



"Endearing Ties": Black Family Life in Early New England

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“Endearing Ties”:

Black Family Life in Early New England

A dissertation presented

by

Gloria McCahon Whiting

to

The Department of History

in partial fulfillment of the requirements

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“Endearing Ties”: Black Family Life in Early New England

Abstract

This dissertation explores the attempts of Africans, both enslaved and free, to create and maintain families in seventeenth- and eighteenth-century New England. It makes sense of a remarkable array of historical actors: men like Thomas Bedunah, who plotted a surprising course for his descendants when he chose a spouse of English descent; women like Cuba Vassall, who let her husband secure her firmly in bondage at the very moment the region’s blacks were being freed en masse; and a pair like Mark and Phoebe, who fed their master porridge laced with “Potter’s Lead” in hopes that his death would enable them to find owners closer to their distant families. Pulling together thousands of fragments of evidence, this dissertation contextualizes the everyday lives and beleaguered intimacies of these Africans and many others, revealing patterns in their living situations, gendered relationships, and kin communities that historians have never before recognized. At the same time, the project advances historical arguments related to a range of issues, from the relationship between family and freedom in early New England to the influence of patriarchy on enslaved kin groups in Anglo-America. The project sets forth methodological arguments as well. Contending that historical method has an important bearing on the ability of scholars to understand and portray slaves as fully human, with complete life spans and complicated contexts, “Endearing Ties” makes a case for the importance of reconstructing the lives and trajectories of enslaved individuals in great depth, despite the archival challenges that such an undertaking inevitably entails.

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Beyond Harvard, at archives and conferences across the country, I have had the pleasure of getting to know many helpful graduate students, faculty members, and fellow researchers—far too many to list here. But I must identify a few. Nicole Topich has become an invaluable research partner and close friend. Jared Hardesty, Richard Boles, and John Hannigan have suggested helpful sources and put up with long debates about how to best interpret those sources. Joanne Melish, Nina Dayton, Barbara Krauthamer, Conrad Wright, Crystal Feimster, Dan Carpenter, Dan Mandell, Alan Taylor, Mary Beth Norton, Marie Stango, Lissa Bollettino, David Gellman, Margot Minardi, and Judy Kertesz have all given me valuable feedback on conference papers, for which I am most grateful.

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who made my time there enormously productive. I worked as well at the Massachusetts Historical Society, the Congregational Society Library, the Boston Public Library, the New England Historic Genealogical Society, and the Andover-Newton Theological Seminary. At each of these institutions, the efficiency and knowledge of the staff proved invaluable. A heartfelt thanks to all for helping me navigate the unusual archival challenges that this project has presented.

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For the better part of a decade, I've been immersed in piecing together the family lives of blacks in early New England, and my own family life has changed drastically during this time. The arrival of my two children, Elisa and David, has brought tremendous joy. At the same time, it has given me insight into the challenges of the people whose stories I'm trying to tell; I've seen that even in very good circumstances parenting can feel impossible. I don't know what I would have done without the people who stepped in to help at crucial junctures. A big thank you to my parents, Cynthia and David McCahon, to my mother-in-law, Carey Whiting, and to the others who have cared for my kids: Anita Mandell, Christine Hom, Becca Weiss, and Alexa Whiting.

My sisters, Joy Geaslen and Margaret Kalcic, have kept me grounded through it all. But my husband, Paul Whiting, deserves the greatest thanks; he has been untiring in his commitment to our children and to me. Without his encouragement—yes, that pathological optimism—I may well have given up on this project long ago.

To Dad

for teaching me the
excitement of a good treasure hunt

&

To Mom

for teaching me to keep moving forward,
even when the going is slow

Introduction

John Codman feasted to his death in the fall of 1755. Seated at a little round table in the kitchen of his Charlestown home, he consumed porridge laced with “Potter’s Lead,” arsenic-infused “barly Drink,” and noxious “breakfast chocalate” ostensibly prepared by his slaves, Phoebe, Phillis, and Mark. According to the testimonies recorded by the clerk of the Massachusetts Bay Colony’s highest court, at least two of the three had plotted Codman’s demise—and thereby planned the dissolution of their master’s family—in a desperate attempt to strengthen and succor their own families. Killing Codman, they had reasoned, would enable them to find masters in Boston and therefore be nearer to their urban kin: for Phoebe, her “husband,” and, for Mark, his “family.” Mark had even told the slave who supplied him with poison that the plot to murder the Charlestown slaveholder was “about his Child.”¹

The extraordinary means to which Phoebe and Mark resorted were unusual in early New England, where slaves only rarely harmed their owners physically; Codman’s slaves, in fact, would be the only bondspeople convicted of murdering their owner in the Bay Colony during the entire stretch of the eighteenth century.² However, the grievances motivating the pair’s desperate

¹ For a transcription of some file papers related to the case, see Abner Cheney Goodell, “The Murder of Captain Codman,” *Proceedings of the Massachusetts Historical Society*, ser. 1, vol. 20 (Boston: Massachusetts Historical Society, 1883): 122-157.

² Though no other slaves were convicted of murdering their owners by the Bay Colony’s courts during the eighteenth century, four slaves were found guilty of murdering members of their owners’ families. In 1745, Jeffrey, a

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violence were widespread. Many other slaves—most of whom were of African descent—built families in the seventeenth and eighteenth centuries, and the vast majority of these families were divided between multiple Euro-American households due to the smallholding system of slavery that prevailed in the region.³ Therefore, bound Africans like Phoebe and Mark either had to endure perpetual separation from the people related to them by blood, marriage, and affection, or they had to work to change the unfavorable living arrangements in which they found themselves. Phoebe and Mark's story illustrates how difficult it could be for slaves to accomplish the latter. Codman's bound Africans had pursued a variety of solutions prior to resorting to violence. First, they had burned down the man's shop in attempt to reunite their fractured families, reasoning that their master would be forced sell them if he had no place for them to work. When that plan failed, Mark had recruited a buyer to purchase him from Codman (one who lived, evidently, near Mark's family in Boston), but Codman apparently refused the generous offer. Undeterred, the slave had then convinced his master to hire him out to work in Boston. For a time, Codman pocketed Mark's earnings while Mark lived and labored in closer proximity to his family, but eventually that arrangement broke down as well, and Mark was hauled back to Codman's

slave belonging to Thomas Sandford of Mendon, was convicted of killing Sandford's wife, Tabitha, with a hatchet. Phillis, a slave of John Greenleaf of Boston was sentenced in 1751 for poisoning Greenleaf's son, John Jr. Five years later, Toney, a Kittery slave owned by Samuel Johnson, was found guilty of drowning Johnson's daughter, Mary. And in 1763, a Taunton slave named Bristol was convicted of killing Elizabeth McKinstry, the sister of his owner, William McKinstry. All of these enslaved people were sentenced to death. These cases are recorded in the records of the Superior Court of Judicature at the Massachusetts Archives, Boston. For Jeffry's case see vol. 1740-5, p. 218; for Phillis's see vol. 1750-1, p. 180; for Toney's see vol. 1755-6, p. 250; and for Bristol's see vol. 1763-4, p. 193.

³ For instance, in Suffolk County, the Massachusetts county that encompassed Boston and several of its surrounding towns, the majority of slaveholders owned only one slave throughout the seventeenth and eighteenth centuries. This region was home to the largest slave population in New England for much of the period under study, so enslaved people elsewhere in Massachusetts and in nearby colonies faced the prospect of families that were even more divided than those of Phoebe, Phillis Mark, and their African neighbors.

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Charlestown home.⁴ It was only then, according to the testimony collected by the colony's highest court, that the slave hatched the plan to murder his owner and recruited Phoebe and Phillis to help him carry it out.

