



*The economic effects of state labor laws: a comparison  
between Massachusetts and South Carolina during the  
Antebellum period (1812-1860)*

MA-thesis History of Politics and Society

Student: Maarten Jacobs

Solis-ID: 6830250

Supervisor: Dr. A. Feenstra

Deadline: 15/08/2020

Words: 13.005

## **Table of contents**

Introduction	3
1. The origins and progression of the economic divergence between Massachusetts and South Carolina from the Colonial period until the Revolutionary period	11
1.1 South Carolina's economy during the Colonial period	12
1.2 Massachusetts' colonial economy	15
2. Labor laws, acts and bills of Massachusetts and South Carolina	19
2.1 South Carolina's pursuance of unfree labor	21
2.2 Free labor in Massachusetts	27
3. Economic impact of Massachusetts' and South Carolina's labor laws	32
3.1 Economic effects of the states' labor laws	33
Conclusion	39
Bibliography	43

## **Abstract**

The United States experienced a steady economic growth during the 19<sup>th</sup> century. However, this economic advancement differentiated greatly between the Northern and Southern states. In this thesis, I will make a micro/state-level comparison of the deviating economies of Massachusetts and South Carolina during the Antebellum period (1812-1860). The pre-existing literature primarily focuses on regional factors to describe the growing economic chiasm between the North and the South, briefly citing specific states. This thesis will solely focus on one economic component that greatly defined the country's and states' economic progress, namely labor. It wants to make a qualitative and quantitative contribution by mainly focusing on enacted state labor laws by the Massachusetts and South Carolina legislature, while linking it with primary statistical data of the respective states' economies. In contrast with other studies, this thesis will make a state-level comparison arguing that the early growing economic chiasm between Massachusetts and South Carolina only exacerbated during the Antebellum period, somewhat explainable by their respective state labor laws.

Keywords: state comparison; labor laws; legal economic effects

## **Introduction**

During the nineteenth century, the American economy experienced a substantial transformation. The period marked the entry of the United States into the rapidly industrializing, commercializing, and globalizing world economy. Distinctive about the developing American economy was the steady and constant rise of the gross national product and real output per capita of the nation. Over the nineteenth century, the gross national product increased substantially with an average rate of 3.9 percent per year. The real output per capita (monetary output per US citizen) more than tripled over the century, going from \$900 in 1800 to \$3000 in 1900.<sup>1</sup> Some explanatory factors for the constant economic growth can be found in the westward expansion of US territory, the rapid population growth, the presence of skilled and unskilled laborers, but most importantly the significant structural and manufacturing change: industrialization.<sup>2</sup>

Despite the economic prosperity enjoyed by Americans, an economic chiasm was developing between the Northern and Southern states. The Southern states relied heavily on 'industrial slavery', characterized by the exploitative plantation system consisting of slave

---

<sup>1</sup> R. Gallman, 'Economic Growth and Structural Change in the Long Nineteenth Century', part of *The Cambridge Economic History of the United States*, Vol. 2 (Cambridge, 2000) 2. T. Weiss & D. Schaefer, *American Economic Development in Historical Perspective* (Stanford, 1994) 2.

<sup>2</sup> Weiss & Schaefer, *American Economic Development*, 2. Gallman, 'Economic Growth and Structural Change', 12-13. K. Sokoloff & G. Villaflor, 'The Market for Manufacturing Workers during Early Industrialization: The American Northeast, 1820-1860, part of *Strategic Factors in Nineteenth Century American Economic History: A Volume to Honor Robert W. Fogel* (Chicago, 1992) 32.

labor cultivating mostly a profitable one-staple crop (cotton). The Northern states, on the other hand, pursued the creation of a stable, market-driven, and competitive entrepreneurial environment, characterized by the erection of numerous mills, the one-industry town, and diversified urban manufacturing centers supplied with family or free labor.<sup>3</sup>

The early stages of industrialization arose during the Antebellum period (1812-1860), in which the manufacturing centers in the Northeast witnessed explosive economic growth. One of the key-factors for this exponential growth up North can be found in the growing demand of cotton from Great Britain, spurring the construction of railroads, roads, canals, and harbors to interlink the Southern cotton regions with the mercantile and commercialized Northern port cities. The Southern predominantly agricultural economy of cultivating cotton was essential for the economic and industrial development in the Northern states. Cotton spurred economic development in various sectors, erected an infrastructure for trade, transportation and communication, and facilitated market activity. The Southern demand in goods and services from the Northern states created a bilateral economic relationship between the two regions. Capital investments in industry, commerce, agriculture, and trade pushed the American economy to industrialize.<sup>4</sup> But what caused Northern and Southern states to pursue different forms and varieties of agriculture, industry, labor management, and market organization?

### *Research objective*

This thesis will examine the growing economic chiasm between the Northern and Southern states by making a two-case study. It will make an economic comparison between the slave holding state of South Carolina and free-state of Massachusetts during the Antebellum period. The reason for choosing these two states will be elaborated in chapter one. The research question is as follows: ‘To what extent did state labor laws contribute to the increasing economic divergence between Massachusetts and South Carolina during the Antebellum period?’. The origins of the first economic disparate features between Massachusetts and South Carolina date back to the Colonial era of the 17<sup>th</sup> and 18<sup>th</sup> century.

---

<sup>3</sup> J. Majewski, *Modernizing a Slave Economy: The Economic Vision of the Confederate Nation* (Chapel Hill, 2011) 32-37. L. Gray, *History of Agriculture in the Southern United States to 1860*, Vol. 1 (New York, 1941) 462-480. W. Licht, *Industrializing America: The nineteenth century* (Baltimore, 1995) 3-39. W. Rothenberg, ‘Structural Change in the Farm Labor Force: Contract Labor in Massachusetts Agriculture, 1750-1865’ part of *Strategic Factors in Nineteenth Century American Economic History: A Volume to Honor Robert W. Fogel* (Chicago, 1992) 105.

<sup>4</sup> L. Gray, *History of Agriculture in the Southern United States to 1860*, Vol. 2 (New York, 1941) 691-720. Licht, *Industrializing America*, 38-39.

Massachusetts and South Carolina differed greatly in the way their premature colonial economies were structured. Explanatory factors for the early growing economic chiasm between the colonies were the different religious/communal beliefs, the distinctive labor arrangements as a result of the differing geographical and climatic features, the contrasting agricultural management due to diverse land distributive regulations, and waves of European immigrants seeking new fortunes in the Americas.<sup>5</sup> At the turn of the 19<sup>th</sup> century, Massachusetts and South Carolina were becoming economic counterparts. During the Antebellum period, fundamental economic changes occurred as a result of major political, industrial, and migratory events that only aggravated the economic differences between Massachusetts and South Carolina.<sup>6</sup> This thesis will focus on one economic aspect that defined the states' deviating economies, namely labor.

The existing literature primarily focused on the economic disparity between the Northern and Southern regions as a whole, briefly citing specific states to emphasize their findings. Scholars predominantly made cross-regional comparisons, by either comparing the North(east) with the South, Southwest or Western territories.<sup>7</sup> The existing cross-state or state centered analyses debated either one or two economic sectors, branches of industry or forms of labor organization, agriculture, and manufacturing (e.g.: agricultural contracts, railroad construction, the plantation system and slavery, etc.).<sup>8</sup> Elaborative micro-level/state centered economic comparisons form only a small part of the literature. Besides, economic progress was shaped by the ongoing political dialogues about the future course of the premature American economy. The unchecked market activity created economic, social, and political instability and unrest throughout the United States during the Antebellum period. Robert Fogel stresses in his essay 'Toward a New Synthesis on the Role of Economic Issues in the Political Realignment of the 1850s' to carefully approach this issue of American history. Fogel underlines that the dynamic interaction between the economy and politics is an important aspect of the American past, and that the impact of the economy needs to be

---

<sup>5</sup> D. Galenson, 'The Settlement and Growth of the Colonies: Population, Labor, and Economic Development', part of *The Cambridge Economic History of the United States*, Vol. 1 (Cambridge, 1996) 135-207.

<sup>6</sup> C. Matson, 'The Revolution, the Constitution, and the New Nation', part of *The Cambridge Economic History of the United States*, Vol. 1 (Cambridge, 1996) 363-401. Gallman, 'Economic Growth and Structural Change', 1-55.

<sup>7</sup> A. Fishlow, 'Antebellum Interregional Trade Reconsidered', part of *The American Economic Review*, Vol. 54 (1964) 352-364. R. Gallman, 'Slavery and Southern Economic Growth' part of the *Southern Economic Journal*, Vol. 45 (1979) 1007-1022. Sokoloff & Villaflor, 'The Market for Manufacturing Workers during Early Industrialization', 29-62. Licht, *Industrializing America*, 1-45. Majewski, *Modernizing a slave economy*, 22-52.

<sup>8</sup> E. Genovese, *The Political Economy of Slavery: Studies in the Economy and Society of the Slave South* (Middletown, 1989) 157-179. Rothenberg, 'Structural Change in the Farm Labor Force', 105-134. Majewski, *Modernizing a slave economy*, 22-52.

approached carefully.<sup>9</sup> This MA-thesis will analyze the political impact on the economy at state level, by examining the deviating economies of Massachusetts and South Carolina during the Antebellum period, whilst linking it to their respective state legislature that was enacted during that period.

Economic issues between the Northern and Southern states became increasingly associated with the heated political debates surrounding the economic efficiency and profitability of slavery during the 1850s, bolstering anti-slavery and abolitionist sentiments up North.<sup>10</sup> Over the course of the Antebellum period, the political arena tangled up with the economic sphere, intensifying the slavery debate in the 1850s resulting in the outbreak of the American Civil War in 1861. Examining specific state laws can provide new insights in the deviating economies of Massachusetts and South Carolina, the innerworkings of politics and economics in Antebellum America, as well as the rising frustration in both states regarding the institution of slavery. This thesis will focus on state labor laws, acts, and bills that were passed by Massachusetts' and South Carolina's legislative branch. Of the three dominant productive inputs – labor, capital, and natural resources – that defined the exponential economic growth of the United States in the 19<sup>th</sup> century, labor accounted for the largest segment.<sup>11</sup> The passage of specific labor laws, aimed at tackling economic and social issues at hand, caused Massachusetts to follow an industrial, commercial, and free entrepreneurial path to boost its economy, whereas South Carolina pursued a more stringent unfree agricultural form of economic management.

---

<sup>9</sup> R. Fogel, 'Toward a New Synthesis on the Role of Economic Issues in the Political Realignment of the 1850s', part of *American Economic Development in Historical Perspective* (Stanford, 1994) 179-204.

<sup>10</sup> Ibidem

<sup>11</sup> R. Margo, 'The Labor Force in the Nineteenth Century', part of *The Cambridge Economic History of the United States*, Vol. 2 (Cambridge, 2000) 207.

