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# **Crossing the race divide: inter-racial sex in antebellum**

## **Savannah**

This article explores the social significance of inter-racial sexual contact in an antebellum Southern city. How did inter-racial sex challenge the established social hierarchy in Savannah? Was it a controversial issue, viewed as a threat to the social order, or was it accepted as an inevitable evil resulting from a mixed population residing in close proximity? Bi-racial sexual encounters were frequent in Savannah, involving both free and enslaved African Americans and white people from all social classes, but the way in which white society reacted to these relationships differed depending on the class and gender of the white participants. This paper will suggest that sexual relations between African Americans and poor whites were constructed on a fundamentally different social basis to those between the white elite and blacks. After all, while the elite could act from a position of authority and power over their bondpeople, non-elite whites had no such luxury. Bi-racial relationships in which the non-elite participated had, almost by their very nature, to be voluntary. The coercive power structures which owners had at their disposal was simply not an option for the non-slaveholder. The central issue therefore becomes, why were some whites willing to violate the Southern colour bar by engaging in miscegenation? Did the non-elite come to view the distinction of colour as irrelevant when choosing sexual partners and, if so, why were they

willing to do this? The obvious problem any historian faces is that miscegenation was often a highly secretive activity. Participants did not talk about their encounters, indeed relatively few sources discuss what most white southerners probably viewed as an embarrassment to their society. As such we are reliant on court and legal records as much as on occasional direct observations for a glimpse into this private world.

In the early years of settlement, African Americans were prevented from living and working in Georgia. Miscegenation before 1751 was something which occurred in other colonies, most notably South Carolina, with little or no impact on Georgians. In the debate which came to rage in the colony in the late 1740s, over whether or not to permit the introduction of slaves in Georgia, little was said about the possibility of miscegenation. There is no evidence that the malcontents, who were keen to introduce slaves into Georgia, even considered the possibility of miscegenation occurring, preferring to stress the economic benefits of slave labour without really taking into account any adverse social consequences. However John Martin Bolzius, the pastor of the Salzburgers in Ebenezer, was extremely concerned that the introduction of African labour would lead to the 'shameful mixing of blacks and whites' as had happened in other slave colonies, especially South Carolina and Virginia. Bolzius, who frequently voiced his opposition to the use of slaves in Georgia, knew that his was a lone stance. By the end of 1748 he reported the euphoria in Savannah at the news that the Trustees were even considering the repeal of the law of 1735

which had banned the use of slaves in the colony: ‘even the poorest and lowest sort of people are happy about this prospect and want it to happen soon.’<sup>1</sup>

In August 1748 Benjamin Martyn, the Secretary to the Trustees, wrote to the President and Assistants in Georgia asking them to consult with the ‘principal people of the province’ in order to frame a set of regulations which would govern the use of slaves. These ‘principal people’ included the President, William Stephens, the four Assistants, leading planters such as Noble Jones and Henry Yonge, and merchants such as James Habersham and Francis Harris. Bolzius, whose opposition to slavery was well-known among the governing elite, was also invited to attend this meeting. Evidently the views of ordinary white people were not considered relevant. Martyn had previously warned the President and Assistants that only those regulations which were ‘calculated chiefly for the people’s interest’ would be forwarded to the King, and that any subsequent statutes would be rigorously enforced. In order to overcome the opposition of the Trustees in London, and under pressure from Bolzius, those who pushed for the use of slaves were forced to include the following stipulations in the final draft legislation:

‘No intermarriage between the people and the Negroes shall be deemed lawful marriages; and if any white man shall be convicted of lying with a female Negro, as any white woman of lying with a male Negro, he or she shall on such conviction forfeit ten pounds sterling, or receive such corporal punishment

as the court shall think proper to inflict, and the Negro shall receive corporal punishment.'

This was how the Trustees, who had bank-rolled the Georgia project with the intention of giving poor but industrious British people a new start, tried to fulfill their original philanthropic intentions. If slaves were to be allowed in Georgia, then they must not threaten the morality of the colony or its citizens. Miscegenation was therefore seen in London as something which should be avoided. Bolzius took a small degree of comfort from the fact that he had been the one to push for the inclusion of stipulations 'to hinder white men & women from mixing carnally with black persons.' However even Bolzius showed himself to be cynical about the new regulations, stating that they would be useful 'if only they are honoured.' Within a year he ruefully noted that 'people here succumb to temptation as far as Negroes are concerned' and that 'the restrictions regarding Negroes as set down by the Lord Trustees [are] poorly followed.'<sup>2</sup>

