, 1859.

<sup>67</sup> Charles C. Jones Jr. to the Rev. C. C. Jones, October 6, 1859, and October 11, 1859, in Robert Manson Myers, ed., *The Children of Pride: A True Story of Georgia and the Civil War* (New Haven, Conn., and London, 1972), 523–25. See also Clarence L. Mohr, *On the Threshold of Freedom: Masters and Slaves in Civil War Georgia* (Athens, Ga., and London, 1986), 45.



really a case—with secession only a year away—of too little, too late.<sup>68</sup> The attempts of the elite, over several decades, to control the economic activities of non-slaveholders and African Americans had failed.

The trading contacts that arose between non-elite whites and slaves in Savannah grew out of mutual profit and interdependency. While similar trading relationships probably occurred in many parts of the Old South, they flourished in the lowcountry. Nowhere else did the combination of a large black population, a significant non-slaveholding white minority based around an urban center, the task system, and a planter elite who encouraged independent production by their bond-people, coincide so neatly.<sup>69</sup> Despite the status differences that divided white and black, both poor white people and slaves found that, through mutual economic contacts, their material lives improved. Indeed they found that their economic sufficiency was in many cases dependent on the choices of the other race. To the average slave and the average shopkeeper, biracial trading contacts were an important part of everyday life. Economic encounters that empowered and enriched both parties were vigorously defended against all attempts by the white elite to control them. Against such an alliance of convenience, the white elite was effectively powerless.

<sup>68</sup> *Republican*, October 11, 1859, and January 9 and March 7, 1860.

<sup>69</sup> In the Caribbean, there were small numbers of whites, which meant that most trading was conducted between blacks, both slave and free, rather than between blacks and whites. In the heart of the American cotton belt, the gang system reduced the amount of time that slaves had to produce for themselves, and trading was more likely to be conducted among whites alone.