## *Historiography*

Scholars have developed multiple answers or theories explaining the growing chiasm between the Northern and Southern states. A key-factor that explains the industrialization of Massachusetts and the neighboring North-eastern states is ‘Land Reform’<sup>12</sup>, which implied reorganizing, expanding, and improving the agricultural sector during the Antebellum period.<sup>13</sup> In the 1850s, land reform issues were being used to add an economic dimension to the anti-slavery discussions held between Democrats and Republicans, as well as abolitionists and pro-slavery supporters throughout the country. Robert Fogel examines in his 1992 article the role of economic issues in the political realignment of the 1850s, resulting in the election of Abraham Lincoln in 1861.<sup>14</sup> From 1854-1860, Republicans fueled the heated anti-slavery discussions with Democrats by continuously linking it with the land reform issue. The passage of the Kansas-Nebraska bill in 1854, paired with the defeat of the Homestead bill, resulted in a unified Democratic response against land reform in the South. Land reform contributed to the bold action of some Democratic militant labor leaders, and supplemented the ‘slave power’ slogan with economic content. Overall, land reform became a cooperative issue in the Republican ranks. Therefore, the Republican party of 1860 loudly supported two slogans: keeping the territories for free men and land reform.<sup>15</sup> Fogel accentuates that during the 1850s the economic aspect of slavery was becoming fiercely intertwined with the political and social unrest of the period. He stresses that the land reform issues in the 1850s had effects on the labor market.

Eric Williams, a noted Caribbean historian, substantiates the historical debate about the economic aspect of slavery with his book *Capitalism and Slavery*. Published in 1944, Williams’s book would boost fiery debates about the link between capitalistic development and slavery, the slave trade, abolitionism, and the roots of racism till this day.<sup>16</sup> Despite the initial focus of the book being on the economic factors behind the British abolition of the slave trade and slavery from 1783-1833 (focus on the transatlantic slave trade and the West Indies colonies), and the question about slavery’s contribution to the development of British

---

<sup>12</sup> As E. Genovese states in her book: ‘[...] an agrarian revolution – constitutes the essential first step in the creation of an urban working class, the reorganization of agriculture to feed growing cities, and the development of a home market.’, see E. Genovese, *The Political Economy of Slavery*, 159.

<sup>13</sup> Genovese, *The Political Economy of Slavery*, 159. Weiss & Schaefer, *American Economic Development*, 3. Licht, *Industrializing America*, 21.

<sup>14</sup> Fogel, ‘Toward a New Synthesis’, 179-204.

<sup>15</sup> *Ibidem*, 184-186.

<sup>16</sup> P. Brandon, ‘From Williams’s thesis to Williams Thesis. An anti-colonial trajectory’, a review essay of Eric Williams, *The economic aspect of the Abolition of the West Indian slave trade and slavery*, edited by Dale W. Tomich (Lanham, 2014) 1.

capitalism in earlier periods<sup>17</sup>, it provides a broader basis for further debate about the economic profitability and interest of slavery in general. The Williams's Thesis is of importance here for it provides valuable insights into the interconnected workings of economics and politics, by asserting that alterations in the economic sphere greatly determined the effectiveness and influence of 'noble ideas' in decisive policy. Williams argues that the British empire-wide crisis of pursuing mercantilist economic policies, resulted in the rise of strong domestic reform movements, and the eventual collapse of the British West Indies colonial slavery system and transatlantic slave trade.<sup>18</sup> With regard to the abolition and anti-slavery discussions, the humanitarian sentiments and actions of leading abolitionists were circumscribed and checked by economic interests.<sup>19</sup> This emphasizes the undisputable impact of the economy on politics, and vice versa. Labor laws stood at the core of shaping the early modern economy of a society in terms of pursuing free or unfree labor, utilizing land reform or the plantation system to stimulate the agricultural sector, and regulating the labor market.

However, explanations about the effects and impact of politics on the economy should be made with utmost attention and eye for possible miscalculations. The 1974 publication of *Time on the Cross: the economics of American Negro Slavery* by Robert Fogel and Stanley Engerman received critique of making blundering mistakes and miscalculations. Paul David and Peter Temin criticize Fogel's and Engerman's claim - redendering slavery and the plantation system as economically efficient - by stating that their productivity calculations (in the attempt to substantiate their argument) only undermine their intellectual foundation. Ignoring land as a factor in the advantageous agricultural production flawed their method. David's and Temin's re-evaluation and recalculation, including land as a factor, confirms Fogel's and Engerman's hypothesis that cotton provided a more revenue efficient basis than crop mixture. Although some Southern plantations were more profitable than their Northern counterparts, they could only enjoy this higher income due to their ability to cultivate vast amounts of cotton.<sup>20</sup> Thus, additional attention is of crucial importance when making claims about the innerworkings between politics and economics, which will be done carefully throughout this thesis.

---

<sup>17</sup> Brandon, 'From Williams's thesis to Williams Thesis', 6.

<sup>18</sup> Ibidem, 6-7.

<sup>19</sup> Ibidem, 10.

<sup>20</sup> P. David & P. Temin, 'Explaining the Relative Efficiency of Slave Agriculture in the Antebellum South: Comment', part of *The American Economic Review*, Vol. 69 (1979) 213-218.



### *Relevance*

This MA-thesis will add a qualitative and quantitative contribution to the existing literature. Examining and comparing labor laws enacted by the Massachusetts and South Carolina legislature over the course of the Antebellum period will deliver a substantive account on labor arrangements and labor management of that period. An analysis of enacted labor laws can provide new insights into the progression of free and unfree labor, their impact on different economic sectors, and how states maintained and organized their labor market. The growing divergence in labor management of both Massachusetts and South Carolina reflected in state labor laws, acts, and bills can shed a new light on the historical discussion surrounding slavery, abolitionism, and the economic disparity between the Northern and Southern states. Examining such labor laws are important to better understand industrialization in America, the ongoing debates surrounding the economic efficiency of slave labor and the plantation system, but most importantly to apprehend the economic chiasm between the Northern and Southern states in Antebellum America.

Overall, this narrowed comparative research will be a qualitative contribution to the existing literature, for previous literature solely focused on more regionally based arguments to explain the growing disparity between Northern and Southern states. A quantitative contribution will be made by measuring the effects of specific labor laws by linking them to primary source statistics of various industries. Although Massachusetts and South Carolina economically deviated from one another from the start as English colonies, studying the progressive economic deviation between the two states via labor laws during the Antebellum period are crucial to understand the economic efficiency of free and unfree labor. The hypothesis asserts that the enactment of free labor laws in Massachusetts and slave laws in South Carolina aggravated the preexisting economic differences between the states, resulting in a more rigid state economy of the latter.

Finally, this thesis will utilize the Institutional Economy theory as a basis for the results of this research. This theory implies that reforms made in the political sphere and institutional framework on the economic life of individuals have an impact on the advancement of a country's economy. The institutional framework is best understood as laws, acts, and bills that direct economic traffic.<sup>21</sup>

---

<sup>21</sup> J. Luiten van Zanden & A. van Riel, *Nederland 1780-1914: Staat, Instuties en Economische ontwikkeling* (Meppel, 2000) 20.

### *Method and chapters*

This MA-thesis is divided into three chapters. The first chapter consists of a historic description of how Massachusetts and South Carolina initially deviated from one another in economic terms, starting from the Colonial period (17<sup>th</sup>-18<sup>th</sup> century) and ending with the Revolutionary period (late 18<sup>th</sup> century). This is to illustrate the starting position of both states, in order to accentuate economic alterations that the states underwent by addressing certain disruptive events. The second chapter will analyze and evaluate enacted state labor laws in terms of labor management, labor arrangements and wages during the Antebellum period. Subsequently, these dissected state labor laws will be put into context according to the first chapter's historic sketch of the states' economies. Eventually, the final chapter will examine the economic impact of the discussed labor laws by looking at labor distribution. The conclusion will briefly restate the main findings of this research, position the results into the academic debate, and give an answer to the research question.

### *Sources*

The consulted primary sources for the second chapter are enacted, resolved and revised acts and laws of the Commonwealth of Massachusetts, and acts, (joint) resolutions or statutes of the General Assembly of South Carolina over the Antebellum period (1812-1860). The third chapter is construed of population, industry, and manufacturing Censuses of the United States. The Antebellum period was a period of profound economic change for both Massachusetts and South Carolina. Studying this period will not only clarify the distinctive economic development of each state, but it will also reveal that the enactment of certain labor laws were determinant for the states' economic progress in the decades following the Antebellum period.

## **1. The origins and progression of the economic divergence between Massachusetts and South Carolina from the Colonial period until the Revolutionary period**

### *Historic sketch*

The reason for comparing the early modern and premodern economies of Massachusetts and South Carolina lies in both the similarities and dissimilarities of the states. Both states were colonized by the English around the same time, became both independent states after the Revolutionary War, and had long operative but distinct labor systems. The major dissimilarities were the regional geographical and climatic features, the different colonial regimes, the distribution of land to new settlers, their respective agricultural/economic focus, and the way they administered their labor force.<sup>22</sup>

The different colonies in English America required new economic and social institutions to tackle early problems of labor scarcity, to adapt to new realities of a radically greater ratio of land to labor and a higher labor productivity. Massachusetts and South Carolina would adopt and develop different land ownership models to boost their colonial economies. But labor was also a determinant factor for the colonies' and states' early economic progression. Economic success for farmers, planters and entire colonies in colonial America depended on obtaining and retaining an adequate supply of agricultural labor. The presence of a large working class was imperative for the growing colonial markets, and to meet the increasing demand in exotic goods from Europe. Three major distinct labor institutions emerged in colonial America to address the labor issue: (1) indentured servitude, (2) slavery, and (3) hired labor. The stark differences among them would affect every aspect of colonial life and even the societal foundations in the centuries to come.<sup>23</sup>

This chapter will investigate how Massachusetts and South Carolina economically deviated from another in the long run, starting with the Colonial period. This is to unravel underlying mechanisms for the economic deviation between the states on the basis of regulating labor after gaining independence. After the American Revolutionary War in 1783, the newly 'founded' Massachusetts and South Carolina states were relishing from political freedom and sovereignty to (basically) reinvent their local economies. But, due to their colonial past and (inter)national events, the economic disparities between Massachusetts and South Carolina exacerbated.

---

<sup>22</sup> E. Ruffin, *Slavery and free labor, described and compared* (1860) <sup>23</sup>. Galenson, 'The Settlement and Growth of the Colonies', 135-207.

<sup>23</sup> Galenson, 'The Settlement and Growth of the Colonies', 152-153.

The chapter begins with an economic reconstruction of the English colony of South Carolina until the end of the Revolutionary period to accentuate the state's peculiar economic progress. Followed by a similar reconstruction of Massachusetts. This is to accentuate how the colonies and states handled disruptive social and economic events, causing them to adopt distinctive laboring solutions, resulting in an economically divergent growth during the Colonial period. This is vital to understand the origins, impact, and development of state labor legislation during the Antebellum period. The sub-research question for this chapter is: 'In what way did Massachusetts and South Carolina economically deviate from one another in the period preceding the Antebellum period?'