Perhaps viewing them as too much of a restriction upon their prerogatives as masters, planters in Georgia did not allow the slave regulations of 1750 to remain on the statute book for long. In 1755 they passed a new slave code, based on that of South Carolina, which contained no reference at all to miscegenation, merely stating that English common law was to apply in the colony. Henceforth there would be no specific offence of inter-racial sexual intercourse in Georgia, however in 1770 rape by a slave 'on any white person

whomsoever' was specifically made a capital crime even though under English common law rape was already a capital crime, and would remain so until 1841. The fact that planters felt it was necessary to have a specific statute which applied to African Americans perhaps reveals more about white male fears as to the sexuality of African men than it does about the incidence of such crimes. There were no reports of rapes by blacks on whites in the colonial period. In place of the anti-miscegenation law, various statutes pertaining to public decency were enacted. In this manner, the privileges of owners on their plantations to engage privately in miscegenation were safe-guarded, but public morality, and the chastity of elite white women, was defended. Miscegenation therefore became something of a class issue, whereby slaveowners were effectively given privileges and protection denied to ordinary white people. This is not to say that elite white society necessarily approved of owners taking sexual advantage of their female slaves. Rather the statutory changes suggest that after 1755 the prohibitions against it were social rather than legal.<sup>3</sup>

While bi-racial sexual contact was most likely a frequent occurrence throughout the colonial Georgia lowcountry, we have no precise method of gauging its extent. The 'mulatto' population is testimony to a significant degree of mixed-race intercourse, with many sexual encounters involving the abuse of black women by their white owners or overseers. Some members of the white elite explicitly discouraged relationships between overseers and slaves, preferring to employ married men precisely because of this concern. In 1768

Henry Laurens wrote a ‘friendly admonition’ to Mr. McCullough, his overseer at Broughton Island, advising him ‘against keeping a wench in the house in open adultery.’ Perhaps this relationship meant a great deal to him, or perhaps he viewed the sexual exploitation of enslaved women as a privilege of his position. Whatever his motivation, Mr. McCullough felt so strongly about this letter that he tendered his resignation, though it was later withdrawn. Another of Laurens’ overseers kept his slave mistress as a house-servant, despite his recent marriage to a white woman.<sup>4</sup>

The behaviour of a small number of elite white males made attempts to curb miscegenation among the under-classes seem hypocritical. Some members of the white elite used their position of power to take sexual advantage of both free and enslaved black women, clearly setting a bad example to non-slaveholders in Savannah. In the absence of legal sanctions on this behaviour, evangelical churches stepped into the breach viewing it as a ‘most sacred duty imposed’ to discipline any member who in ‘any way walks disorderly... a non-performance of which will most assuredly incur the divine disapprobation.’ All evangelical communities in Savannah held regular discipline meetings to resolve any disputes or reports concerning the character of their members. The minutes of these meetings have survived for a number of white churches in Savannah, including the First Baptist Church and the Independent Presbyterian church. At these meetings members would be summoned by the elders or by the pastor of the church to answer for their behaviour. Ann Savy, for example,

was cited before the First Baptist Church for engaging in ‘every improper and unlawful connection’ and eventually was publicly excommunicated by the pastor. In some areas of the South these disciplinary meetings permitted African Americans to bring charges of misconduct, even of sexual harassment, against white members. The racially segregated nature of worship in Savannah, with African Americans having five independent Baptist churches by 1820, meant that charges of this nature in the city were rare. However, some cases documenting miscegenation did come before white Savannah churches, and the most startling instance of this arose in 1839 when the Independent Presbyterian church dealt with the case of Frederic Densler.<sup>5</sup>

A member of the church clearly disliked Frederic Densler. He was cited to appear for several different offences, the most serious of which charged that he ‘was in the practice of visiting houses of ill fame, kept by women of color.’ Densler had a high profile in Savannah at the time and was elected a city Alderman in both 1838 and 1839. Densler admitted to the church that ‘he had stopped at the house of Mary Ann Odingsell (a bad woman of colour)’, but he denied that anything improper had taken place. Densler also confessed that he had indeed been seen entering the house ‘of a coloured woman of bad character living near the Episcopal church’, but claimed that this was in part to fulfill certain obligations imposed upon him as a member between September 1838 and September 1839 of the council’s Street and Lane Committee, which required that yards and lanes be inspected. Moreover he stated that he visited



this house 'to forbid her sending to him for money; she having written to him for fifty dollars.' Quite how Densler had become indebted to this woman, later named as Claude, is unclear, but obviously Densler knew her more intimately than he admitted. Other reports that someone had stolen his trousers while at Claude's house, and that he had visited her and her sister on the Sabbath, were strongly denied. Faced with such an unusual case, the session deliberated for four months before eventually suspending Densler. However, most likely at the intervention of the moderator, this suspension lasted less than a month. On this occasion his transgression was not deemed sufficiently proven to warrant his exclusion from the church. However Densler did not emerge from this incident with much credit, and it was perhaps because of his public indictment by the Independent Presbyterian Church that he did not stand for re-election to the council in September 1840.<sup>6</sup>

The hope of the moderator and elders of the church that Frederic Densler would reform his behaviour was not fulfilled. In late 1841 he appeared again before the session on similar charges, namely that he 'had been repeatedly at a house where a coloured woman of ill fame resided, from which criminal intentions were inferred.' Densler even admitted that on one occasion he had been forced to escape from the house by jumping out of the window when the proprietor had challenged his presence there. Densler also 'acknowledged that he had repeatedly stopped before the house & conversed with the said colored woman but denied solemnly, that he had had any criminal

intentions towards her.’ However the elders of the church were not willing to stand for another minor admonishment in the face of such blatant defiance, and this time he was indefinitely suspended from the privileges of the church. The moderator was the only one to dissent from this decision, suggesting that he was either not as concerned as the elders with this type of behaviour, or more likely, that he was a personal friend of Densler, and stood by him out of loyalty.<sup>7</sup>