This dissertation makes sense of stories like Phoebe and Mark's—stories that shed light on the attempts of Africans, both slave and free, to create and maintain families. The project tracks blacks' familial bonds, kinship networks, and patterns of marriage, sex, childbirth, and child rearing by drawing on a wide array of social and cultural historical sources: church, court, county, and town records; private papers; commercial documents; and all manner of printed miscellanea. Based on tens of thousands of fragments of evidence organized in a series of sizable databases, the study probes systematically the contours of slaves' lives and families, revealing, for instance, what proportion of Africans married, how far apart spouses tended to live from one another, how often enslaved children were raised by their parents, how gender influenced enslaved Africans' prospects of obtaining freedom, and how these gendered patterns of freedom shaped the growth and development of African families, both slave and free. Combining the tools of genealogy with the methods of social and cultural history and a perspective attuned to constructions of gender, "Endearing Ties" unearths striking patterns in the living situations, kin communities, and gender norms of Afro-New Englanders—patterns that historians have never before recognized.

This study's findings are so novel because scholars working in a host of related fields have neglected black family life in New England. Those who examine the African Diaspora in the Americas—whether anthropologists, historical sociologists, linguists, art historians, geographers, literary scholars, historians, or academics of other disciplines—have almost entirely

⁴ A tattered notice in the Massachusetts State Archives records Mark's eviction from Boston. See case #28037, Suffolk Files, Massachusetts Archives, Boston.

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overlooked the English colonies perched on the edge of the northern Atlantic, focusing instead on places where people of African descent lived and died in much greater numbers: South America (particularly in what is now Brazil); the Caribbean; and the colonies that would come to comprise the southern United States.⁵ This emphasis on diasporic regions heavily populated by people of African descent is strategic, for it is in such regions that recognizably “African” cultural forms can be most clearly discerned, and it is in such regions that scholars can most successfully trace the transformation of these cultural forms in the Americas. These regions also provide bountiful evidence of the many ways the beliefs and practices of enslaved Africans influenced Euro-American life and culture in the New World.⁶

⁵ The scholarship on African life in these regions of the diaspora is too extensive to inventory here. For a representative sample of this work, see James H. Sweet, *Recreating Africa: Culture, Kinship, and Religion in the African-Portuguese World, 1441-1770* (Chapel Hill: University of North Carolina Press, 2003); Herman Bennett, *Colonial Blackness: A History of Afro-Mexico* (Bloomington: University of Indiana Press, 2009); Walter Hawthorne, *From Africa to Brazil: Culture, Identity, and an Atlantic Slave Trade* (New York: Cambridge University Press, 2010); James H. Sweet, *Domingos Álvares, African Healing, and the Intellectual History of the Atlantic World* (Chapel Hill: University of North Carolina Press, 2013); Toyin Falola and Matt D. Childs, ed., *The Yoruba Diaspora in the Atlantic World* (Bloomington: University of Indiana Press, 2005); Mieko Nishida, *Slavery and Identity: Ethnicity, Gender, and Race in Salvador, Brazil, 1808-1888* (Bloomington: University of Indiana Press, 2003); Vincent Brown, *The Reaper's Garden: Death and Power in the World of Atlantic Slavery* (Cambridge: Harvard University Press, 2008); John Sensbach, *Rebecca's Revival: Creating Black Christianity in the Atlantic World* (Cambridge: Harvard University Press, 2005); Margaret Washington Creel, *"A Peculiar People": Slave Religion and Community-Culture Among the Gullahs* (New York: New York University Press, 1988); Gwendolyn Midlo Hall, *Africans in Colonial Louisiana: the Development of Afro-Creole Culture in the Eighteenth Century* (Baton Rouge: Louisiana State University Press, 1992); Michael Gomez, *Exchanging Our Country Marks* (Chapel Hill: The University of North Carolina Press, 1998); and Gwendolyn Midlo Hall, *Slavery and African Ethnicities in the Americas: Restoring the Links* (Chapel Hill: The University of North Carolina Press, 2005). For examples of work spanning disciplinary boundaries which, characteristically, emphasizes exclusively the histories and cultures of African-descended people in places where such people lived in large numbers, see Linda Heywood, ed., *Central Africans and Cultural Transformations in the American Diaspora* (New York: Cambridge University Press, 2001) and Tejumola Olaniyan and James H. Sweet, eds., *The African Diaspora and the Disciplines* (Bloomington: University of Indiana Press, 2010).

⁶ Extensive scholarship treats the ways in which the cultures, technologies, languages, beliefs, foodways, and medicinal traditions of Africans influenced Euro-American life in the New World, and virtually all of it examines American regions with large African populations. For an example of one way in which African practices shaped American labor, culture, and economy, see Judith Carney, *Black Rice: The Origins of Rice Cultivation in the Americas* (Cambridge: Harvard University Press, 2001) and Edda L. Fields-Black, *Deep Roots: Rice Farmers in West Africa and the African Diaspora* (Bloomington: University of Indiana Press, 2010).

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But scholarship on the African Diaspora would be richer if it began to embrace the study of Atlantic locales more sparsely populated by Africans. For decades, historians and anthropologists have been building models by which to understand complex socio-historical phenomena such as slave culture, but they have been doing so using a limited toolkit. By emphasizing regions where Africans lived in large numbers and disregarding places where Africans were only a small minority, scholars of the African Diaspora have unwittingly limited their analysis to one end of the broad spectrum of diasporic life and adaptation. “Endearing Ties” addresses this issue, exploring the obstacles and opportunities that existed for Africans who found themselves in parts of the Atlantic world inhabited mainly by European colonists and Native Americans, and investigating how these Africans appropriated and repurposed local gendered practices, religious rituals, and legal customs to manage their relative isolation and marginalized position in society. By suggesting that the models historians have used to explain diasporic adaptation among densely populated African communities are not sufficient to explain the lives of transplanted Africans who had access to only very small black communities, “Endearing Ties” both contributes to and complicates the dynamic scholarship on the African Diaspora.

At the same time, the dissertation supplies an instructive methodological intervention into the southern-centered historiography on the slave family, which has written the history of slave family life primarily by examining large, and thereby atypical, plantations. Most slaves in the southern mainland colonies, nearly all slaves in the northern mainland colonies, and a surprising proportion of slaves throughout the Atlantic lived, labored, and raised their children on significantly smaller holdings than those that have been explored by the bulk of the extensive

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literature on black family life.⁷ This project aims to place the relationships forged on smallholdings at the center of scholarly understandings of slave family life. Its New England focus is strategic: New England may be the richest setting for the study of slave life on smallholdings in the early Atlantic, as the great majority of the region's slaveholders owned very few Africans and New Englanders created a vast array of records that shed light on black family life. My research indicates that slaves like Phoebe and Mark—who lived in Euro-American homes with few, if any, other Africans—built very different families from slaves who lived on large plantations. While families in plantation settings often cohabited, were patrifocal in form, created sprawling networks of extended kin, and enjoyed a semblance of privacy in outbuildings set apart from their masters' homes, the families of Phoebe and Mark's enslaved neighbors were

⁷ On the prevalence of smallholdings in the southern colonies, Wilma Dunaway asserts that even during the middle of the nineteenth century, when the southern slave population was at its highest, “more than 88 percent of U.S. slaves resided at locations where there were fewer than fifty slaves.” See Dunaway, *African-American Family in Slavery and Emancipation* (New York: Cambridge University Press, 2003), 3. And Robert Fogel shows that nearly half—43 percent—of the southern slave population in 1850 lived on plantations with 15 or fewer slaves. See Fogel, *Without Consent or Contract: The Rise and Fall of American Slavery* (New York: Norton, 1989), 179. With few exceptions—principally, the Narragansett region of Rhode Island—slaves across New England were dispersed in very small numbers throughout Euro-American households; they tended to reside with one or two other Africans, if they lived with other blacks at all. Generations of historians have casually noted the sparse distribution of blacks throughout Euro-American households, but systematically mapping the dispersal of slaves throughout New England households is nearly impossible apart from probate records. Tax records in seventeenth- and eighteenth-century New England are scarce, and those that exist often fail to record slaves. In addition, New England censuses from this period, which are rare, almost uniformly return counts at the town level rather than that of the household.