### **1.1 South Carolina's economy during the Colonial period**

#### *The early colony*

South Carolina was originally granted by Charles I to Sir Robert Heath in 1629. In 1663, Charles II of England grants the country of Carolina to English noblemen, named the Absolute Lords and Proprietors of Carolina. While the colonial governments and economic practices varied across the colonized New World, most proprietors treated their grants as private estates. The Carolina proprietors were actively seeking to derive personal income from it, accepting any economic opportunity. Although the proprietors initially wanted to establish the common English economic model of large estates worked by landless servants/laborers, the early problem of labor scarcity prevented this from taking root. Instead, the proprietors were often forced to sell land directly to settlers.<sup>24</sup>

In 1669, Sir Anthony Ashley Cooper and the political philosopher John Locke wrote the Fundamental Constitutions of Carolina, outlining an elaborative legal framework for a society based on elite land ownership. The constitution divided the Carolina settlers into three separate classes (aristocrats/estate holders, small property owners, and tenants), and rendered blacks as chattel slaves. But the colony developed differently from what Cooper and Locke had envisioned. Experienced and determined planters from the West Indies dominated the early Carolina settlements and introduced key-economic features from the sugar islands. Displaced Barbadians, like Sir John Yeamans (who brought the first slaves into the colony in

---

<sup>24</sup> *South Carolina. Resources and Population. Institutions and Industries. Published by the State Board of Agriculture of South Carolina* (Charleston, 1883) 381-382. Galenson, 'The Settlement and Growth of the Colonies', 144.

1671), sent beef and pork to feed the islands population, as well as lumber to make sugar barrels for shipping. The eventual discovery that the marshy and fertile lowlands of South Carolina were ideal for rice cultivation led to the establishment of large rice plantations. But the swampy environment posed a great danger to European settlers in the form of malaria. Therefore, Carolina planters were dependent on importing large numbers of slaves to do the harsh work of cultivating rice.<sup>25</sup> Ultimately, the successful planter class challenged the proprietors' authority, resulting in the formation of a new government and denouncing proprietary rule. In 1720, the English government accepted the planter's governmental invitation, declaring South Carolina a royal colony.<sup>26</sup> The initial British elitist composition of the colony quickly evolved into a reflection of the West Indies colonies, characterized by large plantations supplied with slave labor. The early laboring transformation of South Carolina is crucial to understand the state's economic progression in the 19<sup>th</sup> century.

### *Labor market institutions*

South Carolina started off as an active promoter of indentured servitude, allocating European servants to work on the large estates. During the 18<sup>th</sup> century, South Carolina underwent a laboring remodeling, as the planters class replaced their European field workers with African slaves. This laboring shift was mainly due to the malady infectious environment in the Lower South that, combined with the rigid plantation system, constrained population growth and life expectancy in the colony. At the turn of the 18<sup>th</sup> century, South Carolina began to rely heavily on slave labor as the single export crop – rice – took a central place in the colony's economy. From the 1690s onward, the commercial cultivation of rice grew exponentially, causing the black population to outnumber the whites in just two decades. The key factor for the labor transition from servitude to slavery was the oppressive work of growing rice in labor gangs during the hot, dampening summers. This deterred English immigrants to move to the colony as rice became its main staple product. After 1710, South Carolina began to import significant numbers of slaves, burgeoning during the mid-eighteenth century when North Carolina joined as a large slave importer. By 1774, more than 30 percent of the colony's slave owners possessed more than 25 slaves.<sup>27</sup> South Carolina's slavery 'revolution' in the late 17<sup>th</sup> and early 18<sup>th</sup> century was the colony's initial response to labor shortages plaguing

---

<sup>25</sup> Galenson, 'The Settlement and Growth of the Colonies', 145-146. *South Carolina. Resources and Population. Institutions and Industries*, 369.

<sup>26</sup> Galenson, 'The Settlement and Growth of the Colonies', 145-146.

<sup>27</sup> *Ibidem*, 159-182

the large rice plantations. This transformation was a result of the rigid laboring culture (hereafter referred to as the plantation system), spawned by rice's economic importance and the climatic and demographic calamities in the early colony.

Aside from the radical demographic shift in labor, the initial transition from servants to slaves was insufficient. The newly arrived African slaves lacked the necessary skills required by colonial planters. Planters would only train imported children or slaves born in America to fully exploit their investment. Therefore, a short period of racially divided labor appeared, based on skilled and unskilled labor. African slaves made up the colony's unskilled labor force, while indentured servants continued to work as craftsmen and often as plantation managers. Eventually, the outcome in the colonial plantation economies was widespread investments in the training of slaves to replace skilled workers. By the Revolution, South Carolina's substitution of servants by slaves was largely completed.<sup>28</sup> Thus, South Carolina actively alternated its initial labor institution of indentured servants to slavery in the course of the 17<sup>th</sup> and 18<sup>th</sup> century. By the time of the Revolution in 1774, South Carolina was among the largest slave holding colonies of English America. The legal status of slaves being chattel/personal property, as its perpetual serving nature, was first construed in South Carolina.<sup>29</sup> The intense labor shift from servitude to slavery in the late 17<sup>th</sup> and early 18<sup>th</sup> century would have a profound impact on the developing economy of South Carolina for the remainder of the Colonial and Revolutionary period. This labor transformation - paired with the constitutional assertion of rendering slaves as chattel property - would extend the plantation system as an oppressive and harsh labor system, install a racist and depressing culture, and heavily institutionalize slave labor in the centuries to come. Thus, it can be concluded that South Carolina was an early promoter of unfree labor as a colony and state, having deep effects on the state's Antebellum economy.

---

<sup>28</sup> Galenson, 'The Settlement and Growth of the Colonies', 159.

<sup>29</sup> *Ibidem*, 159-165.

## 1.2 Massachusetts' colonial economy

### *The first colony*

Massachusetts was colonized very differently than its southern counterpart. In 1628, a group of English Puritans secured a land patent for present-day Massachusetts, and in 1629 obtained a royal charter for the newly founded Massachusetts Bay Company (a joint-stock organization). In 1630, the Puritans fled England and migrated to America as a result of religious oppression, economic deprivation and prosecution by the Church of England. These settlers, unlike other colonizing companies (e.g.: the Virginia Company), would not have to answer to an English organization holding title on their land and profits. All major Puritan investors migrated to Massachusetts, along with their capital and title to the company. A religious promotional network was left operative in England, resulting in a substantial migration of Englishmen to Massachusetts between 1630 and 1643.<sup>30</sup>

The first settlements resembled those of England, consisting of small towns and villages. But, the colony's distribution of land occurred differently than in England or South Carolina. The proprietors of the Massachusetts Bay Company intended to distribute the colony's land using a headright system, meaning that the amount of granted land would be determined on the arriving families' size. But Puritan leaders feared that this land policy would result in the establishment of scattered settlements like in Virginia. Therefore, the Puritans designed a land distributive system based around a strict and centralized control model of regimented communities. This system, unlike in South Carolina, would not erode by lucrative agricultural opportunities. In short, land would be legally deeded to a group of settlers for a planned settlement by the Massachusetts Bay Company's proprietors. The 'elected' leaders of this settler group would allocate land to themselves and others based on a number of criteria, including social status, family size, and the extent of investment into the colony.<sup>31</sup> Unlike in South Carolina, early settlements in Massachusetts resembled those of England based on a centralized management. The Puritan doctrine would prevent big agricultural enterprises to take form in the colony, thus hindering a social and economic transformation of the early colony as in South Carolina.

During the early colonial period, the strict and centralized control for establishing new towns and villages resulted in the erection of cohesive village societies and accelerated the

---

<sup>30</sup> Galenson, 'The Settlement and Growth of the Colonies', 148-149.

<sup>31</sup> Ibidem, 149-150.

establishment of new settlements based around this principle. Meanwhile, the Massachusetts Bay Company transformed from a commercial company into the government of the commonwealth of Massachusetts, by which the colonial government gradually refrained itself from the company's original profit motive. Subsequently, the original land settlement was often done through grants rather than purchases, by which the rate of landholding expansion was increasingly determined by political, social, and even economic considerations. The effective control over the colony's resources by the Puritan leaders was possible due to the absence of high profit opportunities that existed in the in the southern regions of colonial America. Potential agricultural entrepreneurs in Massachusetts lacked the powerful economic incentive of establishing large plantations, for it would be conflictive with the social goals and principles of the Massachusetts Bay Company's elite.<sup>32</sup> An important explanatory factor for the early development of the Massachusetts Bay colony was the social and political gravity of the Puritan doctrine. Puritanism did not only have an enormous impact on the colony's societal development during the Colonial and Revolutionary period, but also on the colony's labor market.

#### *Labor market institutions*

The practice and legality of slavery was present in all American colonies, but its dominance and economic importance varied regionally. Slave labor in Massachusetts was of meager proportions compared to South Carolina during the Colonial and Revolutionary period, until its abolition in 1783. This was partly due to Puritan denouncement of slavery. In colonial New England, slaves never made up more than 3 percent of the region's total population. By 1774, only 5 percent New Englanders (among which inhabitants of Massachusetts) had owned slaves, and none 'owned' indentured servants. The colonial labor market of Massachusetts consisted predominantly of hired labor. But, hired labor proved to be expensive and hard to find. Therefore, small farmers would mainly hire laborers for short periods of time, so that few farmers were able to hire labor from neighbors or strangers.<sup>33</sup> But attracting European laborers was an eminent problem in Massachusetts too.

During the early Colonial period, Massachusetts enjoyed a gradual supply of white migrants flocking onto the labor market. But, from 1680 until 1770 the colony witnessed a

---

<sup>32</sup> Galenson, 'The Settlement and Growth of the Colonies', 150.

<sup>33</sup> Galenson, 'The Settlement and Growth of the Colonies' 164-177. H. Gray, 'The abolition of slavery in Massachusetts: a communication to the Massachusetts Historical Society, April 16, 1874', part of the *African American Pamphlet Collection* (Boston, 1874) 1-10. Ruffin, *Slavery and free labor*, 24.



continuous decline in the number of white migrants settling in the colony, with occasional settling peaks. This was mainly due to the higher economic prosperity and opportunities in the commercialized grain economies of the Middle Colonies, and the booming tobacco economy of the Upper South.<sup>34</sup> However, Massachusetts' mortality rate was far lower than any other American colony as a result of a milder climate, similar to England. This meant that (mostly) young white men living in Massachusetts worked longer in their spanning lifetime than their Southern neighbors. Massachusetts' prevalent hired labor process and the presence of a meager but reliable labor force caused the wage rate to outgrow the price of land, meaning that more men could buy their own farms and work for themselves. Unlike cultivating a profitable one-staple crop, Massachusetts colonial economy consisted primarily of small farms performing mixed farming (cultivating a wide variety of different crops).<sup>35</sup> Unlike South Carolina, Massachusetts did not experience a spontaneous laboring makeover. Hired labor remained the dominant laboring institution in colonial and revolutionary Massachusetts. However, with the turn of the 19<sup>th</sup> century, Massachusetts would experience a major manufactural transformation that would have a profound impact on the state's labor market and economy.

---

The various English colonies on the American continent experienced different and distinctive levels of economic development. There was a widespread level of modest, but nonetheless significant, economic growth enjoyed by many European settlers and their offspring.<sup>36</sup> In South Carolina, indentured servants from Europe supplied the colony's premature economy of large estates. After rice had become the colony's staple export product - paired with the erection of the plantation system, the settlement of experienced planters from Barbados, and climatic and demographic calamities – the original servitude labor force was replaced by African slaves. The institutional aftermath of this intense labor makeover would have long-term effects on the state's economic progress during the Antebellum period. Meanwhile, Massachusetts organized and developed its colonial economy very differently. The Puritan leaders arriving in Massachusetts with their joint-stock company (Massachusetts Bay Company) implemented a strict land distributive model, granting plots of land to those who

---

<sup>34</sup> Galenson, 'The Settlement and Growth of the Colonies', 177-179. D. Vickers, 'The Northern Colonies: Economy and Society, 1600-1775', part of *The Cambridge Economic History of the United States*, Vol. 1 (Cambridge, 1996) 219.