Densler was not the only elite Savannahian who engaged in bi-racial relationships, though it is surely significant that as far as can be ascertained no elite white women engaged in voluntary relationships with African Americans. Whether social pressures or racial fears determined that elite white women would not violate the colour bar is not known, but such fears or pressures were evidently insufficient to prevent elite white men from siring mixed race children. City Alderman Levi D’Lyon had two children with a black woman named Margaret Dobson, both of whom were baptised at St. John’s Catholic church. Admittedly the Catholic church was probably the only religious body in the city which baptised the illegitimate product of inter-racial unions. Episcopal churches were the only others in Savannah to practice infant baptism, but there is no record of mulatto children being baptised there. What is interesting about these baptisms at the Catholic church is that they were probably at the instigation of the mother, not the father. There is nothing to suggest that D’Lyon actually attended the baptism ceremony. In this sense, the

Catholic church were seemingly prepared to sanctify the product of miscegenation between owners and their bondswomen without judgment as to the propriety of these relationships. That elite Savannahians sometimes conducted bi-racial relationships is clear. What is more opaque is the reason for the muted reaction of the rest of the elite towards it. Isolated incidents could be ignored, but the cream of Savannah society most likely realised that such relationships did not threaten the social order. It is highly unlikely that elite men who engaged in such activities were challenging the existence of slavery. Indeed their exploitation of African American women can instead be seen as a expression of control. Elite white men dominated this society, socially, politically and economically. The fact that they took advantage of African American women was probably no more than an accurate reflection of that power.<sup>8</sup>

While private relationships between owners and slaves could be ignored, denied and excused, the blurring of racial boundaries which the mixing of ordinary poor non-slaveholding whites and African Americans in Savannah entailed, posed a more serious threat to the fabric of Southern society. Some Savannahians feared that non-slaveholders would ally themselves with African Americans on class lines against the interests of the white elite. Therefore a variety of statutes were enacted from the colonial period onwards to try to keep the races apart socially. For example in 1757, the provincial government introduced a license system for tavern-keepers, with express prohibitions about

retailing liquor to slaves. However, the problem which was to plague all such legislation before 1865 was that owners were unwilling to accept any restrictions on their rights to use slave property as they saw fit. Thus laws regulating tippling houses always carried provisos which permitted owners to send their slaves to collect liquor on their behalf. This loophole gave many slaves a legitimate excuse to be in a tavern. Grog-shops where slaves mixed freely with poor whites were perceived as the starting places for debauchery and lewdness, 'which tends to the corruption of youth and the prejudice of virtue.' A correspondent to the *Georgian* believed that it was the easy availability of liquor, principally provided by non-elite whites, which caused Afro-Americans to become involved with 'improper associations and.....debauchery.' In other words, the elite feared that by encouraging slaves to drink, non-slaveholding whites were fostering miscegenation, insubordination, and social turmoil, knowing full well that any financial or criminal consequences of bi-racial interaction would most likely fall upon the owner and not the tavern-keeper.<sup>9</sup>

Non-elite white men and women living in Savannah knew that by crossing the sexual colour line they were risking social exclusion. Those who chose to indulge in miscegenation sometimes found themselves the subject of a Grand Jury indictment. Grand Juries, acting on the information of local residents, were perfectly willing to name individuals whom they understood to

be operating 'disorderly' or 'lewd' houses, and to order that their presentments should be published.<sup>10</sup>

Recent research has shown that poor white women especially who violated social and racial norms in this manner effectively lost their racial privileges. Judges and juries throughout the antebellum South were reluctant to condemn black men for "rape" where the moral character of white female plaintiffs was questionable. Certainly white women who had sexual intercourse with African Americans earned the censure of society. In 1751 John Martin Bolzius had been disgusted to learn that '2 white women, one French and one German, have secretly disgraced themselves with Negroes and have borne black children.'<sup>11</sup>

In Savannah rape cases were extremely rare. The only example of a black man being charged with rape occurred in 1820. George Flyming, a free black carpenter, was convicted of attempting to rape a poor white girl, Eliza Hand, aged about fourteen. Despite a recommendation of mercy by the Jury, Flyming was sentenced to die five weeks after his conviction. However a stay of execution was obtained while a petition to the Georgia legislature by several prominent citizens of Savannah was formulated. They claimed that 'the evidence [presumably Eliza's] upon which he was convicted is doubtful and uncertain', and asked for his sentence to be commuted to transportation as execution would perhaps kill 'an innocent human being.' Quite why forty-eight

gentlemen, including Jonathan Roberts the city treasurer, lawyer James Morrison, three members of the city council, and leading magistrate Benjamin Sheftall were prepared to take the trouble to petition on behalf of an African American is unclear. Some were perhaps concerned with legal principles, others may have pleaded for clemency out of humanitarian beliefs. Eighteen of the signatories were also members of the Union Society, the largest and oldest benevolent institution in the city. Ultimately their plea was in vain. The reply from the legislature was that they lacked the constitutional powers to interfere in the original decision and that the delayed execution could proceed as planned. The *Savannah Republican* recorded that Flyming was executed on November 21, 1820.<sup>12</sup>

