
Graweere, John

(c. 1615- ?),

Steven J. Niven

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servant and legal pioneer, was born Joao Geaween in Africa, probably in Angola, and was among the first generation of Africans captured and brought to the English colony of Virginia in the late 1620s and early 1630s. At that time, indentured servants from the British Isles vastly outnumbered the few hundred Africans in the colony. Graweere worked as a servant near James City for a white colonist, William Evans. It is not clear whether Graweere was a servant for life or for a fixed term, but like most early Virginia settlers, white and black, he probably helped to cultivate and harvest his master's tobacco, which became the colony's staple export commodity in the 1620s. Court records show, however, that Evans also allowed his servant Graweere to "keep hogs and make the best benefit thereof to himself provided that ... Evans might have half the increase" of any livestock Graweere was able to raise (Higginbotham, 1978, 25). Such conditions were nearly always dependent on the whim of the master, however. Unlike the case for white servants in the colonies, there were no formal contracts between black laborers and their masters in colonial Virginia.

The frontier conditions of early Virginia also ensured African settlers somewhat greater freedom in social relations than in later years. In 1635 or thereabouts, Graweere married an African-born woman, Margaret Cornish, who worked as a servant for another white colonist, Lieutenant Robert Sheppard. A few years later the couple had a child, whom they named Mihill, or Michael. By 1640 Graweere had saved enough money to purchase Michael's freedom from Sheppard, but a question soon arose as to whether the child now belonged to his own father or to his father's master, William Evans. To settle this dispute, John Graweere became one of the first Africans in America to petition the Virginia courts. In its decision, *In re Graweere* (1641), the court granted his request, though its reasons for doing so are instructive. In his petition, Graweere, who was probably not a Christian, argued that Michael "should be made a Christian and be brought up in the fear of God and in the knowledge of religion taught and exercised by the Church of England" (Higginbotham, 1978, 25). The court agreed and ordered "that the child shall be free from the said Evans and his assigns," as long as Graweere and the child's godfather (probably a white Anglican) raised Michael in the Church of England.

Religion, not race, appears to have been the decisive factor in Graweere's success in gaining his son's freedom, though an earlier legal case involving another of Lieutenant Sheppard's black servants indicates that the Virginia courts treated people of color more harshly than they did whites for the same crime. *In re Sweat* (1640) concerned a white man, Robert Sweat, who fathered the child of an unnamed black servant belonging to Sheppard. While the black woman was sentenced to the whipping post, Sweat was ordered to do public penance at the James City Church. Nonetheless, as in the case of another black Virginian, Anthony Johnson, Graweere's experiences are suggestive of the relative legal and economic autonomy that Africans enjoyed in colonial America in the first half of the seventeenth century. While certainly not equal with whites before the law, they were not yet chattel slaves for life.

That change emerged gradually by the late seventeenth century, with the passage of piecemeal legislation diminishing the legal rights of African Americans, including their right to petition in court, and was consolidated in the Virginia slave codes of 1680 and 1705.

Further Reading

Higginbotham, A. Leon, Jr. *In the Matter of Color: Race and the American Legal Process: The Colonial Period* (1978).

Higginbotham, A. Leon, Jr. *Shades of Freedom: Racial Politics and Presumptions of the American Legal Process* (1996).

Morgan, Edmund S. *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (1975)

See also

Johnson, Anthony <<https://oxfordaasc.com/view/10.1093/acref/9780195301731.001.0001/acref-9780195301731-e-37214>>