<sup>35</sup> Majewski, *Modernizing a slave economy*, 23-38. Galenson, 'The Settlement and Growth of the Colonies', 168-182. Vickers, 'The Northern Colonies', 219.

<sup>36</sup> Galenson, 'The Settlement and Growth of the Colonies', 206.

met certain social and economic requirements. The colony depended entirely on a hired labor force to work on the small farms, cultivating a wide variety of crops. Despite periodic labor shortages, the colony's farmers could rely on day laborers by increasing their daily wages. Thus, Massachusetts and South Carolina economically deviated from one another from the very beginning as settler colonies. But the development of their colonial and state economies over the 17<sup>th</sup> and 18<sup>th</sup> century is vital for understanding how this economic disparity continued to grow, as well as for grasping the effects of their respective state labor laws on the growing economic chiasm.

## **2. Labor laws, acts and bills of Massachusetts and South Carolina**

### *Labor in Antebellum Massachusetts and South Carolina*

At the turn of the 19<sup>th</sup> century, the existing economic chiasm between Massachusetts and South Carolina only exacerbated in terms of monitoring and managing their labor force. Massachusetts advocated free labor after gaining independence. In the agricultural sector, Massachusetts farmers hired ‘live-in laborers’ offering them annual, monthly or daily contracts to sustain a gradual presence of available labor. During the Antebellum period, Massachusetts farmers expanded their farm enterprises and offered monthly-contracts instead of day-contracts. The practice of continuous cultivation (combined with planting a variety of different crops) and the manufacturing of tools and goods during the off-season led to an upturn in agricultural productivity and wages, restructured the farm enterprise, and had positive effects in other economic sectors.<sup>37</sup> The economic sector that was most positively affected by the agricultural upturn was the state’s manufacturing sector at the beginning of the 19<sup>th</sup> century.

Small manufacturing mills that survived the embargo years of the American Revolution (particularly those with strong agricultural ties) were able to grow. Textile mills were sprouting near the state’s rivers, counting over eighty textile mills by 1908. In 1813, the Boston Manufacturing Company (run by the Lowell and Cabot families) in Waltham, Massachusetts, grew out to the largest textile establishment of the region. The company was the first textile mill of its kind to integrate weaving and spinning under one roof. The textile factory of Lowell in Waltham is widely considered among historians and economists as the epitome of American industrialization, corporate ownership, large-scale and fully mechanized production, the manufacturing of standardized goods and use of cheap labor as a result of population growth and employing women and children.<sup>38</sup>

Between 1820 and 1850, the mill originally established in Waltham would expand into the mega cotton-processing industrial city of Lowell, producing 2.25 million yards of cloth each week by 1855. The Lowell factory represented a new form of corporate financial business, restructuring and reorganizing labor and the production process, paired with the application of technology and mechanization.<sup>39</sup> The economic upturn in the agricultural and

---

<sup>37</sup> Rothenberg, ‘Structural Change in the Farm Labor Force’, 105-134.

<sup>38</sup> Matson, ‘The Revolution, the Constitution, and the New Nation’, 399. Licht, *Industrializing America*, 27-28. Gallman, ‘Economic Growth and Structural Change’, 13.

<sup>39</sup> Licht, *Industrializing America*, 27-29.

manufactural sectors of the state's economy demanded for a restructuring of labor arrangements and labor management. The best form of labor management to maintain this steady economic growth was via the enactment of free labor laws. By 1860, Massachusetts was a predominately industrial and agricultural economy promoting free labor in the form of daily, monthly, and annual contracts. The factory city of Lowell is of most importance here, for it introduced industrial labor management that will be discussed in this chapter.

In South Carolina, the presence of slavery provided plantation owners with a steady presence of unfree labor. Paired with the unforgiving plantation system that acted as a 'powerful stimulus', plantation owners did not have to deal with Northern problems such as unemployment, lockouts, blacklists or strikes due to free labor management.<sup>40</sup> But, medium-sized plantation owners regularly had to deal with disastrous economic downturns and crises as a result of: (1) speculation in land, slave, and cotton prices; (2) the absence of local pools of capital for industrial, transportation or market investments and (3) the unstable banking system.<sup>41</sup> However, on large cotton plantations slave labor could produce enormous amounts of wealth for its owner. After the cotton gin revolutionized the cotton industry in 1793, cotton began to rapidly replace rice as South Carolina's main export product. The all-year round cultivation of profitable crops, the supply and careful distribution of slave labor managed by an overseer, the availability of child and female labor during periods of peak demand, the non-necessity for complex machinery, and standardized processes of cultivation could rapidly enrich large plantation owners during stable price periods.<sup>42</sup> During the Antebellum period, cotton's growing economic importance in the state's agricultural economy had great implications for the state's unfree labor force. The most important element for cotton plantations to gain revenue was managing large groups of unindentured slaves on the cotton fields, resulting in the enactment of harsh labor laws.

### *Impact of labor laws*

Massachusetts and South Carolina advocated distinctive and contrasting forms of labor management. This chapter will examine the different state laws, acts, and bills regarding labor management in Massachusetts and South Carolina between 1812 and 1860. The

---

<sup>40</sup> Gray, *History of Agriculture in the Southern United States*, 470-471.

<sup>41</sup> U. Phillips, *The Slave Economy of the Old South: Selected Essays in Economic and Social History* (Baton Rouge, 1968) 145-150. Gray, *History of Agriculture in the Southern United States*, 462-720. Majewski, *Modernizing a slave economy*, 81-107.

<sup>42</sup> S. Engerman, 'Slavery and its Consequences for the South in the Nineteenth Century', part of *The Cambridge Economic History of the United States*, Vol. 2 (Cambridge, 2000) 333. Gray, *History of Agriculture in the Southern United States*, 479-480.

organization of labor was a defining economic, social, and cultural feature that separated the South from the North, as well as an important component for structuring, expanding, and improving most economic sectors. Labor laws at the time, either promoting free or unfree labor, define the characteristic labor conditions that Americans or African-Americans in Massachusetts and South Carolina experienced. Analyzing and comparing labor laws can hold new clues with regard to the development of the state's labor market, the formation of local pools of capital for investments, and the state's economic advancement. In order to highlight the chiasmic organization of labor in both states and their economic development this chapter will begin with an analysis of South Carolina's labor laws, followed by the examination of Massachusetts' labor laws. The sub-research question for this chapter states: 'How was labor legally organized in Massachusetts and South Carolina during the Antebellum period?'

## **2.1 South Carolina's pursuance of unfree labor**

### *Labor management*

South Carolina's *Negro Law* of 1848 rendered every African-American, mullato, mestizo, and their descendants to be slaves, chattel, and property belonging to a master (unless proven differently).<sup>43</sup> The state had exploited slave labor for centuries, altering their earliest slave law of 1740 with new amendments. During the Antebellum period, the South Carolina legislature made slave labor more stringent, prohibited the entering of free or unfree African-Americans, mullatos or mestizos from other states into the state, and legally defined the hiring contracts of slaves by masters. This chapter will address those laws that caused South Carolina to increasingly economically diverge from Massachusetts by pursuing a rigorous management of unindentured slave labor to work on the plantations, resulting in an agricultural economy with a higher slave population than the free white populace. The sub-question reads the following: 'To what extent was slave labor legally managed in South Carolina?'

Despite slaves being chattel/property by the Act of 1740, the Negro Law of South Carolina passed amendments to this act that protected, regulated, and preserved slave labor.

---

<sup>43</sup> J. O'Neill, *The Negro Law of South Carolina, collected and digested by John Belton O'Neill, one of the Judges of the Courts of Law and Errors of the said State, Under a Resolution of the State Agricultural Society of South Carolina* (Columbia, 1848) 5-43.

Section 11 of the *Negro Law of South Carolina* states: “Although slaves, by the act of 1740, are declared to be chattels personal, yet, they are also in our law, considered as persons with many rights, and liabilities, civil and criminal.”<sup>44</sup> These ‘civil/criminal rights and liabilities’ served as checks and balances for both the slave and free white population of South Carolina. The sections of the law that are most relevant for this research are those that demarcate labor management and labor arrangements of slaves. Section 28 and 29 of the Negro Law rearticulate the 22<sup>nd</sup> and 44<sup>th</sup> section of the Act of 1740. These state that slaves are exempted to work on the Sabbath, and that it is prohibited for slaves to work more than 15 hours a day from the 25<sup>th</sup> of March to September 25<sup>th</sup> and 14 hours a day from the 25<sup>th</sup> of September to March 25<sup>th</sup>. These sections define the daily labor specifications for slaves, punishing those that violate these laws with fines up to \$3-\$13 for each offence.<sup>45</sup>

Subsequently - considering slaves to be personal property - the South Carolina legislature prohibits a slave to set up a contract, or to be contracted with. It restrains masters to abuse their right to set up slave contracts by declaring it unlawful to hire to male or female slaves their own time, proclaiming slaves liable to be seized and forfeited if said act would be violated.<sup>46</sup> South Carolina’s legislation subjected slaves to harsh everyday labor arrangements, granting plantation owners the right to exploit their slaves as they deemed necessary within the hourly specifications. Next to the physical labor specification ratified by law, South Carolina implemented regulatory laws and acts that restricted, prevented or prohibited the entry of slaves, free African-Americans, and persons of color from other states into South Carolina to sustain a favorable basis of unfree labor. This will be discussed in the section below.

### *Importation laws*

On the 19<sup>th</sup> of December, 1816, the South Carolina legislature passed an act stipulating that no slave, nor any colored person bound to a servitude for life or years, shall be brought into the state of South Carolina. The act stresses it to be unlawful for any slave from any state but South Carolina to reside permanently in the state, prohibits any dealing or trading of such slaves in South Carolina, and grants South Carolinians the right to seize and take into

---

<sup>44</sup> Chapter II, Section 11 of *The Negro Law of South Carolina*, 18.

<sup>45</sup> Chapter II, Sections 28 & 29 of *The Negro Law of South Carolina*, 21.

<sup>46</sup> Chapter II, Section 36 & 54 of *The Negro Law of South Carolina*, 22-26. No. 3075, Section 1 of *The Statutes at Large of South Carolina, Volume XI, containing the Acts from 1838, exclusive. Arranged chronologically* (Columbia, 1873) 563-564.

possession any imported slave without a warrant.<sup>47</sup> A year later, a new act by the Senate House of South Carolina authorized South Carolinians to retrieve and bring back owned slaves by inheritance, bequest or marriage that were residing outside of South Carolina, prior to the passage of the Act of 1816.<sup>48</sup> These laws were quickly repealed in 1818, just to be adjusted, reinstated, and amended over the course of the Antebellum period.<sup>49</sup> This was mainly due to the political debates surrounding slavery on the federal and state level.