While the case of Eliza Hand reveals that, despite some reservations, the Chatham County court system was eventually prepared to avenge her, adult white women who voluntarily violated the sexual colour line found themselves punished rather than defended by the southern legal system. Authorities in Savannah viewed prostitution by white women with some severity: those convicted of keeping a 'disorderly house' could expect a prison term. While there was no specific statute which outlawed miscegenation, a variety of sections of the penal code pertained to lewdness and fornication, and courts tended to treat cases more severely when black males were involved. The Georgia Penal Code of 1816 devoted a whole section to 'offences against the public morality.' Those convicted of 'open lewdness, or any notorious act of

public indecency' or keeping 'a common, ill governed and disorderly house', could expect an unlimited fine in addition to a jail sentence. Mrs McLean was sentenced in 1789 to forty days imprisonment in the common jail for 'keeping a disorderly house'; sixteen years later, Sarah McBride received an even longer prison term for a similar offence. McBride had been widowed six years previously, and with a long history of being unable to pay her debts this is probably why she turned to prostitution. The confinement of Sarah McBride marked the start of a crack-down on such persons in Savannah. In April 1805 a further five people were indicted for keeping disorderly houses, although only one conviction resulted.<sup>13</sup>

Street prostitution was also apparent in Savannah. In 1814 a warrant was issued for an unnamed woman, 'who is in the habit of passing through town at all times, and holding improper conversations with persons of colour.' Local courts were evidently not interested in charging black men with sexual offences committed with white prostitutes. In 1856 Sarah Hoyt spent eighty-five days in the Chatham County Jail for 'drunkenness and adultery with a Negro.' Who Sarah Hoyt was, and what she was doing with an African American is not clear, she is one of the thousands of anonymous white people in Savannah who have not left any vital records behind. However what is significant about this case is that no slave or free black was imprisoned for raping her. Why did Sarah not cry rape? After all she could have named almost any black man in the city and hoped to have at least escaped a prison sentence. Most likely Sarah

was well known for this type of behaviour by the Savannah police department, and evidently city authorities viewed the principal fault as lying with her and not with her black lover.<sup>14</sup>

Most prosecutions for disorderly sexual conduct involved white and black women. Indeed compared to other offences, where women constituted only about one-tenth of defendants, keeping a 'disorderly house' was proportionately the most common offence for women to commit. Between 1790 and 1848, women made up eight of the nine defendants to be fined for 'keeping a riotous and disorderly house.' In addition, the only people to be charged by the city council with 'keeping a house of ill fame', or 'keeping a lewd house or place for fornication' were women. The jail sentences handed down to these women were often long, and made worse by a frequent inability to pay jail fees when the sentence was officially completed. As a general rule, women were more severely punished than men for morality offences. Few men were brought before council for indecency, and those who were received lighter sentences than the women they were with. In 1853 while Patrick O'Halligan was fined only \$2 for 'indecent conduct in the streets', the prostitute he was with, Sarah Hart, was fined \$5.<sup>15</sup>

Non-elite women were traditionally associated with prostitution, and there is no reason to believe that Savannah should be any different to other localities. However in the early national South the willing prostitution of white



women to black men was not meant to occur. Just who were these white women who were prepared to flaunt social custom and have sexual relations with African American men in Savannah? The Federal Census for 1860 provides something of an insight into the social makeup of white Savannah prostitutes. Of the four prostitutes confined in the city jail only one was from Georgia, two were from Ireland and one from New York. They were aged between 17 and 38, but jail records do not survive to tell us for what specific offence they were confined and for how long they had been jailed. Fannie Fall, a 29 year old boarding house keeper from Ireland, was indicted before Chatham County Superior Court in January 1860 for keeping a lewd house. The census reveals precisely the social background of the prostitutes at her brothel. The ten girls at her establishment ranged from 16 to 29, and all but one were from out of state. Indeed seven of them were from northern states. The predominance of non-southern born girls among Savannah's prostitutes may well have been a factor which encouraged miscegenation. Those who were brought up with little or no contact with African Americans would not have had the same in-built social prohibitions about sleeping with them. These poor young girls, most likely newly arrived in the city were entrapped into prostitution to survive, and servicing black clients was not necessarily something they could refuse.<sup>16</sup>

