

**NOTES ON THE
HISTORY OF SLAVERY
IN MASSACHUSETTS**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9781760572532

Notes on the history of slavery in Massachusetts by George H. Moore

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

GEORGE H. MOORE

**NOTES ON THE
HISTORY OF SLAVERY
IN MASSACHUSETTS**

NOTES
ON THE
HISTORY OF SLAVERY
IN
MASSACHUSETTS

BY

GEORGE H. MOORE

LIBRARIAN OF THE NEW-YORK HISTORICAL SOCIETY AND CORRESPONDING
MEMBER OF THE MASSACHUSETTS HISTORICAL SOCIETY



Quis nescit, primam esse historie legem, ne quid falsi
dicere audeat? deinde ne quid veri non audeat?

—*Cic. de Orat.*, ii., 15.



NEW-YORK

D. APPLETON & CO. 443 & 445 BROADWAY

MDCCCLXVI

1866

Entered, according to Act of Congress, in the year 1866, by
GEORGE H. MOORE,
In the Clerk's Office of the District Court of the United States for the
Southern District of New York.

Stereotyped by JOHN F. TROW & Co., 50 Greene Street, New York.

CONTENTS.

I. EARLY HISTORY OF SLAVERY IN MASSACHUSETTS. PURITAN THEORY AND PRACTICE OF SLAVERY.	1—10
II. THE LAW OF SLAVERY IN MASSACHUSETTS. ITS ESTABLISHMENT AND MODIFICATION. SLAVERY HEREDITARY IN MASSACHUSETTS. RESOLVE IN 1646, TO RETURN STOLEN NEGROES TO AFRICA, NOT AN ACT HOSTILE TO SLAVERY.	10—30
III. SLAVERY OF INDIANS IN MASSACHUSETTS. ATTEMPT TO SELL CHILDREN OF QUAKERS.	30—48
IV. STATISTICS OF SLAVE-POPULATION. LEGISLATION CONCERNING SLAVES AND SLAVERY. TAXATION OF SLAVE-PROPERTY. THE SLAVE-TRADE.	48—72
V. EARLIEST ANTI-SLAVERY MOVEMENTS IN AMERICA, IN RHODE ISLAND AND PENNSYLVANIA. CHIEF-JUSTICE SEWALL. CHARACTER AND CONDITIONS OF SLAVERY IN MASSACHUSETTS. JAMES OTIS'S PROTEST AGAINST NEGRO-SLAVERY. JOHN ADAMS SHUDDERS AT HIS DOCTRINES.	72—111
VI. "THE FREEDOM SUITS." SLAVERY CHALLENGED. MOVEMENTS IN THE LEGISLATURE BETWEEN 1767 AND 1775.	111—147
VII. THE DOCTRINE OF PRIZE IN NEGROES. ACTION OF MASSACHUSETTS IN 1776. NATIONAL LEGISLATION ON THE SUBJECT. HISTORY OF THE DOCTRINE. SOUTH CAROLINA SLAVES CAPTURED BY THE BRITISH, AND RECAPTURED BY MASSACHUSETTS VESSELS OF WAR. LEGIS-	

LATIVE AND JUDICIAL PROCEEDINGS OF MASSACHUSETTS.	148—176
VIII. PROGRESS OF PUBLIC OPINION ON SLAVERY IN MASSACHUSETTS DURING THE REVOLUTION. ATTEMPT TO ABOLISH SLAVERY IN 1777. SUBJECT REFERRED TO THE CONTINENTAL CONGRESS. THE CONSTITUTION OF 1778. CONTROVERSY ON NEGRO EQUALITY. STATUS OF FREE NEGROES.	176—200
IX. THE CONSTITUTION OF 1780. ALLEGED ABOLITION OF SLAVERY. THE QUESTION EXAMINED. JUDICIAL LEGISLATION IN 1781—83. THE JENNISON SLAVE-CASES. APPEAL OF SLAVE-OWNERS TO THE LEGISLATURE.	200—223
X. ABOLITION OF THE SLAVE-TRADE. LEGISLATION AGAINST NEGROES. EXPULSION OF NEGROES FROM THE STATE. CONCLUSION.	224—242
APPENDIX.	
A. THE MILITARY EMPLOYMENT OF NEGROES IN MASSACHUSETTS.	243—246
B. ADDITIONAL NOTES, ETC.	246—250
C. JUDGE SAFFIN'S REPLY TO JUDGE SEWALL, 1701.	251—256



NOTES ON THE HISTORY OF SLAVERY IN MASSACHUSETTS.