The historiography on the slave family is tremendously rich and dates back to the early twentieth century, but nearly all the relevant scholarship examines slave families in the South and is based on evidence from large plantations. See E. Franklin Frazier, *The Negro Family in the United States* (Chicago: University of Chicago Press, 1939); Kenneth Stampp, *The Peculiar Institution: Slavery and the Antebellum South* (New York: Knopf, 1956); Stanley Elkins, *Slavery: A Problem in American Institutional and Intellectual Life* (Chicago: University of Chicago Press, 1959); Herbert Gutman, *The Black Family in Slavery and Freedom, 1750-1925* (New York: Vintage, 1977); John Blassingame, *The Slave Community: Plantation Life in the Antebellum South* (New York: Oxford University Press, 1972); Deborah Gray White, *Ar'n't I a Woman?: Female Slaves in the Plantation South* (New York: Norton, 1985); Ann Patton Malone, *Sweet Chariot: Slave Family and Household Structure in Nineteenth-Century Louisiana* (Chapel Hill: The University of North Carolina Press, 1996); Brenda Stevenson, *Life in Black and White: Family and Community in the Slave South* (New York: Oxford University Press, 1997); Philip Morgan, *Slave Counterpoint: Black Culture in the Eighteenth-Century Chesapeake and Lowcountry* (Chapel Hill: The University of North Carolina Press, 1998); Wilma Dunaway, *The African-American Family in Slavery and Emancipation* (New York: Cambridge University Press, 2003); Larry Hudson, *To Have and to Hold: Slave Work and Family Life in Antebellum South Carolina* (Athens: University of Georgia Press, 1997); Emily West, *Chains of Love: Slave Couples in Antebellum South Carolina* (Champaign: University of Illinois Press, 2004); Annette Gordon-Reed, *The Hemingses of Monticello: An American Family* (New York: Norton, 2008).

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almost always fractured, matrifocal, and unceremoniously lodged in garrets or cellars or the corners of kitchens in Euro-American households. Of course, particularities in New England's cultural, economic, political, and religious milieu shaped the families of slaves in the region, and this study analyzes those factors. Nonetheless, "Endearing Ties" sheds light on the structure and function of slave families on smallholdings throughout the early modern Atlantic world.

Scholars know very little about black family life in the North; the subject has been treated no more thoroughly in the historiography on New England slavery than it has in the scholarship on the slave family. The literature on slavery in New England—itsself very outdated—only briefly discusses slaves' marital patterns, family structures, and kinship networks.⁸ And most of it simply pieces together an assortment of evidence from published sources, providing little contextualization to indicate whether a particular slave's experience was broadly representative or highly unusual. Occasionally, this literature even relies on evidence from outside the region to supposedly illuminate slave family life in New England.⁹ What is more, scholars of slavery in New England show a disturbing capacity to overlook a fundamental tenet of historical analysis:

⁸ Incredibly, Lorenzo Greene's 1942 *Negro in Colonial New England* remains the most useful study of seventeenth- and eighteenth-century slavery in New England as well as the best source of information on slaves' family lives in this time and place, though Greene devoted only a single chapter to blacks and their families. See Lorenzo Greene, *The Negro in Colonial New England* (New York: Athenaeum, 1942). Wendy Warren's *New England Bound: Slavery and Colonization at the Edge of Empire*, which is not yet published, promises to provide new insight into chattel slavery in the region, but it limits itself to the seventeenth century and appears to focus on the relationship between slavery and colonization rather than the lives and family trajectories of Africans in bondage. Warren has apparently found it nearly impossible to track individual Africans' histories during the seventeenth century; she asserted that "multiple entries concerning the same slave are almost entirely lacking" in New England's earliest period. See "'The Cause of Her Grief': The Rape of a Slave in Early New England," *Journal of American History* 93 (March 2007): 2. Though seventeenth-century research on Africans is certainly difficult, I have been able to piece together rich life stories of these people during the earliest period of New England history.

⁹ For instance, William Piersen's *Black Yankees* includes a ten-page chapter titled "To Build a Family," which employs evidence from Barbados, nineteenth-century Alabama, North Carolina, and New York to describe eighteenth-century black family life in New England. Piersen's attempt to find Herskovitsian survivals of African culture in early New England would have been better served by a thick description of slave culture in New England itself than by recurrent references to more obviously "African" populations elsewhere. See William D. Piersen, *Black Yankees: The Development of an Afro-American Subculture in Eighteenth-Century New England* (Amherst: University of Massachusetts Press, 1988).

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the importance of considering change over time. Nearly all scholarly work dealing with bound Africans in the region approaches slavery in pre-Revolutionary New England as all of a piece; the little that has been published on black families in early New England pulls together evidence from divergent periods as if blacks' kin connections failed to change over time despite remarkable transformations in their context.¹⁰ By carefully charting changes in black family life over nearly two centuries of history, my dissertation shows that Africans' lives were anything but static during the colonial period. The project argues, for instance, that family furthered freedom for slaves in different ways at different times. Some slaves acquired their liberty in the seventeenth century because their Euro-American neighbors were uncomfortable with how perpetual bondage prevented black families from cohabiting. By the turn of the eighteenth century, slaves with robust kin ties began to stand better chances of freedom than those without because family members increasingly sought to liberate their kin through purchase or legal action. And family was crucial to the African American consciousness that provided a foundation for emancipation during the Revolutionary Era; for example, blacks vigorously protested slavery on the basis that it kept them from assuming their rightful familial roles.

“Endearing Ties” contributes to other bodies of historical work as well. Though the families explored in this dissertation have received no sustained scholarly attention, the historiography on family life in New England is extensive. Interest in the nature of Puritan family life arose in 1944 with the publication of Edmund Morgan’s pathbreaking book, *The*

¹⁰ Both older scholarship, such as that of Greene and Pierson, and very recent work approach slavery in New England without careful attention to time. For instance, the only synthesis of black women’s history in early New England, published in 2010, includes examples from the seventeenth century alongside the eighteenth without consideration of how a century’s passage might influence the meaning and context of the evidence at hand. See Catherine Adams and Elizabeth Pleck, *Love of Freedom: Black Women in Colonial and Revolutionary New England* (New York: Oxford University Press, 2010). For an example of this evidentiary use, see page 53, which jumps from the mid-seventeenth century to the mid-eighteenth century without acknowledging a change in time or context. Though *Love of Freedom* is bursting with gems from the archives, it would have benefitted from contextualizing its findings more explicitly.

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Puritan Family, and work on New England families exploded in the 1970s, when, employing tools like demography and psychology, scholars painted a nuanced portrait of the Puritans and their eighteenth-century descendants.¹¹ In the 1980s, historians began to focus on the roles of women in these families, and they later turned to the ways in which gender influenced family life in early New England.¹² Though New England families have captured the minds and imaginations of historians over an impressive stretch of time, the resultant outpouring of scholarship has focused almost exclusively on English settlers and their descendants.¹³ No scholar has explored systematically the families of the Puritans' slaves or free black neighbors, even though some Afro-New Englanders became Puritans and many engaged in family-building: my research in Boston alone has uncovered hundreds of marriages, thousands of births, and countless fragments of evidence indicating that people of African descent forged bonds of blood and affection with one another.¹⁴ By foregrounding these families, "Endearing Ties" complicates

¹¹ See Edmund S. Morgan *The Puritan Family: Religion and Domestic Relations in Seventeenth-Century New England* (New York: Harper & Row, 1944); John Demos, *A Little Commonwealth: Family Life in Plymouth Colony* (New York: Oxford University Press, 1970); Phillip Greven, *Four Generations: Population, Land, and Family in Colonial Andover, Massachusetts* (Ithaca: Cornell University Press, 1970); Michael Zuckerman, *Peaceable Kingdoms: New England Towns in the Eighteenth Century* (New York: Knopf, 1970); Phillip Greven, *The Protestant Temperament: Patterns of Child-Rearing, Religious Experience, and the Self in Early America* (Chicago: University of Chicago Press, 1977).

¹² For examples of this scholarship, see Laurel Thatcher Ulrich, *Good Wives: Image and Reality in the Lives of Women in Northern New England, 1650-1750* (New York: Vintage, 1980) and Mary Beth Norton, *Liberty's Daughters: The Revolutionary Experience of American Women: 1750-1800* (New York: Little, Brown, and Company, 1980).

¹³ For an important exception to the Anglo-American focus of the literature on New England families, see Ann Marie Plane, *Colonial Intimacies: Indian Marriage in Early New England* (Ithaca: Cornell University Press, 2000). Gloria Main also attends to the families of native peoples in *Peoples of a Spacious Land: Families and Cultures in Colonial New England* (Cambridge: Harvard University Press, 2001).