Slavery had become an increasingly heated topic in Congressional debates during the Antebellum period, as the westward expansion of the United States opened up new lands for commercial, industrial, and agricultural enterprises. Subsequently, the question arose whether or not the newly admitted states into the Union should become free or slave states, thus widening the political chiasm between the Northern and Southern states. During the Antebellum period, debates surrounding the domestic slave trade and the expansion of slavery in the South polarized politics on a national and state level.<sup>50</sup> South Carolina was determined to protect and safeguard the institution of slavery by enacting a series of rigorous slave importation laws. These state importation laws, enacted in 1835 and 1847, prohibit the return of slaves or free African-Americans, mullatos or mestizos from states north of the city of Washington (free states).<sup>51</sup> These acts do not exclude the entering of slaves from other Southern slaveholding states, nor their departure from South Carolina. Otherwise, South Carolina would not benefit from the domestic slave trade in the South.<sup>52</sup> Slavery was becoming an ever-distinctive Southern economic component, as South Carolina was continually enacting and amending slave laws. In response, the Northern states became strong adversaries of the slavery system in the South by passing anti-slavery resolutions to the House of Representatives and Senate, as will be discussed in the labor section of Massachusetts.

---

<sup>47</sup> No. 2107, Section 1-6 of *The Statutes at Large of South Carolina, Edited, under authority of the Legislature, by David J. McCord*, Vol. 7 (Columbia, 1840) 451-454.

<sup>48</sup> No. 2141, Sections 1-10 of *The Statutes at Large of South Carolina*, 455-458.

<sup>49</sup> No. 2195, Section 1 of *The Statutes at Large of South Carolina*, 458. No. 3014, part of the *Acts of the General Assembly of the state of South Carolina, passed in December, 1847. Printed, by order of the legislature, in conformity with the statutes at large, and designed to form a part of the eleventh volume. Commencing with the Acts of 1839* (Columbia, 1848) 438.

<sup>50</sup> E. Dattel, *Cotton and Race in the Making of America: The Human Costs of Economic Power* (Plymouth, 2011) 103-117.

<sup>51</sup> Chapter II, Section 62 of *The Negro Law of South Carolina*, 27. No. 3014 of *The Statutes at Large of South Carolina*, 438.

<sup>52</sup> *Slavery and the Domestic Slave Trade, in the United States. By the committee appointed by the late yearly meeting of friends held in Philadelphia, in 1839* (Philadelphia, 1841) 25-27.

Coinciding with the passage of the first prohibitive slave importation law, paired with the domestic slave trade, is the naturally increasing size of the domestic slave population of South Carolina:

Table 1: Per cent of slave population to total population, South Carolina, 1810-1860<sup>53</sup>

1810	1820	1830	1840	1850	1860
47.3%	51.4%	54.3%	55.0%	57.6%	57.2%

Table 2: Slave population of South Carolina, 1810-1860<sup>54</sup>

1810	1820	1830	1840	1850	1860
169.365	258.475	315.401	327.038	384.984	402.406

Table 3: Free population (including African-Americans and persons of color) of South Carolina, 1810-1860<sup>55</sup>

1810	1820	1830	1840	1850	1860
245.750	244.266	265.784	267.360	283.523	301.302

These acts were put in place to sustain a formidable source of unfree labor for all economic sectors of South Carolina to tap from. An additional act to regulate the influx of free African-Americans or persons of color was passed on December 21<sup>st</sup>, 1822. This act barred the re-entry of free African-Americans or persons of color that left the state, implemented a \$50 annual tax to any free African-American or person of color residing in South Carolina, and, most notably, that free African-Americans or persons of color who entered the state by vessel or ship are subject to arrest and detention until said vessel leaves port again and until the employer had paid for their detention.<sup>56</sup> These restrictive and regulatory laws emphasize South Carolina's dedication of keeping a stable unfree labor market for the state's economic production, as well as limiting the free movement of free African-Americans and persons of color.

<sup>53</sup> Gray, *History of Agriculture in the Southern United States*, 656.

<sup>54</sup> J. DeBow, *The Seventh Census of the United States: 1850. Embracing a statistical view of each of the States and Territories, arranged by counties, towns, etc.* (Washington, 1853) ix. J. Kennedy, *Population of The United State in 1860; compiled from the original returns of the Eight Census, under the direction of the Secretary of the Interior* (Washington, 1864) iv. *Statistics of The United States, (including mortality, property, &c.) in 1860; compiled from the original returns and being the final exhibit of the Eight Census, under the direction of the Secretary of the Interior* (Washington, 1866) 348.

<sup>55</sup> DeBow, *The Seventh Census of the United States*, ix. *Statistics of The United States*, 348.

<sup>56</sup> No. 2277 of *The Statutes at Large of South Carolina*, 461-462.



### *Protecting slavery*

South Carolina was actively defending and maintaining a well-supplied unfree labor source for planters, manufactures, contractors, etc. to rely on. Rearticulating the Act of 1740 by the Negro Law of 1848 retained slaves as unindentured laborers over the course of the Antebellum period, working relentless hours in the agricultural sector. The enactment of new laws, the repealing of old laws, and the amendment of existing laws by the South Carolina legislature underline the devotion of the state to preserve a suitable unfree labor force. This clear determination of keeping African-Americans as unindentured servants, amidst the heated political discussions surrounding slavery on the federal level from the 1830s onward, culminated in the passage of the Act of 1844. This act stipulated fines up to \$1000 or more and prison sentences of 1-7 years to individuals, groups, and foreign powers who disturb, counteract or hinder any slave laws enacted by the state legislature.<sup>57</sup> This law was put in place to protect, preserve, and safeguard the institution of slavery in South Carolina on the state level, granting the judicial branch the power to fine and imprison anyone interfering with slave labor.

Overall, the discussed acts and laws in this section kept slaves in a subordinate state of existence, granting their ‘masters’ the ability to manage, direct, and impose tasks of labor within the demarcated time limits installed by law. The regulatory and movement restrictive laws guaranteed a steady presence of unfree labor that, paired with the naturally increasing size of the slave population, meant that South Carolinians could accumulate high sums of money and wealth by employing unpaid, unfree, and ‘subordinate’ slaves. The economic impact of these laws will be clarified in the final chapter.

### *No trade by slaves nor capital for slaves*

Although trade is an economic output (service), South Carolina’s restrictive trade laws for slaves are important here to understand the state’s rigid economic nature and the suppressed status of African-Americans. The similar legal bitterness for slaves in the commercial sector was detrimental for the state’s economic development. Slaves and unfree persons of color were excluded from participating in the state’s commercial activities. The Negro Law of South Carolina states that no slave shall trade, exchange, buy, or do any form of commerce/business with other slaves, free African-Americans, mulattoes, mestizos or whites without his master’s permission. The law stipulates the same restrictions for free whites or

---

<sup>57</sup> Chapter IV, Section 30 of *The Negro Law of South Carolina*, 48.

persons of color to engage in any form of trade or business with a slave without its master's consent.<sup>58</sup> This law clearly forbids slaves to freely engage in commercial transactions, hereby confining free and unchecked trade/market activity to the white populace of South Carolina.

Moreover, slaves in South Carolina were banned to possess any valuable belongings, for anything they owned was deemed the master's property by law.<sup>59</sup> This meant that capital accumulation was withheld for a large group of the state's population, causing capital to concentrate to the planter's class. The prohibitive laws for a slave or unfree person of color to accumulate and acquire any form of personal belongings, to engage in a commercial transaction with anyone, and their submissive and obedient status within South Carolina's society affected the state's economy negatively. It limited the size of the domestic trading market, excluded the possibility to interact and benefit from free trade with the free white population, and, most importantly, blocked the formation of large pools of local capital for market investments.

### *Free labor in the South*

Free wage labor existed alongside slavery in South Carolina. Despite the minimal collected legal evidence surrounding free labor in South Carolina, a modest but comprehensive picture will be construed in this section. During the Antebellum period, South Carolina was allocating most of its unfree labor force to work in the agricultural sector consisting of large cotton plantations. A segregated labor system was operative within this sector. The state's slave population served mainly as field workers, house tenants or cotton balers, while free (white) laborers carried out jobs such as overseers or plantation managers. It was not until the Postbellum period that the state's white population started to permeate the dominant African-American field worker class.<sup>60</sup> Most free laborers in South Carolina were employed in the agricultural sector of the state, as will be made clear in the final chapter. This was mainly due to the state's economic focus on cultivating and exporting large amounts of cotton, and to the need of overseeing a large unfree labor force working on the fields. A segregated agricultural labor system would affect the labor market greatly in terms of wage fluctuations, employment and unemployment rates or labor migration to other sectors. Free labor was pushing other economic sectors where slave labor was not necessary or allowed (trade for

---

<sup>58</sup> Chapter 4, Sections 12-25 of the *The Negro Law of South Carolina*, 46-47. W. Rice, *A Digested Index of the Statute Law of South-Carolina, from the earliest period to the year 1836, Inclusive* (Charleston, 1836) 222.

<sup>59</sup> Chapter 4, Section 1 of the *The Negro Law of South Carolina*, 43.

<sup>60</sup> *South Carolina. Resources and Population. Institutions and Industries*, 14-195.

instance). The lack of direct legal evidence coordinating free labor in South Carolina can only be explained by the fact that free labor didn't have to be regulated in South Carolina.

## 2.2 Free labor in Massachusetts

### *Labor management*

With a growing population, the ongoing westward expansion of US territory opening up new markets, and a profound manufactural transformation due to industrialization, all of Massachusetts' industrial, agricultural, and commercial sectors were experiencing rapid economic growth and change, thus demanding more laborers. To meet the high labor demand, Massachusetts' free labor market was characterized by periodic labor contracts, assuring the worker with an income and the ability to dismiss the contract at any time.<sup>61</sup> This section will investigate in what way Massachusetts' labor management and arrangements deviated from South Carolina's. The sub-question for this section is the following: 'How did the Massachusetts' legislature promote free labor?'

The industrial labor arrangements in Massachusetts could be described as harsh and unhealthy. The consulted source for this section dates back from 1871. Although this source does not originate from the Antebellum period, it still contains valuable information with regard to the labor arrangements, labor conditions, and wages of the men, women, and children working in the various Massachusetts factories during the Antebellum period. The petition and argument of *The Ten-Hours Law* by Charles Cowley before the Joint Special Committee of the Massachusetts Legislature argues for the adoption of a ten-hours system for women and children.<sup>62</sup> The petitioners seek that:

The factory operatives of Massachusetts pray the Legislature to prohibit the manufacturers of the State from employing any minor under eighteen years of age, and any female of whatever age, in factory labor, more than ten hours in any one day. They do not ask that male operatives above the age of twenty-one years be debarred from making contracts (if they are so indiscreet as to wish to do so), to work in factories more than ten hours a day; but they rejoice to believe that the practical effect of the law thus limiting the working hours of females and minors will be to secure to all factory operatives the

---

<sup>61</sup> Rothenberg, 'Structural Change in the Farm Labor Force', 105-134.

<sup>62</sup> C. Cowley, *The Ten-Hours Law. Argument delivered before the Joint Special Committee of the Massachusetts Legislature, upon the Hours of Labor in behalf of the petitioners for a ten-hours law, March 22<sup>nd</sup>, 1871* (Lowell, 1871) 1-8.

benefits of the ten-hours system. [...] No new precedent is asked for. Massachusetts has already a ten-hours law for all minors employed in factories under fifteen years of age; and the petitioners ask merely that this provision shall be extended to those between the ages of fifteen and eighteen, and to females generally, employed in factories.<sup>63</sup>

Cowley’s petition for extending the ten-hours law for minors under fifteen to eighteen years of age, and females of any age, was substantiated with medical, cultural, and moral arguments. He stressed that legislative action was necessary to guarantee that no factory employer would violate the ten-hours system, just like the legal enactment of the eleven-hours system in Lowell, Fall River, and Lawrence on September 21<sup>st</sup>, 1853.<sup>64</sup> This petition does not only acknowledge the heavy working conditions for laborers in the industrial sector during the Reconstruction era (1865-1877), but also during the Antebellum period. The legal approval of an eleven-hours system in factories assumes that the working hours preceding 1853 were relentless. While in South Carolina, according to the Negro Law of 1848, slaves were exposed to a legally defined 15- and 14-hours system throughout the year. Despite the legal physical labor stipulations, there is still the uncertainty that employers or planters obeyed and complied to such regulations in Massachusetts and South Carolina. But, in contrast to slavery, the free laborers of Massachusetts were no chattel or property belonging to their employer, and were getting reimbursed for their labor.