Prostitution, for some women, was a necessary way of earning a living. The fact that it brought white women into contact with Afro-Americans was

evidently insufficient reason to abandon this line of work. Not only did the prostitution of poor white women involve intimate contact with Afro-American men, it also probably brought white women into contact and even competition with Afro-American women. 'Black Hannah' was cited twice before council for 'keeping a riotous and disorderly house.' However, her punishment was in marked contrast to that given to white women. While they received fines or terms of imprisonment, Hannah was sentenced to thirty-nine lashes on her bare back. The marginal social status of these women who violated Southern racial barriers is therefore clear: indeed as one Southern court stated, women 'yielded their claims to the protection of the law by their voluntary associations with those whom the law distinguishes as inferiors.' The lack of status of poor white women in this society meant that they had few qualms about contravening racial barriers. Colour norms for these women were evidently irrelevant.<sup>17</sup>

Sexual relationships between non-elite white men and black women were fairly frequent. Bolzius knew that some 'white men live in sin with Negresses and father half-black children who walk around in large numbers to the shame of the Christian name.' Charles Lyell however believed that 'the coloured women who become the mistresses of the white men are neither rendered miserable nor degraded.' His observation is reinforced by the comments of William Craft, an escaped slave. He remarked that while 'a great majority' of white men involved with black women 'care nothing for the

happiness of the women with whom they live.....there are those....who are true to their pledges [of love].'<sup>18</sup>

It was not only bondswomen who were involved sexually with white men. Twenty-seven year old ship carpenter George Miller was evidently closely associated with a free mulatto woman in whose house he died of fever in 1815, though it is not known if their relationship was casual or long-term. Other sexual encounters among the Savannah underclasses occurred on an impermanent basis in the unofficial brothels which were located on the outskirts of the city. In 1770 Mrs Stuart's brothel was located in 'the south-east caponniere'; a year later she had relocated to Yamacraw. The area of Savannah known as the Trustees Gardens, on the eastern side of East Broad Street, remained a notorious area throughout the antebellum era. In 1855 the police chief in Savannah reported that there were 'five large houses of ill fame, besides numerous small ones' located in the neighbourhood. These brothels were kept busy, he believed, by the large transient immigrant population in Savannah.<sup>19</sup>

The darkened alleyways of Factor's Walk on the bluff were home to a number of brothels hidden away from the prying eyes of the Savannah city watch. Most of those working in this area were unskilled white and black labourers, carrying produce from the wharves on the river to the warehouses on Bay Street. To serve them a variety of taverns, brothels and gambling haunts

sprang up. Respectable people were warned away from the area. Emily Burke, visiting Savannah in the 1840s, was told that Bay Street and the bluff were ‘always so thronged by sailors, slaves and rowdies of all grades and colour, that it is not safe for ladies to walk there alone.’ Consequently much of the bi-racial interaction which occurred there went unreported to the city watch and unpunished.<sup>20</sup>

Historically the most disparate and varied population in Savannah occupied the western suburbs. In the 1790s Robert Boyd situated his brothel in Oglethorpe Ward, knowing that it was home to the largest concentration of Afro-Americans and poor whites in the city. By the 1850s the police chief reported that Yamacraw was home to ‘four noted houses of ill fame.’ He went on to explain that ‘the population of the western part of this division is very mixed, consisting of Americans, free Negroes, and foreigners of all classes.’ In Yamacraw, the racially mixed population fostered miscegenation. Like their Caribbean counterparts, some urban free or enslaved African American women operated brothels for visiting seamen. While we have little direct information about the operation of these establishments, the city death records note the demise of three mariners from out of state in the house of ‘Looie’ in Yamacraw in the early nineteenth century - strongly suggesting that either she herself was a prostitute, or that she operated a brothel for visiting seamen. Some bondswomen were permitted by their owners to operate independent boarding houses in the western suburbs, only paying their owner a set weekly fee. To

some slaveholders in Savannah what happened in such properties was of no particular importance so long as the weekly fee continued to be paid.<sup>21</sup>

The location of these 'disorderly houses' is significant because by locating outside of the immediate centre of the city, they avoided rigorous regular scrutiny. In Savannah, the city watch was confined to the city wards, which until 1854 excluded both Yamacraw and Trustees Gardens, the two areas in the city most likely to house brothels. It was naturally in the interests of all those concerned to keep out of the sight of the city watch, especially when operating a brothel.<sup>22</sup>

However, the more discreet brothels were situated in the very heart of Savannah's commercial and business district. In 1809 the Grand Jury of Chatham County protested about 'the houses of ill fame which are suffered to be kept in the very centre of the city.' The problem according to Jurymen was not the law but its application. Many suspected that the city watch and the city council were lax in the enforcement of the laws against 'houses of ill fame.' By 1864 the Grand Jury was citing, 'the intrusion into the more public and respectable streets of the city, of houses of ill fame.' They understood that 'the houses have of late multiplied in the city, and are opened in some instances in most respectable vicinities, subjecting our families to sights and scenes which disgrace their presence and outrage their feelings. The Grand Jury ask for the protection of our citizens against this insult to decency and morality.' Efforts to

eliminate city brothels were unsuccessful throughout the antebellum era. Both whites and blacks continued to frequent the 'houses of ill fame' in the city.<sup>23</sup>