¹⁴ A few recent scholars have written about particular Afro-New Englanders and their families, but, while they tell evocative and beautifully-wrought stories of hard-to-reconstruct individuals, their work does not illuminate the family structures, community networks, or life-chances of blacks in the region more broadly. The field still waits a systematic appraisal of African family life in early New England. See Allegra di Bonaventura, *For Adam's Sake: A Family Saga in Colonial New England* (New York: Norton, 2014) and Gretchen Holbrook Gerzina, *Mr. and Mrs. Prince: How an Extraordinary Eighteenth-Century Family Moved Out of Slavery and Into Legend* (New York: Harper Collins, 2008).

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accepted notions of the Puritan family and its later outgrowths; not only does Puritan family life look markedly different when the families under consideration are African rather than English, but this dissertation shows that it is impossible to fully understand Anglo-Puritan families without understanding the African families that were part of their households and lived in their neighborhoods.

This project joins a small but growing chorus of voices that insist on a new history of slavery, one that pays attention to the biographies and life trajectories of those caught in the snare of Atlantic bondage.¹⁵ Due to the methodological and archival challenges of reconstructing the lives of individual slaves, the great bulk of scholarship on slavery cobbles together bits and pieces of many slaves' experiences to create a kind of composite image of life in bondage. This is especially the case for scholarship on early American slavery, which relies on a fragmented and difficult-to-decipher source base that lacks the rich biographical and autobiographical evidence available for the nineteenth century. Unfortunately, conventional approaches to the study of slave life obscure as much as they illuminate, as no historical actor can truly be represented by an aggregate of anecdotes. Composite depictions of slaves lack the nuance—and, indeed, the surprise—that one finds in the narratives of individuals who actually inhabited specific historical contexts and navigated challenges particular to their time and place. This dissertation argues for more careful attention to actual *people* in the past by using biography to communicate historical realities about persons of African descent. Based on years of meticulous archival work, “Endearing Ties” reconstructs the lived experiences and kinship communities of a

¹⁵ For an impressive compilation of scholarship along this vein, see Lisa A. Lindsay and John Wood Sweet, eds., *Biography and the Black Atlantic* (Philadelphia: University of Pennsylvania Press, 2013). James H. Sweet's *Domingos Álvares, African Healing, and the Intellectual History of the Atlantic World* is an extraordinarily successful example of this new approach (Chapel Hill: University of North Carolina Press, 2013). Digital efforts are underway to enhance the biographical resources available to historians of Africans in the Americas. See, for instance, Michigan State's NEH-sponsored project titled *Slave Biographies: The Atlantic Database Network*.

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long-neglected cast of historical characters, situating Phoebe and Mark, their yearning for family, and their desperate violence, in broader context.

Unearthing the intimate lives of nearly invisible people is no small task, and my research has necessarily been extensive. My dissertation relies on a wide variety of sources. Court records have proved tremendously valuable; I have skimmed hundreds of thousands of pages of these records in order to gather information on blacks who came before the bar in New England, whether as plaintiffs, defendants, witnesses, or property listed in their owners' probated estates. Criminal court records shed light on blacks' lives, communities, and behavioral patterns (especially those deemed illicit), while some of the charges for which blacks were tried—fornication, adultery, infanticide—pertain directly to the family and provide insight into the complicated relationships between race, sex, gender, and servitude in the region. In addition, as Phoebe and Mark's story makes clear, slave family dynamics can be teased even from court records for crimes—such as murder—that do not appear to relate directly to the family. Because criminal court records are often accompanied by the testimony of witnesses, they sometimes contain the stories (occasionally even the words) of individuals, like Phoebe and Mark, who might otherwise have escaped the historical record. Civil court records, meanwhile, are not only littered with evidence of blacks' dealings with property, but they also contain slaves' freedom suits. And probate court records yield direct data on slave demography, distribution, and ownership. Probate records also shed light on how inheritance practices of Euro-American colonists affected enslaved families, and I have mined these records to map slaves spatially throughout the region as well.

Church records are another valuable source of insight into blacks' lives; they not only note congregants' indiscretions, many of which relate to sex and family, but they also record confessions of erring members. And ministers kept faithful logs of those they married, which,

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together with baptisms—also dutifully noted—provide clues to the formation and expansion of African families. I have organized marriage and baptismal records gleaned from church records into extensive databases tracking the kinship connections of thousands of Afro-New Englanders, and I have supplemented this evidence with birth and death records kept by the region's town clerks. Clerks were not the only town officials who produced reams of historical evidence relating to early blacks; records created by various men in city and county government—selectmen, tax collectors, overseers of the poor—lend insight into the lives of Africans, and I have perused large bodies of this evidence methodically. Records of overseers of the poor are particularly useful, as they include logs of charity disbursements, almshouse admissions, workhouse inmates, and warnings from the town, all of which provide clues to the movement, economic status, family structures, and community networks of free blacks.

I have worked extensively with other sources as well. Commercial documents generated by the business of slaveholding have provided me with insight into slaves' families, communities, and gendered practices; for instance, bills of sale occasionally note familial relationships, such as when fathers purchased their children or husbands purchased their wives. And the region's many newspapers provide ample documentation of slavery and the slave trade. I have built databases containing hundreds of slave-for-sale and runaway slave advertisements, which have proved tremendously useful; analyzing the family configurations of slaves advertised for sale has given me insight into the ways in which New England's slaveholders separated slave families, while compiling advertisements for slave runaways—which sometimes note the suspected companions of escaped slaves as well as guess at runaways' possible destinations—has provided me with clues to family networks on the run. The region's rich print culture has proved valuable in other ways as well. Newspapers not only published counts of the dead—both white and black—that have helped me track the demographics of the colony's African

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population, but they printed descriptions of crimes, accidents, and various anecdotes related to New England's blacks that shed light on the lives and actions of the Africans throughout the eighteenth century. Other cultural historical sources, such as broadsides and sermons, have provided this study with additional layers of evidence.

Finally, private records of all types have been indispensable to my efforts to trace the region's African inhabitants. I have leafed through letters, diaries, account books, annotated almanacs, and other miscellanea produced by the Euro-Americans who lived, worked, or worshipped with Afro-New Englanders. The people explored in this dissertation left very few private papers behind them (at least, very few that have survived), but by piecing together clues from *other* people's writings—whether their ministers, their owners, or their neighbors—I have obtained crucial insight into slaves' relationships with their masters, with their Euro-American acquaintances, and, to some degree, with each other. This research has not been easy. Whether working with private records or those generated by courts, churches, printers, or town officials, I faced a persistent problem: virtually none of these sources had been catalogued or indexed in such a way as to enable easy access to the information I sought. Therefore, my project demanded that I peruse literally hundreds of thousands of pages of historical evidence, most of it written in early colonists' fading script. But the effort has been well worth it; processing these sources—along with still more historical evidence—has given me a surprisingly rich body of data on which to base my analysis.

“Endearing Ties” begins at the beginning for Africans in New England: in 1638, when the *Desire* sailed into the Massachusetts Bay and the region's first shipment of enslaved blacks stumbled onto Boston's town dock. It continues into the eighteenth century, through the

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Revolution and beyond, concluding in the nineteenth century. By tackling such a significant swath of time, the study is able to explore both continuity and change in the structures and functions of African family life in New England over time. The project's temporal breadth is complemented by its focus on a fairly small geographic region: the eastern part of the Massachusetts Bay Colony. Though I occasionally incorporate telling bits of evidence from further afield, I have chosen to narrow my geographic lens to a single (albeit broadly-conceived) urban space in order to examine generations of a community—and the families that made up that community—in great depth. But, of course, this dissertation is not just about the greater Boston region: in many instances, as this study makes clear, the realities in this area mirrored those in New England more broadly, so the project sheds light on African family life throughout the region. And in important ways the lives and families of slaves on the shore of the Bay Colony differed strikingly from those of Africans in bondage throughout the rest of Anglo-America, so this study provides valuable comparative insight into the dynamics of slavery, race, family, and gender in the broader Atlantic world.