### *Real wages*

The *1860 Census: Statistics of the United States* provides wage statistical data for free labor of all the states.<sup>65</sup> Below are the average wages earned from free labor by farm hands, day laborers, females, and laboring men in 1860 from Massachusetts and South Carolina (excluding slaves), to illustrate the wage disparity between the states:

Table 4: Average wages earned in Massachusetts and South Carolina, 1860<sup>66</sup>

	<i>Massachusetts</i>	<i>South Carolina</i>
Av. monthly wages to a farm hand with board	\$15.34	\$11.37
Av. to a day laborer with board	\$0.90	\$0.59

<sup>63</sup> Cowley, *The Ten-Hours Law*, 2.

<sup>64</sup> Cowley, *The Ten-Hours Law*, 3-5.

<sup>65</sup> *Statistics of The United States, (including mortality, property, &c.) in 1860*, 512.

<sup>66</sup> *Ibidem*

Av. to a day laborer without board	\$1.18	\$0.82
Av. day wgs. to a carpenter without board	\$1.70	\$1.78
Weekly wgs., female domestic, with brd.	\$1.58	\$1.82
Price of board to laboring men per week	\$2.51	\$2.08

Note: the US dollar only changed in value after the outbreak of the American Civil War in 1861

Not surprisingly, the average pay for workers (excluding females and carpenters) was higher in Massachusetts than South Carolina. An important explanatory factor is the larger free population of Massachusetts compared to South Carolina. From the *1860 Census: Population of the United States*, Massachusetts had a total population numbering 1.231.066 (including free African-Americans and people of color), compared to 703.708 inhabitants of South Carolina (including slaves).<sup>67</sup> The presence of free labor, a higher populace, and various thriving industries created a market-driven and competitive entrepreneurial environment in Massachusetts, which resulted in the gradual increase of real wages of laborers during the Antebellum period.<sup>68</sup> Slavery in South Carolina was the main labor source to work on the large-scale cotton plantations, receiving no reimbursement for their labor for any possession held by a slave was regarded as the master's property according to the Negro Law of South Carolina.<sup>69</sup> Also, the slave population outnumbered the free populace in South Carolina from the 1820s to the 1860s, causing the average wages earned by free laborers to be lower than its Northern counterpart. Overall, Massachusetts and South Carolina deviated enormously regarding labor management, labor arrangements, and wages due to the presence of slave labor in the South. The legal inability of a slave to accumulate any form of income would have negative effects in every economic sector of South Carolina.

---

<sup>67</sup> Kennedy, *Population of the United States in 1860*, iv.

<sup>68</sup> Sokoloff & Villaflor, 'The Market for Manufacturing Workers during Early Industrialization' 44.

<sup>69</sup> Chapter IV, Section 1 of *The Negro Law of South Carolina*, 43.

### *Slavery position*

Despite the state counting only 1 slave in the Population Census of 1830 during the Antebellum period, Massachusetts was a strong adversary of slavery. Amidst the increasingly hectic discussions about slavery on the federal and state level, the Massachusetts legislature passed a resolution in 1840 condemning slavery as an institution, disapproving the re-enactment of the slave codes in Maryland and Virginia, and denouncing the slave trade in the District of Columbia.<sup>70</sup> Massachusetts clearly disapproved slavery as a form of labor management. Passing these resolutions solidified Massachusetts' standing as a promoter of free labor, it denounced slavery's inhumane character, and called for Congress to abolish the domestic slave trade. In reaction against the tolerated approach of the government towards slavery, Massachusetts became a strong promoter of the anti-slavery sentiment during the 1840s, 50s, and 60s.<sup>71</sup> Fogel accentuates in his article that the feverish slavery themed debates penetrated, dominated, and determined the political progress of the Democratic and Republican parties during the 1840s-60s. Massachusetts political importance as a Republican stronghold (actively denouncing slavery in Congress) perfectly illustrates Massachusetts' anti-slavery position.<sup>72</sup> But, the passage of these resolutions does not characterize Massachusetts' labor management as sympathetic. Laborers in the various manufacturing factories of Massachusetts were subjected to long working hours, exposed to unhealthy and harsh working conditions, and wage fluctuations that could jeopardize the livelihood of families.

---

The most obvious legal labor difference was the promotion of free or unfree labor. South Carolina's slave laws were put in place to safeguard a large pool of unfree labor to power its agricultural economy. The increasingly restrictive slave laws limiting the free movement of free and unfree African-Americans or people of color, caused labor and capital to remain largely static and confined to the agricultural sector. The operative segregated labor system in the state's agricultural sector, paired with the immense economic profitability of cotton, had an enormous impact on the labor market, labor conditions and labor arrangements during the Antebellum period. Notably the concentration of wealth and capital in the planter's class (who invested mainly in their enterprises), hereby restricting the economic development of

---

<sup>70</sup> DeBow, *The Seventh Census of the United States: 1850*, ix. *Acts and Resolves passed by the Legislature of Massachusetts, in the year 1840. Published by the Secretary of the Commonwealth* (Boston, 1840) 263-264.

<sup>71</sup> Fogel, 'Toward a New Synthesis', 179-204.

<sup>72</sup> *Ibidem*

other sectors. Free labor in South Carolina was mainly operative in the agricultural sector, in order to enforce and oversee large groups of slaves. Free labor was also supplying economic sectors where slave labor was not present or limited. Massachusetts' free labor laws and strong anti-slavery sentiment encouraged all its inhabitants to actively participate in the state's market-driven, competitive, and entrepreneurial environment, boosting the economy. The aggravating economic disparity between South Carolina and Massachusetts during the Antebellum period was reflective of their state labor legislation. Although the economic divergence can be traced back to their settler origins in the early 17<sup>th</sup> century, certain labor laws were a response to the social, political, and economic issues that unfolded in the course of time. But, what is made clear in this chapter is that South Carolina's slavery system became more suppressive, restrictive, and tightly regulated during the Antebellum period, detectable in its state labor laws. Massachusetts, on the other hand, strongly advocated and improved its free labor heritage to meet the state's manufactural and economic transformation into industrialization. Its free labor foundation and legal advancement thereof stimulated capital and labor to move freely in the state's economic spheres. In short, state legislation that promoted unfree labor would constrain substantial economic development for it would confine labor and capital to one economic sector. Free labor legislation, on the contrary, would have the opposite effect in terms of allocating labor and capital to other economic sectors, hereby generating a more flexible and vigorous state economy.

### **3. The economic impact of Massachusetts' and South Carolina's labor laws**

The economic growth in the US during the Antebellum period was unevenly distributed. Most notable was the growing economic chiasm between the Northern 'industrial' states and the Southern 'agricultural' states. The growing chiasm was most evident in terms of labor management, due to slavery in the Southern states. This research indicates that this economic disparity was reflective of the states' labor legislation, causing Massachusetts and South Carolina to progressively economically deviate from one another. By analyzing and dissecting various labor laws, a clear distinction can be made between South Carolina's and Massachusetts' legislation that promoted unfree or free labor arrangements. This chapter will measure the economic effects of the discussed labor laws. The Institutional Economy theory emphasizes the fundamental role of government – who shapes the economic legal framework of a country – in spawning economic change through state legislation.<sup>73</sup> By mapping the economic progress of both states during the Antebellum period, the economic effects of the discussed labor laws will be measured by abrupt or considerable financial or workforce related changes in the manufacturing, commercial, or agricultural sectors of Massachusetts' and South Carolina's economy. The research question of this chapter is the following: 'What was the economic impact of the discussed Massachusetts and South Carolina state labor laws during the Antebellum period?'

Note that the consulted primary statistical sources for this section do not provide us with a complete and chronological overview of the economic impact of labor laws in Massachusetts and South Carolina, but give an indication of how economic progress was affected by these laws.

---

<sup>73</sup> Luiten van Zanden & van Riel, *Nederland 1780-1914*, 20.



### 3.1 Economic effects of the states' labor laws

#### *Workforce distribution*

For this thesis, the economic effects of the discussed state labor laws will be measured via the allocation of laborers to the various economic sectors of Massachusetts and South Carolina. This section will focus on the distribution of the free and unfree workforce in the manufactural/industrial, agricultural, and commercial sectors of both states' economies. The reason for fixating on these sectors is that these greatly determined the economic progression of most premodern economies. The majority of the tables in this section show the number of white males employed in the enumerated sectors. The reason why is due to the lack of female labor statistical data in the consulted primary sources, and the limited size of the free colored population in both states. But, in order to measure the full economic effects of Massachusetts' and South Carolina's labor laws, a clear depiction of their population size over the Antebellum period is required.

Table 5: Size of the white, free colored, and slave population of Massachusetts, 1810-1860<sup>74</sup>

	1810	1820	1830	1840	1850	1860
<i>Whites</i>	465.303	516.419	603.359	729.030	985.450	1.221.464
<i>Free colored</i>	6.737	6.740	7.048	8.669	9.064	9.602
<i>Slaves</i>	x	x	1	x	x	x
<i>Total</i>	472.040	523.287	610.408	737.699	994.514	1.231.066

Table 6: Size of the white, free colored, and slave population of South Carolina, 1810-1860<sup>75</sup>

	1810	1820	1830	1840	1850	1860
<i>Whites</i>	211.196	237.440	257.863	259.084	274.563	291.388
<i>Free colored</i>	4.554	6.826	7.921	8.276	8.960	9.914
<i>Slaves</i>	169.365	258.475	315.401	327.038	384.984	402.406
<i>Total</i>	415.115	502.741	581.185	594.398	668.507	703.708

Evident from the data is the explosive population growth of Massachusetts from the 1840s onward. South Carolina's population grew modestly over time, with an exceptionally low

<sup>74</sup> DeBow, *The Seventh Census of the United States*, ix. Kennedy, *Population of The United State in 1860*, xiii.

<sup>75</sup> DeBow, *The Seventh Census of the United States*, ix. Kennedy, *Population of The United State in 1860*, vi.

growth rate during the 1830s. The deviating population growth between both states is more evident if we look at the expansion of the white population of both states.

Table 7: Size of the white male population of Massachusetts and South Carolina, 1810-1860<sup>76</sup>

	<i>1810</i>	<i>1820</i>	<i>1830</i>	<i>1840</i>	<i>1850</i>	<i>1860</i>
<i>Massachusetts</i>	229.742	252.154	292.685	360.679	484.093	592.231
<i>South Carolina</i>	109.587	120.934	130.590	130.496	137.747	146.160

The white male population of Massachusetts increased with a growth rate of 157% over the Antebellum period. By 1860, the Massachusetts' white male population had more than doubled since the start of the 19<sup>th</sup> century. In South Carolina, on the contrary, the white male population grew modestly at a rate of 33% over the same period. Hence, Massachusetts had a larger white male workforce to tap from. Given that Massachusetts was an active promoter of free labor and was rapidly industrializing during the Antebellum period, a large presence of white male laborers in the manufactural sector should be evident from the data. Whilst a viable presence of white male laborers in the commercial and agricultural sector should be logical given the state's free labor incentive. Since South Carolina was mainly an agricultural economy, a large presence of white male workers in the agricultural sector should be noticeable from the data. The next table shows the workforce distribution of both the unfree and free populace of Massachusetts and South Carolina in 1840.