Why were the civic authorities so concerned about the activities of non-elite whites and African Americans in the city brothels? In part their stance reflected the pervasiveness of evangelical religion in the city. In 1826 the local Sunbury Baptist Association had declared at its annual meeting that 'carnal gratifications and vain indulgences.....are all contrary to the love of God in the heart' and that 'persons in this delusive and enchanting bed of carnal security, slumber into lethargy; inertness of spirit and inactivity of soul.' Aldermen and justices who were members of the numerous evangelical churches in Savannah subscribed to a general prohibition on lewdness and fornication, whether bi-racial or not. Thus when the Chatham County Grand Jury complained that brothels were places where 'the sacred ties of marriage are forgotten, and the foundation of diseases laid,' they were merely articulating contemporary social attitudes towards overt sexual liberality. However what made attempts to control brothels even more urgent in Savannah was the fear among the elite that poor whites and blacks would find a common class identification there. Something which destroyed racial barriers as clearly and fundamentally as bi-racial brothels were distrusted for their possible impact on wider society. Thus while fornication and adultery among whites was highly censurable, inter-racial sex was believed to threaten the very foundations of Southern society.<sup>24</sup>

Ultimately, despite legal and social prohibitions, the civic authorities in Savannah were powerless to prevent slaves and non-elite whites mixing carnally in the city. The non-elite constantly made their own lifestyle choices without reference to the wishes of the elite. The fact that some elite men were unable to avoid such activities themselves did not help attempts to halt it among the lower orders. But contrary to fears, inter-racial sex ultimately did not threaten the social fabric of Savannah. The race barriers in Savannah were, to some degree, perceived by non-slaveholders and Afro-Americans alike as flexible and permeable. The sexual encounters described in this essay were facilitated by such interpretations. Non-elite people did not ally themselves with slaves on class lines precisely because the law made a legal rather than a colour distinction between them. In actuality the fact that legal distinctions were made between free and slave meant that non-slaveholders could circumvent colour lines, without actually threatening the social order of the lowcountry. The social and racial ethics of the elite clearly did not encompass all social classes; the non-elite were, in the end, perfectly capable of forming their own distinctive relationships with African Americans in Savannah.<sup>25</sup>

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<sup>1</sup> George Fenwick Jones [ed.], *Detailed Reports on the Salzburger Emigrants Who Settled In America....edited by Samuel Urlsperger*. (Athens, Ga., 1989), Vol. 13, 1749, p. 44. Entry for 28 April 1749: Vol. 12, 1748, p. 101. Entry for 1 Dec 1748. Bolzius to John Dobell in Charleston, 20 May

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1748, in Allen D. Candler, [ed.], *The Colonial Records Of The State Of Georgia*. (New York, 1970), Vol. 25, p. 283. Joel Williamson, *New People: Miscegenation And Mulattoes In The United States* (Baton Rouge, 1995), pp. 5-59.

<sup>2</sup> President & Assistants to Benjamin Martyn, 10 Jan 1749; President & Assistants to Benjamin Martyn, 12 Jan 1749; Benjamin Martyn to the President & Assistants, 19 May 1749; Benjamin Martyn to the President & Assistants, 7 July 1749, John Martin Bolzius to Benjamin Martyn, 27 Oct 1749. *Col. Recs.*, Vol. 25, pp. 347-351 & pp. 437-438; Vol. 31, p. 134 & pp. 144-6. Jones [ed.], *Detailed Reports*. Vol. 14, 1750, p. 58. Entry for 8 May 1750.

<sup>3</sup> An act for the better ordering and governing Negroes and other slaves in this province. Passed 7 March 1755. *Col. Recs.*, Vol. 18, pp. 102-144. An Act for ordering and governing slaves within this province. Passed 10 May 1770, Robert & George Watkins, *A Digest of the Laws of the State of Georgia to 1798*. (Philadelphia, 1800), p. 168. I would like to thank Garthine Walker for her citation on English rape statutes.

<sup>4</sup>For discussions of the sexual exploitation of black Southern women see Adele Logan Alexander, *Ambiguous Lives: Free Women of Colour in Rural Georgia, 1789-1879*. (Fayetteville, 1991), pp. 20-35. Catherine Clinton, "'Southern Dishonor': Flesh, Blood, Race And Bondage', in *In Joy and Sorrow: Women, Family and Marriage in the Victorian South*. Carol Bleser, [ed.], (New York, 1991), pp. 52-68. William K. Scarborough, *The Overseer: Plantation Management in the Old South*. (Baton Rouge, 1966), pp. 75-78. Henry Laurens to James Habersham, 1 Oct 1770; idem to James Habersham, 9 Oct 9, 1770; idem to James Laurens, 12 Dec 1771; idem to William Godfrey, 16 Dec 1771; John Lewis Gervais to Henry Laurens, 5-10 May 1772. George C. Rogers Jr., David R. Chesnutt, Peggy J. Clark, [eds.], *The Papers of Henry Laurens*. (Columbia, South Carolina, 1968-94), Vol. 7, pp. 376 & 380, Vol. 8, pp. 89, 100-101 & 290.