“Endearing Ties” has an unusual structure. The dissertation unfolds as a series of biographies; each chapter focuses on a single African family in great depth, contextualizing it using extensive evidence about that family's time and place. It would have been simpler to organize my fragmented research findings thematically than to pursue the herculean task of tracing individuals who left only the faintest of tracks in the historical record, but the study's narrative structure is crucial. By foregrounding particular black families and telling their stories of often heartbreaking beauty and power, my dissertation treats early Afro-New Englanders as fully human, with complete life spans and complicated contexts, rather than as bit parts in other peoples' dramas. Scholars usually lack the evidence to write this way, but my painstaking

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research has paid rich dividends. “Endearing Ties” makes a compelling argument about method and humanity in the study of slaves’ lives through its very structure, contending for the importance of reconstructing the lives and trajectories of enslaved individuals in great depth—despite the archival challenges that such an undertaking inevitably entails.

The first chapter pieces together the story of a woman named Dorcas: a remarkable story of slavery, family, and freedom in the early decades of Puritan settlement that has never been reconstructed by scholars. This chapter makes several arguments as it traces the contours of one of the Bay Colony’s first African slaves and one of its earliest African-descended families: it contends, for example, that slaves were not as disconnected from kin and community in early New England as scholars have posited, and it maintains that at least some slaves were not so wholly excluded from white Puritan society as historians have assumed. Shedding new light on the relationship between religion and race in the seventeenth-century Atlantic world, on the connection between liberty and slavery in the initial period of Anglo-Atlantic settlement, and on the gendered challenges that African women faced when they engaged in family-building in early New England, the chapter does much to remake historians’ understandings of race, religion, gender, family, and the law in the first chapter of the English—and African—saga in the Americas.

The second chapter mines an array of records to reconstruct the story of the courtship, marriage, and family life of two slaves at the turn of the eighteenth century. Sebastian and Jane’s story provides a fascinating contrast to the stories historians tell of slave family life throughout the early modern Atlantic world; it shows that the opportunities for family-building—as well as the practical and moral constraints that controlled the process—differed starkly for Africans in New England on the one hand and those throughout the rest of the Anglo-Atlantic on the other.

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Paying close attention to the role religion played in structuring patriarchy within enslaved families, the chapter explores the smallholding system of slavery that was prevalent in Jane and Sebastian's time and place: a system which ensured that enslaved families were more mother-centered in structure in New England than anywhere else in the Atlantic world. However, despite the matrifocal structures of families like Jane and Sebastian's, this chapter argues that the normative values those families held were indelibly marked by the prevailing society's patriarchal values, which coexisted easily with certain patriarchal practices common in West Central Africa.

Of course, not all of the families Africans built in early New England were with other Africans; some marriages and spousal relationships crossed racial bounds, and the third chapter explores such a family. In the opening years of the eighteenth century, a "negro" named Thomas Bedunah married a white woman named Lydia Crafts. A variety of evidence indicates that their community had misgivings about the relationship. In fact, soon after this interracial marriage—the sole black-white marriage documented in the region during the opening years of the eighteenth century—the legislature decided to outlaw such liaisons. In banning interracial marriages, the Bay Colony marched in step with the broader Atlantic, but the Bedunahs' story points to marked divergences between New England and the rest of the English colonies at the same time; for example, Massachusetts included unprecedented legislation providing African slaves with the right to marry each other in the very same body of laws that prohibited interracial marriage. The Bedunahs' story also points to the limitations of law for understanding social relations. Though the Bedunahs lived and raised their children at a time when liaisons such as theirs were illegal, they appear to have eventually acquired a degree of respect and standing in their community: they were admitted to membership in their local church, they baptized their

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children, they enjoyed relative prosperity, and their offspring—in direct defiance of the colony’s legislation—married whites, creating families that eventually became “white” rather than “negro” or “mulatto.”

The study moves to the middle decades of the eighteenth century in the fourth chapter, which examines the families of Phoebe and Mark, whose distressing act of desperation opened this introduction. Placing in broader context the problem of slave liaisons that spanned town borders and exploring the strategies that slaves pursued to unify their fractured families, this chapter probes the dark realities that faced many of the region’s bound husbands and wives, fathers and mothers, sons and daughters. Due to the smallholding system of slavery that predominated in the region, slaves usually could not cohabit with their spouses; the great majority of enslaved husbands and wives belonged to different owners than their partners. This circumscribed fathers’ access to their children, who belonged to their mothers’ masters. And the decisions made by slaveholders could make the division of black families could be even worse. Bound children, already separated from their fathers, were often severed from their mothers as well, because many masters preferred to own only small numbers of bound Africans. All in all, the smallholding system of slavery in the region—a natural result of New England’s lack of a cash crop—worked to fracture most of the family units of the region’s bondspeople. Still, slaves did what they could to work against the powerful forces of division. Thousands sought to align their sexual intimacies and family lives with Euro-American norms, insisting on obtaining formal “lawful” marriages with all the trappings of whites’ unions, and untold numbers strove to safeguard their kin networks by extricating themselves or their family members from slavery. Some were able to obtain a measure of security using these strategies, but many, like Mark and Phoebe, were not. Since whites were largely content to alter notions of marriage to match slaves’

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compromised condition, by the mid-eighteenth century, “marriage” had acquired a different meaning when applied to slaves than it did when applied to whites; no matter how seriously people of African descent took their liaisons, they could not reliably obtain for themselves the kinds of marital protections that were guaranteed to their white neighbors. And Mark and Phoebe’s story shows what could happen when this powerlessness bred desperation.

This dissertation concludes by telling a story that contrasts markedly with Phoebe and Mark’s. Prior to the Revolution, Anthony, Cuba, and their children belonged to a wealthy and powerful Euro-American family, but their loyalist owners fled the region at the outbreak of the hostilities that led to the Revolutionary War, leaving their African slaves behind. By recounting the tale of the Vassall slaves—who took their masters’ last name and made it their own—the chapter sheds new light on the process by which blacks obtained freedom in Revolutionary-era Massachusetts, and it shows how freedom influenced the family formations of former slaves. The black Vassalls managed to prosper in the Revolutionary era by building a strongly patriarchal family unit; Anthony assumed a public role as provider and protector. When the government confiscated his owner’s estate, the man petitioned the legislature for redress, claiming that he had lived on the land all his life and had always been a “friend of liberty.” He was awarded a life-long pension, and his family appears to have been allowed to continue residing on the property. Next, Anthony managed to convince the agent responsible for maintaining the estate to give him an enormous sum of money; the one-time slave insisted that his wife and children—who were effectively free—were in fact enslaved, and, as property of the estate, ought to be maintained by the government. Managing to live for free on his former owner’s property for years, to obtain a significant amount of money in return for supporting his wife and children, and to secure an annual stipend from the government, Tony was a provider

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extraordinaire for his family; before his death in the early nineteenth century, he raised his children in a comfortable residence purchased with his wartime gain. But his descendants would falter in the years to come, crippled by poverty and poor health. Though the great majority of black families reorganized their living situations upon the advent of freedom in order to cohabit, and most, like the Vassalls, built family units that were subordinated to a male household head, blacks in the region would find patriarchy a feeble defense against racism in the years to come.