I.

WE find the earliest records of the history of slavery in Massachusetts at the period of the Pequod War—a few years after the Puritan settlement of the colony. Prior to that time an occasional offender against the laws was punished by being sold into slavery or adjudged to servitude; but the institution first appears clearly and distinctly in the enslaving of Indians captured in war. We may hereafter add a sketch of the theories which were held to justify the bondage of the heathen, but at present limit ourselves to the collection of facts to illustrate our general subject. And at the outset we desire to say that in this history there is nothing to comfort proslavery men anywhere. The stains which slavery has left on the proud escutcheon even of Massachusetts, are quite as significant of its hideous character as the

fatanic defiance of God and Humanity which accompanied the laying of the corner-stone of the Slaveholders' Confederacy.

The story of the extermination of the Pequods is well known. It was that warlike tribe who, in the early months of "that fatal year," 1637, were reported by Governor Winflow to Winthrop as follows :

"The Pecoats follow their fishing & planting as if they had no enemies. Their women of esteem & children are gone to Long Island with a strong guard at Pecoat. They professe there you shall finde them, and as they were there borne & bred, there their bones shall be buried, & rott in despite of the English. But if the Lord be on our side, their braggs will soon fall." *M. H. S. Coll.*, iv., vi., 164.

The extracts which follow explain themselves and hardly require comment.

Roger Williams, writing from Providence [in June, 1637] to John Winthrop, says: "I understand it would be very gratefvll to our neighbours that such Pequots as fall to them be not enslaved, like those which are taken in warr; but (as they say is their generall custome) be vsed kindly, haue howses & goods & fields given them: because they voluntarily choose to come in to them, & if not receaved will [go] to the enemy or turne wild Irish themselues: but of this more as I shall vnderstand. . . ." *M. H. S. Coll.*, iv., vi., 195.

Again [probably in July, 1637]: "It having againe pleased the Most High to put into your hands another miserable droue of Adams degenerate seede, & our brethren by nature, I am bold (if I may not

offend in it) to request the keeping & bringing vp of one of the children. I haue fixed mine eye on this little one with the red about his neck, but I will not be peremptory in my choice, but will rest in your loving pleasure for him or any," &c. *M. H. S. Coll.*, iv., vi., 195-6.

Again [probably 18th September, 1637]: "Sir, concerning captiues (pardon my wonted boldness) the Scripture is full of mysterie & the Old Testament of types.

"If they haue deserued death 'tis sinn to spare ;

"If they haue not deserued death then what punishments? Whether perpetuall flaverie.

"I doubt not but the enemie may lawfully be weaknd & despoild of all comfort of wife & children &c., but I beseech you well weigh it after a due time of trayning vp to labour & restraint, they ought not to be fet free: yet so as without danger of adioyning to the enemie." *M. H. S. Coll.*, iv., vi., 214.

Later in the same year [Nov. 1637] Roger Williams, who had promised certain fugitive slaves to intercede for them, "to write that they might be vsed kindly"—fulfilled his promise in a letter to Winthrop, in which, after stating their complaints of ill usage, &c., he adds:

"My humble desire is that all that haue these poor wretches might be exhorted as to walke wisely & iustly towards them, so to make mercy eminent, for in that attribute the Father of mercy most shines to Adams miserable offspring." *M. H. S. Coll.*, iv., vi., 218, 219.

Hugh Peter writes to John Winthrop from Salem