Table 8: Percentage of the Free and Slave population employed in the agricultural, commercial, and manufacturing sector, both sexes and all ages, 1840<sup>77</sup>

	<i>Massachusetts</i>	<i>South Carolina</i>
<i>Agriculture</i>	11,9%	33,3%
<i>Commerce</i>	1,1%	0,3%
<i>Manufacturing</i>	11,5%	1,7%

<sup>76</sup> J. Debow, *Statistical view of the United States, embracing its territory, population – white, free colored, and slave – moral and social condition, industry, property, and revenue; the detailed statistics of cities, towns, and counties; being a compendium of the Seventh Census* (Washington, 1854) 48. Kennedy, *Population of The United State in 1860*, 593.

<sup>77</sup> Debow, *Statistical view of the United States*, 125.

The Institutional Economy theory states that besides the natural workings of supply and demand in a state's economy, labor laws define to what extent specific economic sectors can grow in laboring volume, hereby determining the growth rate and allocation of workers to those sectors.<sup>78</sup> Table 8 visualizes the economic effects of the reviewed labor laws in chapter two. The substantial size of the agricultural sector of South Carolina is mostly due to the state's strict slave laws, confining slave labor and most of its free labor force to its most important economic sector. The legal allotment of large numbers of slaves to work on the cotton plantations meant that a formidable free (white male) labor force was required to work on the plantations as overseers or plantation managers, generating a highly segregated labor system in the agricultural sector. The immense size of the agricultural branch - combined with the growing economic dependency on cotton and slave labor – resulted in the economic negligence of the commercial and manufacturing sectors of South Carolina's economy. Ultimately, a harsh legal framework surrounding slave labor caused capital and labor to remain largely static, and resulted in the formation of an inflexible state economy.

Massachusetts' free labor tradition generated a flexible state economy. Unlike South Carolina, Massachusetts free labor laws and the increasing industrialization of the economy resulted in a more evenly distributed workforce in all economic sectors. In 1840, the agricultural and manufactural sectors were equally supplied with labor. Capital and labor moved more freely from sector to sector, making its state economy more secure, durable and flexible. The following table will substantiate this argument by looking at the distribution of the free male labor force in the year 1850.

Table 9: Percentage of the free male population employed in the various sectors, above fifteen years of age, 1850<sup>79</sup>

	<i>Massachusetts</i>	<i>South Carolina</i>
<i>Commerce, trade, manufactures, mechanic arts, and mining</i>	30,1%	9,5%
<i>Agriculture</i>	11,5%	29,9%
<i>Sea and river navigation</i>	4,0%	0,2%

<sup>78</sup> Luiten van Zanden & van Riel, *Nederland 1780-1914*, 20-21.

<sup>79</sup> DeBow, *The Seventh Census of the United States*, 128.

The remarkable high number of free males employed in the agricultural sector of South Carolina in 1850 - in relation to Massachusetts' number and its own white male population - underlines the state's economic dependency on its agricultural sector and the importance thereof. South Carolina legally allocated most slave labor to cultivating cotton and rice, resulting in the production of over 300.000 bales of ginned cotton (each weighing 400 lbs) and 159.000.000 lbs of rough rice in 1850.<sup>80</sup> The restrictive slave laws of South Carolina guaranteed the presence of abundant slave labor for the agricultural sector to tap from, which, combined with the high number of free males employed in the agricultural sector, made it the biggest operating sector of South Carolina's economy.<sup>81</sup> Given the large employing volume and economic gravity of the agricultural sector of South Carolina, the main explanatory factor for its sheer size and importance was the high revenue gained from cultivating and selling cotton. In 1850, South Carolina counted over 11.000 cotton plantations, far outnumbering rice, tobacco, sugar, and hemp plantations combined.<sup>82</sup> Given the state's economic dependency on cotton, it allocated most of its unfree labor force to work on the many cotton plantations whilst most free male labor was required to manage the unfree labor force in 1850. Thus, the strict legal framework allocating practically all of the South Carolina's slaves to work in its agricultural branch affected the innerworkings of the state's free labor arrangements, causing most white males to work on plantations as well to manage large groups of slaves.

In 1840 the commercial branch of both South Carolina and Massachusetts was of meager proportions compared to the states' agricultural and manufactural sectors, but it is determinantal for regulating the flow of capital and labor in both states. Commerce in South Carolina was economically confined because of slavery. A slave's legal exclusion from actively participating and engaging in commercial activities, the illegality to own any form of valuable belongings, and the constrained individual movement of a slave without its master's approval caused capital and labor to remain largely static. South Carolina's commercial branch was entirely dependent on free male labor. Though the commerce column of Table 9 includes the manufacturing, mechanic, and mining sectors, it still shows the enormous gap of laborers operating in the commercial branch between both states.

Another economic chiasm was developing between the states' manufacturing sectors over the Antebellum period, heavily determined by their state labor laws. The following table

---

<sup>80</sup> DeBow, *Statistical view of the United States*, 173-177.

<sup>81</sup> DeBow, *The Seventh Census of the United States*, 128.

<sup>82</sup> DeBow, *Statistical view of the United States*, 176-178.

offers more clarity into the number of persons employed in the manufacturing establishments of Massachusetts and South Carolina from the 1820s onward.

Table 10: Persons employed in manufacturing establishments – those producing over \$500 - in Massachusetts and South Carolina, in 1820, 1840, and 1850<sup>83</sup>

	<i>1820</i>	<i>1840</i>	<i>1850</i>
<i>Massachusetts</i>	33.404	85.176	165.938
<i>South Carolina</i>	6.488	10.325	7.009

Be aware that this table includes free persons of color, women, and children in the estimates of persons employed in the manufacturing sector of Massachusetts’ and South Carolina’s economy. This table shows the growing economic importance of Massachusetts’ manufactural sector, reflecting the increasing industrialization of the state’s economy. Labor laws promoting free labor, the utilization of female and child labor in factories, and the legal implementation of an eleven-hour system in the manufacturing centers of Lowell, Fall River, and Lawrence in 1853 show how widely the manufacturing sector was developing in Massachusetts. This table also highlights South Carolina’s ‘economic negligence’ of its manufacturing sector, for the number of persons working in the manufactural sector decreased after 1840 and was of meagre proportions compared to Massachusetts.

The slavery system in South Carolina and the state’s growing dependency on trading cotton, generated a high demand and influx of free and unfree labor to its agricultural sector, while imposing growth limitations on the commercial and manufactural branches. South Carolina’s restrictive slave laws also resulted in the rapid natural growth of its slave population, surpassing the free white populace of the state after 1820. This meant that the state had to allocate extra white male laborers to oversee, manage, and direct slaves working on the cotton fields. Massachusetts’ free labor heritage/culture and thriving manufactural sector were key for the economic success of the state during the Antebellum period. The rapid population growth - combined with free labor - was the state’s key to sustain, develop, and improve most of its economic sectors, resulting in a flexible state economy. The discussed state labor laws had an economic impact in terms of allocating free and unfree labor to specific economic sectors, most notably the agricultural and manufacturing sectors.

---

<sup>83</sup> DeBow, *The Seventh Census of the United States*, 129.

---

The economic impact of Massachusetts' and South Carolina's labor laws was most evident in the distribution of workers to specific economic sectors. South Carolina's dependency on its 'cotton industry' demanded for large numbers of slave and free male labor. The economic rigidness of South Carolina of allocating practically all of its slave labor and most of its free labor to its agricultural branch left the state's economy highly vulnerable to recurring financial crises due to price speculations in slaves, land, or cotton. A harsh legal framework confining unfree labor to the state's agriculture sector (due to cotton's economic importance) resulted in an influx of many free laborers to the same sector to manage the slave labor force. As a result, South Carolina 'neglected' its commercial and manufactural sector in terms of distributing labor to those economic branches. South Carolina's harsh slave laws – combined with the exploitative plantation system, cotton's economic profitability, and oversized slave populace – caused the state to invest most economic resources into its agricultural sector, confined capital and wealth accumulation to the plantation owners, and left capital and labor largely static. Thus, South Carolina's state labor laws generated an inflexible and vulnerable state economy during the Antebellum period.

Massachusetts' free labor laws ensured a steady presence of laborers in most of its economic sectors. Between 1840 and 1850, the manufacturing sector doubled in laboring volume, captivating most of its free laborers. Massachusetts free labor laws guaranteed a steady presence of laborers to work in the various branches of industry, as opposed to South Carolina. The state's free labor history and heritage, combined with the increasing industrialization of the economy, did not only expand the laboring volume of its manufacturing sector but also assured that the agricultural and commercial sector were supplied with enough workers. Thus, Massachusetts' free labor laws generated a highly flexible and durable state economy compared to South Carolina, hereby aggravating the pre-existing economic disparity between the two states.

## **Conclusion**

The increasing economic chiasm between Massachusetts and South Carolina was apparent from their colonial origins. However, during the Antebellum period, Massachusetts' and South Carolina's economic deviation aggravated in terms of labor management. This was due to disruptive social, political, and economic events and the state's free and unfree labor heritage and culture. This thesis wants to offer a qualitative and quantitative contribution to the existing literature by comparing the enacted state labor laws of Antebellum Massachusetts and South Carolina, whilst measuring the economic effects thereof.

The first chapter gave a historic description of the early colonial economies of Massachusetts and South Carolina, in order to emphasize that the economic chiasm was developing from an early outset. South Carolina was a strong advocate of unfree labor, transforming its original labor institution comprised of indentured servants to slavery at the end of the 17<sup>th</sup> century. The early settlement of experienced Barbadian planters in the colony, the introduction of the plantation system, the growing economic dominance of rice as a staple export product, and geographical and climatic calamities resulted in a labor and demographic makeover. For a brief time, a skilled segregated labor system appeared, separating African unskilled slaves from remaining skilled European servants. This system would eventually develop in a stark segregated labor system, prevalent during the Antebellum period. The constitutional demeaning status of slaves, turning them into personal chattel/property, was an important determinant factor for the colony's and state's developing economy, showing a stark social and economic difference with Massachusetts. In Massachusetts, Puritanism had a major effect on the colony's economic progression. Firstly, the distribution of land was based on a strict and centralized control model, by which land was allotted via social and economic criteria (social status, family size, and extent of investment in the colony). Secondly, it prevented the establishment of big agricultural enterprises (like plantations) cultivating a profitable one-staple crop, for this would conflict with Puritan principles. Finally, slavery was denounced and demoralized by the colony's Puritan leaders, causing it to take a retarded role in the colony's economic development. Massachusetts was a strong promoter of hired labor, by which small farmers offered day-contracts to strangers to keep a well-sustained workforce. Periodic labor shortages were combatted by raising daily wages. Thus, colonial Massachusetts and South Carolina differentiated enormously from each other with regard to labor, resulting in a growing economic chiasm in the long run.