Anthony and Cuba's story nonetheless points to the upper limits of what was possible for blacks to achieve in Revolutionary New England, and it is instructive for precisely that reason. The five narratives that this dissertation tells in extraordinary depth—as well as the hundreds of fragmented stories that it uses to contextualize these narratives—reveal that Afro-New Englanders made very different decisions, lived very different lives, and built very different families over the course of the seventeenth and eighteenth centuries. Yet the study exposes much that was common for these people, and it reveals why the opportunities for family-building and the obstacles to the same so often differed for blacks in New England on the one hand and Africans in the rest of the Anglo-Atlantic on the other. When Anthony's widow, Cuba, claimed her deceased husband's pension in 1811, the world in which she lived, labored, and made meaning was poles apart from the world Dorcas entered when she disembarked from the *Desire* in 1638. "Endearing Ties" explains how Dorcas's world became Cuba's one, exploring changes in African population, demography, and gender parity; in blacks' patterns of marriage, childbearing, and child rearing; in slaves' opportunities to shape the terms of their enslavement and acquire freedom; in Africans' participation in—and exploitation of—white institutions, like the courts and the church, in order to safeguard their intimate relationships; in Euro-Americans' regulation of Africans' sexual behavior; in whites' willingness to recognize and protect blacks'

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ties of blood and affection; in English colonists' understandings of what, precisely, constituted a family and who ought to be allowed to build one; in Euro-Americans' understandings of race and gender; and in whites' use of the law to codify prejudice and patriarchy. Understanding the transformations in the structure and function of African families during this period entails disentangling the entwined histories of race, slavery, family, gender, law, economy, politics, and religion over nearly 200 years of history—no easy task, certainly. But the power of the narratives of these nearly invisible black families makes the endeavor well worth the effort. Long-neglected Africans like Phoebe and Mark simply call out from the archives for their tales to be told. Here, then, are their stories.

Chapter One

Dorcas and Her Kin: Race, Religion, Family, and the Law at the Birth of the Bay Colony

Richard Mather opened the heavy leather-bound volume of his congregation's records and began to inscribe names on the thick parchment. *Andrew Pitcher. Mary Breck. Widow Jones. Henry Bridgram.* Eight had been added to the church that April Friday. They had stood before the congregation and professed their faith. They had publicly repented of their sins. They had “tak[en] hould” of the church's covenant in the presence of their Dorchester brethren, promising to “walke together as a right ordered Congregacon.”¹ They had been baptized. *Goody Munnings. Goody Lippincott. Elizabeth Craine.* It had been a good day, though a fairly ordinary one: the minister usually admitted new members during Friday meetings, and anywhere from five to ten souls typically joined at a time. But one aspect of this meeting was different from the church's other gatherings—strikingly so. *Dorcas ye blackmore.*² An Angolan-born woman had

¹ This quote, and several below, are taken from the Dorchester Church's covenant of 1636. See Dorchester First Church, *Records of the First Church at Dorchester, in New England, 1636-1734* (Boston: G. H. Ellis, 1891), 2. The covenant, which remained in force long after Dorcas was baptized, was written when Mather took over leadership of the much-diminished congregation in 1636. The church had recently lost its minister, the Reverend John Warham, and much of its membership due to the relocation of a significant proportion of the town of Dorchester to Windsor, Connecticut.

² The members who joined the congregation on the “16 of 2^d mo 1641” were listed as follows: Andrew Pitcher, Mary Brecke, Widow Jones, Henry Bridgam, Dorcas ye blackmore, Goody Munnings, Goody Lippincot, Elizabeth Craine.” *Records of the First Church at Dorchester*, 5.

stood beneath the thatched roof of the crude logwood meeting house and told her story of faith.³ She had named Jesus Christ her only “spirituall husband and Lord,” her one “high priest & Prophet and King.” She had so convincingly expressed her “confidence” in Christ’s “free grace” that her brethren had not hesitated to embrace her as part of their “Church Com[m]union.” In the quiet reverence of Puritan worship on the sixteenth day of April, 1641, much had changed, both for Dorcas and her wider world. Never before had Mather entered into his weighty tome the name of a person who was not of English descent, and his inscription this day represented an important reality: the Dorchester congregation had become the first Puritan body in the New England wilderness to covenant with a “blackmore.”⁴ As for Dorcas, a girl just embarking on womanhood who apparently had no last name, the decision she had made to embed herself in a new community—a community that promised to “further” her “best spirituall good”—would drastically alter her temporal reality in the years to come, though she could not have guessed it on that April day.

What follows is Dorcas’s story: a remarkable story of slavery, family, and freedom in the early decades of Puritan settlement. But this is not just a simple narration of events; this chapter makes several arguments as it traces the contours of one of the Bay Colony’s first African slaves and one of its earliest African-descended families. It contends, first, that slaves were not as disconnected from kin and community in early New England as scholars have posited. Blacks

³ For a brief description of the building in which the early Dorchester saints worshipped, see Dorchester Antiquarian and Historical Society, *History of the Town of Dorchester, Massachusetts* (Boston: E. Clapp, 1859), 33.

⁴ No extant New England church records document the baptism or membership of an identifiably African person prior to 1641. Dorcas’s admission to the First Church was unusually early; the Dorchester congregation would not receive another African member until 1700, and, when Dorcas ultimately transferred her membership to Boston’s First Church in 1677, she would be the first person of African descent to covenant with that congregation as well. As for the Dorchester church’s next “Negroe” member, records mention “Nullaines a Negroe Ent’ring into Coven[an]t [and being] baptized” on March 10, 1700. *Records of the First Church at Dorchester*, 211.

were building kin networks—and whites were recognizing them as legitimate families—from the earliest period of New England settlement. It likewise maintains that at least some slaves were not so wholly excluded from white Christian Puritan society as historians have assumed. Dorcas embraced Puritan religion, and it served as a powerful protection for her, particularly in relation to her family life. In fact, Dorchester’s First Church would ultimately go to extraordinary lengths to enable the woman to maintain a family in nearby Boston.

But the role of religion in Dorcas’s story is complicated: Puritans’ interpretations of biblical precepts provided justification for the woman’s enslavement in the first place. And Dorcas’s baptism did nothing to convince Bay Colonists that she should be freed; the connection between baptism and freedom that scholars have observed elsewhere in the seventeenth-century Atlantic did not influence English settlers in one of the places where baptism was taken most seriously: New England. Indeed, despite the impressive reforms to law and civil government that early Massachusetts settlers enacted, the “liberties” they wrote into law when they passed the Bay Colony’s inaugural legal code in 1641 relegated Dorcas to the status of a perpetual bondsperson at precisely the same time that the woman was baptized into the church and hailed for her mastery of Puritan religion.⁵ Dorcas’s story displays in bold relief some of the paradoxes of the Puritans’ colonial project. By placing the African woman and her family front and center in the narrative of New England’s early decades, this chapter does much to remake historians’

⁵ Deborah McNally has also noted that Dorcas’s baptism occurred in the same year that the Massachusetts Bay Colony’s Body of Liberties was passed. See Deborah McNally, “Dorcas the blackmore (ca. 1620- ?),” Blackpast.org, n.d. <<http://www.blackpast.org/aah/dorcas-blackmore-ca-1620>> The dissertation on which the Blackpast.org entry was based has since been made publicly available, and this observation occurs there as well. See Deborah Colleen McNally, “Within Patriarchy: Gender and Power in Massachusetts’s Congregational Churches, 1630-1730.” Doctoral Dissertation, University of Washington, 2013, p. 92.

understandings of race, religion, gender, family, and the law in the first chapter of the English—and African—saga in the Americas.

On the 26th of February, 1638, Dorcas sailed toward Boston on a vessel called the *Desire*.⁶ Perhaps she stood on deck, gazing landward as the ship maneuvered around the pallid frozen islands that punctured the blue of the Massachusetts Bay. If so, she would have spied her destination by the time the *Desire* reached the waters of the inlet that Bostonians called the Great Cove, which lapped the docks of the town’s North End and soaked the icy marshes along the port’s eastern flank.⁷ The rough-hewn wharves and piers of the fledgling town doubtless struck Dorcas as strange and unfamiliar, but the vessel that carried the girl was returning home.⁸ Built in nearby Marblehead, the *Desire* was one of the first ships hewn of the old growth forest that

⁶ Though no surviving records list the names of the *Desire*’s bound Africans, abundant evidence indicates that Dorcas was one of the “negroes” shipped aboard the vessel to Boston. The *Desire* brought the only known shipment of bound Africans to the region prior to Dorcas’s 1641 baptism, after all. And the timing of her voyage aligns with clues to Dorcas’s origins in the colony. When Dorcas stood before Dorchester’s First Church in April of 1641 and proclaimed her faith in Christ, she was not a new arrival to Massachusetts. She had been learning scripture (and English) for some time—“divers years,” as the colony’s governor, John Winthrop, had put it. Had the *Desire* carried Dorcas on its February 1638 homecoming, the African woman’s arrival in Massachusetts would have pre-dated her April 1641 baptism by just over three years, a period of time that corresponds with Winthrop’s “divers” years perfectly. The timing of the *Desire*’s voyage works well on another account: the man who ultimately purchased Dorcas, an influential colonist named Israel Stoughton, was actively seeking an enslaved woman for his household at the very time the *Desire* embarked on her Atlantic passage. It is hardly farfetched, then, to imagine that he bought one of the African captives on the *Desire* when the ship returned to port.