<sup>5</sup> First Baptist Church Savannah Minutes, 7 Sept & 22 Oct 1822. Georgia Historical Society, Savannah, Georgia. Minutes of the Sunbury Baptist Association (Savannah, 1852), p. 12. Betty Wood, "'For Their Satisfaction or Redress": African-American Employment of the Disciplinary Mechanisms of the Baptist and Methodist Churches in the Early South' Unpublished Paper, read to the Departmental History Seminar of Warwick University, 14 Jan 1997, pp. 1-2 & 21-23.



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<sup>6</sup> Independent Presbyterian Church, Minutes of Session, 1828-1851, 17 Aug 1839, 16 Dec 1839, 8 Jan 1840. GHS. The election results were published in the *Daily Georgian* 9 Sept 1840.

<sup>7</sup> *ibid.*, 12 Oct 1841.

<sup>8</sup> Walter C Hartridge Collection, GHS, Box 27, Folder 409 - Catholic Baptisms 1838-1855. 10 Aug 1841; 15 April 1844. See also Folder 407 - Parish Register of St. John the Baptist, 1816-1838: 27 Oct 1833; 19 Jan 1834; 5 Nov 1834.

<sup>9</sup> An Act for regulating taverns and punch houses and retailers of spirituous liquors. Passed 23 July 1757. An act to regulate taverns and to suppress vice and immorality. Passed 14 Aug 1786. *Col. Recs.*, Vol. 18, pp. 218-224; Vol. 19, pt 2, pp. 556-560. *Daily Georgian*, 13 June 1829.

<sup>10</sup> See for example the *Georgia Gazette*, 27 June 1770, 16 June 1773, 14 June 1774.

<sup>11</sup> Diane Miller Sommerville, 'The Rape Myth in the Old South Reconsidered', *Journal of Southern History*, 61, (1995), pp. 481-518; James Hugo Johnston, *Race Relations in Virginia & Miscegenation in the South, 1776-1860*. (Amherst, MA. 1970), pp. 257-268; Martha Hodes argues that 'the sexual conduct of a slave man mattered much less to the white community than that of a white woman.' Martha Elizabeth Hodes, 'Sex Across The Color Line: White Women And Black Men In The Nineteenth-Century American South', (Ph.D. Thesis, Princeton University, 1991), pp. 79, & 41-63. Klaus G. Loewald, Beverly Staricka & Paul S. Taylor, [eds.], 'Johann Martin Bolzius Answers a Questionnaire on Carolina and Georgia', *William and Mary Quarterly*, 14, (1957), p. 235.

<sup>12</sup> Chatham County, Inferior Court Docket, 1813-1827, Georgia Department of Archives and History, Atlanta, Georgia. Flyming was convicted 31 May 1820 and falsely recorded as executed 6 July 1820. In 1806 Flyming had been employed as a carpenter on the plantation of Thomas Williams, Wayne Stites Anderson Papers, GHS. Box 2, Folder 23: R. M. Stites Personal Accounts, Negro Records, 1805-1813, Item 2. Eliza Hand was poor enough to be on the books of the Free School Society in 1817. Savannah Free School Society Records, [GHS], 7 April 1817. Keith Read Collection, [Hargrett Rare Book and Manuscript Library, University of Georgia, Athens, Georgia], Box 19, Folder 31 - Negro Justice. Dated 25 October 1820. It is possible that Eliza Hand's moral character had also been questioned, as occurred in similar cases in Virginia; Sommerville, 'The Rape Myth', pp. 512-513. *Minutes of the Union Society: Being An Abstract Of Existing Records From 1750 To 1858*. (Savannah, 1860), 7-18. *Savannah Republican*, 21 Nov 1820.

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<sup>13</sup> *The Penal Code of the State of Georgia as Enacted December 19, 1816, with Reflections on the Same and on Imprisonment for Debt.* (Philadelphia, 1817), p. 65. Chatham County, Superior Court Minutes, vol. 1, 1782-1789. March Term 1789; vol. 7, 1804-1808. January Term 1805. McBride was officially jailed for two months. However, her release was only ordered by the city council over a year later. She had probably remained confined for failing to pay jail fees. Savannah City Council Minutes, GHS, 7 April 1806. In 1791 McBride's husband, John Cusack had refused to pay her debts. He died in 1799. *Georgia Gazette*, 12 Dec 1791; *Early Deaths in Savannah Georgia*, (Savannah, 1989), p. 153.

<sup>14</sup> City Council Minutes, 13 May, 1814. Chatham County Jail Register, 1855-8, GHS, Sarah was jailed on 20 Sept 1856 and released on 13 Dec 1856.

<sup>15</sup> City Council Minutes, 3 March, 1805; 21 Sept 1807; 12 Dec 1807 & 22 Jan 1810; 15 March, 1811; 14 Nov 1824; 24 Nov 1825 & 3 April 1845; 10 March 1819; 8 August 1844; 3 April 1845. All misdemeanors were recorded in the minutes of the City Council between 1790 and 1848. City Marshal Fine Docket Book 1853, GHS, 1 Feb 1853.