The second chapter began with how differently Massachusetts' and South Carolina's Antebellum economies were developing in terms of legal labor management and labor arrangements. As cotton replaced rice's central position in South Carolina's predominantly agricultural economy, labor management changed alongside this economic shift. The state's Negro Law of 1848 subjected slaves to a subordinate state of existence by legally framing them as unindentured laborers, personal property/chattel, and obedient individuals who could not voluntarily participate in or relish from the prospects of economic progress. South Carolina's labor laws exposed slaves to harsh labor conditions, barred them from actively participating in commercial activities, and regulated the way in which free and unfree African-Americans or persons of color could enter or leave the state. Their early legal status as property belonging to a master made them unable to acquire any form of income or to participate in commercial transactions with anyone, which had a major negative impact on the progression of the state's economy. The increasing legal restrictiveness for slaves culminated in the stationary nature of labor and capital within South Carolina, having a profound impact on all economic sectors. Up North, Massachusetts' reputation of being a firm adversary of slavery and early promoter of free labor was reflective in the state's labor laws. The economic transformation of small farms growing into larger farms, the contractual shift from daily to monthly laborers in the agricultural sector, and the rapid industrialization of the state's manufacturing sector – combined with free labor legislation – resulted in the rise of a flexible state economy. But Massachusetts' economy was dependent on a hardworking labor force too. The factory and manufacturing centers of Lowell, Fall River, and Lawrence ran on male, female, and child labor, who worked relentlessly before and after the legal enactment of the eleven-hours system in 1853. In short, Massachusetts and South Carolina legally differed from one another in terms of promoting free or unfree labor, the hourly demarcation for physical labor, and the rate of real wages for laborers.

The economic effects of the discussed state labor laws were reviewed in the final chapter of this thesis. The economic effects of the different, and, occasionally, contradictory labor laws of both states were visible in the distribution of the workforce. The evident economic impact of South Carolina's labor laws was the distribution of slave and free male labor to the growing agricultural sector. The state's economic dependency on cotton plantations demanded for a steady influx of slave labor, resulting in prohibitive slave laws that would guarantee that influx. Because of this the slave populace outgrew the state's free white population after 1820, causing free laborers to work in the agricultural sector as overseers and managers of large groups of slaves. The 30% of free males and numerous



amounts of slaves employed in South Carolina's agricultural sector, combined with the over 11,000 cotton plantations, underlines the state's economic devotion of cultivating cotton. By allocating more and more free male laborers and slaves to the state's agricultural sector, South Carolina concentrated the state's labor force, capital, and economic stamina on its cotton production, making it more vulnerable to economic crises. Massachusetts' free labor management, high population count, and industrializing economy between 1810 and 1860 resulted in the exponential growth of the manufacturing sector, demanding more laborers. The agricultural sector of Massachusetts was supplied with abundant live-in day, month or year-round workers, who received higher wages than their Southern counterparts. Massachusetts' centuries long free labor tradition/culture supplied every economic sector with enough labor to generate economic growth. The free movement of people and capital created a flexible and more durable state economy, making the state less vulnerable to economic crises than its southern counterpart.

This thesis wants to contribute a micro/state-level comparative research to the existing literature discussing the causes, effects, and outcome of the growing economic chiasm between the Northern and Southern states of the US. By analyzing Massachusetts' and South Carolina's state labor laws enacted in the Antebellum period - whilst interlinking it with their respective state economies - this thesis argues that preexisting deviatory economic features between the states (dating back to the Colonial period) were exacerbated during the Antebellum period. The distinctive and (sometimes) contradictory state labor laws aggravated this growing economic chiasm, for it strictly defined their economic development and caused economic progression to be unchangeable. Specifically, those laws that promoted free or unfree labor, the free movement of people and capital, and those regulating or checking the innerworkings of commercial activities. Massachusetts and South Carolina economically deviated from one another since the start as English colonies, but they increasingly diverged from each other in the course of the Antebellum period as a result of social, political and economic events at the turn and course of the 19<sup>th</sup> century. The early economic effects of South Carolina's legally distinctive labor management took root in the 1820s, gaining substance in the 1840s with the protective slavery act. Massachusetts' free labor laws had a positive economic effect in the early beginning of the Colonial and Antebellum period.

Overall, this research demonstrated the undeniable bilateral workings between state politics and state economics. South Carolina's strict labor laws for free and unfree African-Americans or persons of color, combined with cotton's growing value, resulted in the formation of an unstable agricultural economy vulnerable to price speculations in land,

slaves, or cotton. Massachusetts' free labor laws, and strong anti-slavery position created a stable, market-driven, and competitive entrepreneurial environment generating a prosperous economy. As Fogel stresses in his article, the impact of economics on politics should be approached carefully. This research emphasizes that it also should be done vice versa.

This thesis might serve as a basis for further state-level comparative research to examine the bilateral relationship between state politics and their respective economies. It could serve as a foundation for comparative research between other Northern free states and Southern slave states. For further research, I strongly recommend students to discover and gather more primary statistical data and include more relevant legal labor indicators (e.g.: wages, labor migration, etc.).

## **Bibliography**

### *Secondary literature:*

Brandon, P., 'From Williams's thesis to Williams Thesis. An anti-colonial trajectory', a review essay of Eric Williams, *The economic aspect of the Abolition of the West Indian slave trade and slavery*, edited by Dale W. Tomich (Lanham, 2014).

Dattel, E., *Cotton and Race in the Making of America: The Human Costs of Economic Power* (Plymouth, 2011).

David, P. & Temin, P., 'Explaining the Relative Efficiency of Slave Agriculture in the Antebellum South: Comment', part of *The American Economic Review*, Vol. 69 (1979).

Engerman, S., 'Slavery and its Consequences for the South in the Nineteenth Century', part of *The Cambridge Economic History of the United States*, Vol. 2 (Cambridge, 2000).

Fishlow, A., 'Antebellum Interregional Trade Reconsidered', part of *The American Economic Review*, Vol. 54 (1964).

Fogel, R., 'Toward a New Synthesis on the Role of Economic Issues in the Political Realignment of the 1850s', part of *American Economic Development in Historical Perspective* (Stanford, 1994).

Galenson, D., 'The Settlement and Growth of the Colonies: Population, Labor, and Economic Development', part of *The Cambridge Economic History of the United States*, Vol. 1 (Cambridge, 1996).

Gallman, R., 'Slavery and Southern Economic Growth' part of the *Southern Economic Journal*, Vol. 45 (1979).

Gallman, R., 'Economic Growth and Structural Change in the Long Nineteenth Century', part of *The Cambridge Economic History of the United States*, Vol. 2 (Cambridge, 2000).

Genovese, E., *The Political Economy of Slavery: Studies in the Economy and Society of the Slave South* (Middletown, 1989).

Gray, L., *History of Agriculture in the Southern United States to 1860*, Vol. 1 & Vol. 2 (New York, 1941).

Licht, W., *Industrializing America: The nineteenth century* (Baltimore, 1995).

Luiten van Zanden, J. & van Riel, A., *Nederland 1780-1914: Staat, Instituties en Economische ontwikkeling* (Meppel, 2000).

Majewski, J., *Modernizing a Slave Economy: The Economic Vision of the Confederate Nation* (Chapel Hill, 2011).

Margo, R., 'The Labor Force in the Nineteenth Century', part of *The Cambridge Economic History of the United States*, Vol. 2 (Cambridge, 2000).

Matson, C., 'The Revolution, the Constitution, and the New Nation', part of *The Cambridge Economic History of the United States*, Vol. 1 (Cambridge, 1996).

Phillips, U., *The Slave Economy of the Old South: Selected Essays in Economic and Social History* (Baton Rouge, 1968).

Rothenberg, W., 'Structural Change in the Farm Labor Force: Contract Labor in Massachusetts Agriculture, 1750-1865' part of part of *Strategic Factors in Nineteenth Century American Economic History: A Volume to Honor Robert W. Fogel* (Chicago, 1992).

Sokoloff, K. & Villaflor, G., 'The Market for Manufacturing Workers during Early Industrialization: The American Northeast, 1820-1860, part of *Strategic Factors in Nineteenth Century American Economic History: A Volume to Honor Robert W. Fogel* (Chicago, 1992).

Vickers, D., 'The Northern Colonies: Economy and Society, 1600-1775', part of *The Cambridge Economic History of the United States*, Vol. 1 (Cambridge, 1996).

Weiss, T. & Schaefer, D., *American Economic Development in Historical Perspective* (Stanford, 1994).

#### *Primary legislative sources of Massachusetts:*

Cowley, C., *The Ten-Hours Law. Argument delivered before the Joint Special Committee of the Massachusetts Legislature, upon the Hours of Labor in behalf of the petitioners for a ten-hours law, March 22<sup>nd</sup>, 1871* (Lowell, 1871).

H. Gray, 'The abolition of slavery in Massachusetts: a communication to the Massachusetts Historical Society, April 16, 1874', part of the *African American Pamphlet Collection* (Boston, 1874).

E. Ruffin, *Slavery and free labor, described and compared* (1860).

*Acts and Resolves passed by the Legislature of Massachusetts, in the year 1840. Published by the Secretary of the Commonwealth* (Boston, 1840).

#### *Primary legislative sources of South Carolina:*

O'Neill, J., *The Negro Law of South Carolina, collected and digested by John Belton O'Neill, one of the Judges of the Courts of Law and Errors of the said State, Under a Resolution of the State Agricultural Society of South Carolina* (Columbia, 1848).

Rice, W., *A Digested Index of the Statute Law of South-Carolina, from the earliest period to the year 1836, Inclusive* (Charleston, 1836).

*The Statutes at Large of South Carolina, Edited, under authority of the Legislature, by David J. McCord, Vol. 7* (Columbia, 1840).

*Acts of the General Assembly of the state of South Carolina, passed in December, 1847. Printed, by order of the legislature, in conformity with the statutes at large, and designed to form a part of the eleventh volume. Commencing with the Acts of 1839* (Columbia, 1848).

*Slavery and the Domestic Slave Trade, in the United States. By the committee appointed by the late yearly meeting of friends held in Philadelphia, in 1839* (Philadelphia, 1841).

*The Statutes at Large of South Carolina, Volume XI, containing the Acts from 1838, exclusive. Arranged chronologically* (Columbia, 1873).

*Primary statistical sources:*

DeBow, J., *The Seventh Census of the United States: 1850. Embracing a statistical view of each of the States and Territories, arranged by counties, towns, etc.* (Washington, 1853).

DeBow, J., *Statistical view of the United States, embracing its territory, population – white, free colored, and slave – moral and social condition, industry, property, and revenue; the detailed statistics of cities, towns, and counties; being a compendium of the Seventh Census* (Washington, 1854).

Kennedy, J., *Population of The United State in 1860; compiled from the original returns of the Eight Census, under the direction of the Secretary of the Interior* (Washington, 1864).

*Comparative views of New England, New York, and the United States. Commercial, statistical, moral and political* (Boston, 1837).

*Statistics of The United States, (including mortality, property, &c.) in 1860; compiled from the original returns and being the final exhibit of the Eight Census, under the direction of the Secretary of the Interior* (Washington, 1866).

*South Carolina. Resources and Population. Institutions and Industries. Published by the State Board of Agriculture of South Carolina* (Charleston, 1883).