⁷ Map of the Town of Boston 1648, Drawer 9 (XL) Folder 1, Samuel Chester Clough research materials toward a topographical history of Boston, the Massachusetts Historical Society.

⁸ A few clues allow one to approximate Dorcas’s age throughout her life. In 1641, when she was baptized in Dorchester’s church, John Winthrop referred to her as a “maid.” Neither a girl nor a spinster, Winthrop’s designation suggests that she was close to twenty. She had a child in 1652, so she was clearly of child-bearing age at that time, and she had another within two years. She must have been fairly young—probably no older than her early thirties—in order to conceive and bear two children so close together. Assuming she was thirty in 1652 when she bore her first child, she would have been nineteen when she was baptized and sixteen when she first arrived in Boston.

blanketed much of Massachusetts upon the colonists' arrival.⁹ The ship had plied the waters of the Atlantic for seven months; she had left New England the previous July stocked with Pequot captives—fifteen boys and two women, casualties of the bloody war waged by the English colonists of the region and their Narragansett and Mohegan allies against the Pequot tribe. William Pierce, her captain, had been directed to deliver his bound cargo to Bermuda, but he had sailed to Providence Island instead.¹⁰ There he had exchanged the unfortunate Pequots for the cotton, tobacco, and “negroes” that now stocked the vessel’s hold.¹¹

Dorcas and the other blacks on board the *Desire* had endured a string of jarring dislocations. The turmoil had begun when their villages were raided by Imbangala warriors in West Central Africa.¹² Captured by their attackers, the “negroes” who would ultimately drift

⁹ Sometime governor John Winthrop, ever invested in the growth of industry in New England, had noted the completion of the *Desire* in the account he called the *History of New England*: “A shippe of 120: t[ons] was built... & called the Desire,” he wrote in August of 1636. See John Winthrop, *The Journal of John Winthrop, 1630-1649*, ed. Richard Dunn et al. (Cambridge, Mass.: Harvard University Press, 1996), 184.

¹⁰ In a July 28, 1637 letter to Governor Bradford of Plymouth Colony, Winthrop mentioned that “The prisoners were devided, some to those of ye river [the Connecticut Colony] and the rest to us. Of these we send the male children to Bermuda, by Mr. William Peirce, & ye women & maid children are disposed aboute in ye tounes. Ther have now been slaine and taken, in all, aboute 700.” John Winthrop, *The Winthrop Papers*, ed. Allyn Bailey Forbes, vol. 3 (Boston: The Massachusetts Historical Society, 1943), 457. See also Winthrop’s journal entry dated July 13, 1637, which states that “We sent fifteen of the boys and two women to Bermuda, by Mr. Peirce; but he, missing it, carried them to Providence Isle.” *Journal of John Winthrop*, 227.

¹¹ For Winthrop’s report of the *Desire*’s journey to Providence Island, see *Journal of John Winthrop*, 246.

¹² In 1611, the Portuguese in Angola allied with the Imbangala, a warlike group that pillaged settled villages for survival: plundering stores of grain and cattle; practicing cannibalism; cutting down palm trees to drain them of their fermented sap; taking captives for trade; and brainwashing children to train into soldiers. Despite periodic unease about the Imbangala’s devastation of the region, the Portuguese grew dependent on the slaves generated by Imbangala destruction and maintained alliances with them from 1611 to 1641. Imbangala raids eventually led to war in the 1620s and 1630s with Njinga Mbandi, who claimed the battered kingdom of Ndongo, south of Kongo—a conflict in which Imbangala bands fought on both sides. At the same time the Portuguese, the Imbangala, and Ndongo fought, the Kingdom of Kongo became embroiled in civil war due to internal conflicts, which allowed Portuguese slave traders to purchase thousands of displaced or captured Kongolese for the Atlantic market. For detailed treatment of the ways in which war and civil unrest in Central Africa fed the Atlantic slave market in the first half of the seventeenth century, see chapter three of John Thornton and Linda Heywood, *Central Africans, Atlantic Creoles, and the Foundation of the Americas, 1585-1660* (New York: Cambridge University Press, 2007).

toward Boston's town dock had been conveyed to Portuguese slave traders on the coast.¹³ Dorcas may have spent months on the Angolan seaboard, shackled to other captives in long chains, before embarking on a harrowing journey aboard a Portuguese slaver to the Spanish-American mainland.¹⁴ She most likely set foot on land in Cartagena, the busiest slave market in the region, but she may not have been in Spanish possession for long; stolen by English privateers who depended for their daily bread on plundering Spanish shipping and coastal settlements, Dorcas had been brought to Providence Island, a tiny Puritan stronghold in a sea awash with Spanish power.¹⁵ Fragments of the final stages of the captives' story had arrived with them in Boston on the *Desire*: Pierce reportedly had met two powerful English warships on Providence Island that

¹³ Extensive historical evidence points to the Angolan origin of African slaves shipped into the Atlantic market during the time of Dorcas's capture and enslavement. David Wheat argues that two-thirds of slaves brought to Cartagena, one of the main Spanish-Caribbean slave ports, between 1626 and 1640 came from Angola, and more than 80 percent of the slave trade voyages to the port of Veracruz between 1595 and 1640 originated in Angola. David Wheat, "The First Great Waves: African Provenance Zones for the Transatlantic Slave Trade to Cartagena de Indias, 1570-1640." *Journal of African History* 52 (March 2011): 4, 7. John Thornton and Linda Heywood argue that nearly all slaves transported to the Spanish colonies in America between 1616 and 1640 were purchased in Angola. In 1637, the year in which the *Desire* sailed to Providence Island to exchange Pequots for Africans, all of the Portuguese ships licensed to deliver slaves to the Spanish Indies hailed from Angola. See Thornton and Heywood, 40. It is worth noting that some Angolans who ended up in the slave trade as a result of Imbangala raiding were not actually captured by the Imbangala but instead simply displaced, which made them vulnerable to ending up in the region's active slave trade. See Thornton and Heywood, 94.

¹⁴ Linda Newson and Susie Minchin argue that, due to the disruptions of war, which led to "shifting sources of supply and disrupted trade networks," many ships spent an inordinate amount of time on the Angolan coast. In 1615, for instance, one captain excused his delayed arrival to Cartagena by explaining that "he had spent fifteen months completing his cargo in Luanda because the supply of slaves had been disrupted by wars and the death of the King of Kongo." Some slaves departing from Luanda were kept in barracoons on the Ilha de Luanda, but others were kept on the mainland, where they were almost surely chained together in order to prevent escape. See Linda A. Newson and Susie Minchin, *From Capture to Sale: The Portuguese Slave Trade to Spanish South America in the Early Seventeenth Century* (Boston: Brill, 2007), 75-6. Newson and Minchin note that in the early seventeenth century "slaves were being introduced [to Spanish-Caribbean ports] directly from Africa without refreshment in the Caribbean." See page 134.

¹⁵ In the early seventeenth century, Cartagena, Buenos Aires, and Veracruz were the three Spanish-American ports where Portuguese slavers could land legally. Few licenses were granted to land slaves in Buenos Aires, though. And Cartagena was "not only the region's most active slave market but also the main legal entry point for slaves for all destinations in South America." Newson and Minchin, 136-7. In addition, Cartagena's proximity to Providence Island would have made it an easier target than Veracruz for Providence Island privateers.

held licenses for privateering. These ships had “taken divers prizes from the Spaniard[s]” the story went—prizes that included “many negroes.”¹⁶

Precisely how Pierce disposed of the human property he acquired on Providence Island is unclear. The captain had traversed the Atlantic on Bay Colony business, for the purpose of bartering the colony’s captives in the Caribbean, but no evidence indicates that the goods he brought home enriched the colony’s coffers.¹⁷ The scattered clues to the bound Africans’ dispersal are ambiguous. Pierce himself received one captive, a woman, undoubtedly as payment for his services on the *Desire*.¹⁸ Three other slaves—two women and a man—were soon in the possession of Samuel Maverick, a vocal critic of the Puritan establishment. It seems unlikely that the colony’s elite would have gifted the captives to a man with whom they continually clashed, so Maverick, who was wealthy, must have purchased the “negroes” shortly after their arrival, perhaps from their original recipients.¹⁹ The only other captive to leave traces in the historical record was conveyed to Israel Stoughton, an influential settler who had rendered important service to the colony as captain of Dorchester’s militia in the Pequot War. Perhaps the captain received the girl, who was probably around fifteen years old, as bounty: spoils of the war he had

¹⁶ *Journal of John Winthrop*, 246.