<sup>16</sup> For an example of the network operating among lowcountry prostitutes see Savannah Home for Girls Records, Minutes of the Board, 1810-1843, GHS, Box 1, vol. 1, 2 October 1828, when former resident Diana Kirkland and her mother were mentioned as those who had enticed fellow resident Mary Corneil to leave the care of the asylum in order to live as 'abandoned women.' Nancy F. Cott, 'Passionlessness: An Interpretation Of Victorian Sexual Ideology, 1790-1850', *Signs*, 1, (1978), pp. 219-236. *The 1860 census of Chatham County, Georgia.* (Easley, South Carolina, 1980).

<sup>17</sup> Catherine Clinton, "'Southern dishonor'", p. 59. City Council Minutes, 22 Jan 1810. Randall M. Miller, 'The Enemy Within: Some Effects Of Foreign Immigrants On Antebellum Southern Cities', *Southern Studies*, 24, (1985), pp. 43-53. Nell Irvin Painter, 'Of Lily, Linda Brent And Freud: A Non-Exceptionalist Approach To Race, Class And Gender In The Slave South', *Georgia Historical Quarterly*, 76, (1992), pp. 258-259. City Council Minutes, 12 Dec 1807 & 22 Jan 1810.

<sup>18</sup> Loewald et al, 'Johann Martin Bolzius Answers a Questionnaire', *William and Mary Quarterly*, 14, (1957), p. 235. Sir Charles Lyell, *A Second Visit to the United States of North America.* (London, 1850), Vol. 1, p. 366. Narrative of William Craft in Arna Bontemps, [ed.], *Great Slave Narratives.* (Boston, 1969), p. 279.

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<sup>19</sup>*Register of Deaths*, Vol. 3, p. 129. 17 Sept 1815. Michael P. Johnson & James L. Roark, *Black Masters: A Free Family of Colour in the Old South*. (New York, 1984), p. 53. Marina Wikramnayake, *A World in Shadow: The Free Black in Antebellum South Carolina*. (Columbia, SC, 1973), p. 76. Georgia Gazette 27 June 1770. Minutes of the Governor in Council, 1 Oct 1771. *Col. Recs.*, Vol. 12, pp. 77-78. Michael Buckholder, Peter Buckholder and Thomas Rolls were also cited for keeping a disorderly house in the Trustees Gardens to the east of the city. *Georgia Gazette*, 16 June 1773. Report of the Chief of Police, 20 March 1855. *Savannah Daily Journal Courier*, 24 March 1855.

<sup>20</sup>Emily Burke, *Pleasure And Pain: Reminiscences Of Georgia In The 1840s*. (Savannah, 1978), p. 17.

<sup>21</sup>City Council Minutes, 28 June 1791. The Census Of People Of Colour Aged Over 15: Taken In Savannah 28 May 1798, GDAH, File Group II, Series 4-2-46. Box 7, Folder: Archives. By 1820s and 1830s between 25-30% of African Americans in Savannah lived in this ward. Savannah Board of Health Minutes, 21 Sept 1825 & Aug, 1835, GHS. Report of the Chief of Police, 20 March 1855. *Savannah Daily Journal Courier*, 24 March 1855. For Caribbean comparisons see Edward Braithwaite, *The Development of Creole Society in Jamaica, 1770-1820*. (Oxford, 1971), p.160 & Jerome S. Handler, *The Unappropriated People: Freedmen in the Slave Society of Barbados*. (Baltimore & London, 1974), pp. 133-138, 149-150. Death records of William Dick (48 year-old mariner from the 'US'); John Pierre (30 year-old seaman from Portugal) and Samuel Johnson (33 year-old mariner from Connecticut). *Register of Deaths*, Vol. 1, pp. 11, 29 & 51. Dated 5 Sept, 1804; 15 Sept 1805; 26 Sept 1806. All three succumbed to the fever prevalent in the city in the late summer. Claim of Rachel Brownfield, #13361 in Southern Claims Commission, Settled Claims, Record Group 217, Chatham County, Georgia, GHS. This particular boarding house had sixteen rooms, and was operated by Rachel Brownfield with the help of her two daughters.

<sup>22</sup> An act to extend and define the corporate limits of the city of Savannah passed February 13, 1854. Edward G. Wilson, *A Digest Of All The Ordinances Of The City Of Savannah* (Savannah, 1858), p. 117.

<sup>23</sup> Chatham County Superior Court Minutes, Vol. 8, 1808-1812. January Term 1809. Vol. 25, 1862-1867, January 1864.

<sup>24</sup>*ibid.*, January Term 1808. Minutes of the Sunbury Baptist Association (Savannah, 1826), pp. 8-9.

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<sup>25</sup> The different types of relationship which could exist between non-slaveholding whites and African Americans are explored more thoroughly in my dissertation: Timothy J. Lockley, 'Encounters between Afro-Americans and Non-Slaveholding Whites in Lowcountry Georgia, 1750-1830', Ph.D. Dissertation, Cambridge University, 1996.