¹⁷ None of the detailed records of colony business from this time mention the proceeds of Pierce’s journey.

¹⁸ John Winthrop referenced a bound African belonging to Pierce who almost certainly arrived on the *Desire*. In June of 1641, the “negro maid” started a fire in Pierce’s home; her candle dropped snuff that could have burned the building down, but no harm was done. Only one thing was destroyed: a piece of linen that Bridget, William’s wife, coveted. Winthrop accounted this a great good, as it took “off [Bridget’s] heart from worldly comforts” and prepared “her for a far greater affliction”—namely, “the untimely death of her husband, who was slain not long after at the Isle of Providence.” William Pierce was killed in June 1641 delivering English Puritans to Providence Island, which had been overrun by the Spanish the prior month. *Journal of John Winthrop*, 352. Though Winthrop interpreted the African woman’s action as benign, James Duncan Phillips argued in *Salem in the Seventeenth Century* that the slave attempted to burn her master’s house down (New York, 1933), 96-7.

¹⁹ Somehow, Maverick had three slaves in his possession—two women and one man—by the autumn following the *Desire*’s homecoming. Wendy Anne Warren has written a compelling essay about one of them. See “‘The Cause of Her Grief’: The Rape of a Slave in Early New England,” *Journal of American History* 93 (March 2007): 1031-1049.

waged in southern New England. She was the only bound African to disembark the *Desire* whose name would be recorded for posterity. Her name, of course, was Dorcas.

Dorcas joined a household that was large and complex, composed, like middling English families on both sides of the Atlantic, of people related to Stoughton by blood, marriage, and obligation. Stoughton and his wife, Elizabeth, had four children: Israel, Susanna, and William had been born prior to their 1632 Atlantic crossing, and Hannah had been born in April of 1637, just before Stoughton headed south in the company of 160 armed colonists to pursue Pequots through the swamps and forests of the Narragansett region of Rhode Island.²⁰ Others joined Stoughton, Elizabeth, and their four young children in the modest wood-frame house on the bank of the Neponset River in Dorchester. Stoughton’s mother-in-law, Elizabeth Knight, cohabited with them, which brought her English servant, John Stringer, under Stoughton’s roof as well.²¹

And a series of additional household dependents were considered part of Stoughton’s family:

²⁰ Regarding Stoughton’s children: Stoughton bestowed upon his “Eldest sonne Israell,” born in England, a “double portion” in his 1644 will. See Will of Israel Stoughton, Suffolk County Probate Records, Massachusetts State Archives, First Series, box 30, vol. 1, p. 63. For evidence relating to the existence of an eldest daughter, likely named Susanna, who was born in England and therefore not mentioned in New England records, see William R. Newman, *Gehennical Fire: The Lives of George Starkey An American Alchemist in the Scientific Revolution* (Chicago: University of Chicago Press, 2003), 51-2. Hannah Stoughton’s birth date was not noted by Dorchester’s First Church when it occurred, nor does it appear in surviving records created by Dorchester’s early town clerks (which are fragmentary for the 1630s), but it was listed after-the-fact on the back flyleaf of the Dorchester church’s book of records, possibly by a town clerk, in the early 1700s: “2[nd] m[onth] 1637.” William Stoughton’s birth date is given on the same page: “30[th day] 7[th] m[onth] 1631.” *Records of the First Church at Dorchester*, 148.

As for Stoughton’s whereabouts around the time of Hannah’s birth, the man was listed as present in court on March 9, April 18, May 17, and June 6, but by June 19 he was already in the region of the conflict, as Massachusetts Captain Daniel Patrick referenced “meat[ing]” him in a letter to the “Councell of war in Massachusetts.” See Nathaniel B. Shurtleff, ed. *Records of the Governor and Company of the Massachusetts Bay in New England*, vol. 1 (New York: AMS Press, 1968), 190, 195, and 197 [hereafter referred to as *Records of the Massachusetts Bay Colony*]. See also *The Papers of John Winthrop*, vol. 3, p. 430.

²¹ On October 21, 1637, Knight’s servant, John Stringer, was whipped by the court for “divers miscarriages” toward Knight and Stoughton and for running away. See *Journal of John Winthrop*, 755. Though servants in the Bay Colony were commonly punished for mistreating their masters, they were rarely rebuked for mistreating others as well, but Elizabeth Knight was a widow, and Stoughton doubtless played a role in chastising her unruly servant. Knight’s status as a widow and Stoughton’s involvement in disciplining her dependent suggest that the woman may have joined Stoughton’s household prior to Winthrop’s 1637 reference, a notion supported by Stoughton’s 1644 will stipulating that Knight could “dwell... in the house w[i]th my wife dureing her pleasure.” Will of Israel Stoughton, Suffolk County Probate Records, Massachusetts State Archives, First Series, box 30, vol. 1, p. 67.

Alexander Miller and John Wipple, servants who had helped Stoughton establish his Dorchester farm, were recognizable features of the Stoughton household, while others, like Robert Way, temporarily resided in Stoughton's home while the court sorted out whom they should serve and for how long.²²

Stoughton may have added another bound laborer to his retinue just before Dorcas's arrival: a Pequot captive seized by his military company in the Narragansett. Eager for the woman's service, perhaps to aid his wife with the care of infant Hannah, he had "clothe[d] her" on the bank of the Pequid River and thus marked her as his dependent, for all unpaid servants in the colony, whether obliged to serve for a number of years or for life, depended on their masters for apparel.²³ The captain had then sent her to Boston along with 47 other captives and a letter to John Winthrop, the colony's governor, in which he expressed his desire to "have her for a servant." Winthrop's reply has been lost, but the governor may well have assented: the captured Pequots were not highly valued by the colonists, after all, and Stoughton was one of the leading men prosecuting the war in the Narragansett on the colony's behalf.²⁴ The unnamed Pequot woman, whom Stoughton judged the "largest and fairest" of the vanquished Natives marched

²² For references to Alexander Miller and John Whipple, see *Records of the Massachusetts Bay Colony*, vol. 1, p. 100. Stoughton was occasionally put in charge of men on a short-term basis due to his role in the colony's governance. For example, in 1635, he temporarily held Robert Way, a servant to William Hosier, while the court decided Way's fate. See *Records of the Massachusetts Bay Colony*, vol. 1, pp. 163-4.

²³ Many contracts between servants and masters found in the early records of the Bay Colony require that masters clothe their servants as well as feed them, and, often, provide them with a sum of money upon the expiration of their service. See, for instance, *Records of the Massachusetts Bay Colony*, vol. 1, pp. 90, 94, 98, and 113.

²⁴ As Winthrop casually remarked in his diary, the "forty-eight women and children" of whom Stoughton had written were delivered to Boston in the beginning of July and "disposed of to no particular persons in the country." *Journal of John Winthrop*, 225. The labor-hungry colonists' apparent indifference toward the captives is perplexing, but Winthrop's journal hints at its source: the Pequots were by no means tractable. Soon after their dispersal, some of the captives ran away, and the colonists had to depend on their Indian allies to bring them back. In attempt to subdue those they recaptured, the colonists "branded them on the shoulder," but the bound Pequots would continue to run from their English captors. See *Journal of John Winthrop*, 225. For a reference to an Indian woman who absconded as late as 1640, see *Records of the Massachusetts Bay Colony*, vol. 1, p. 298.

northward, may well have found herself in her captor's home by midsummer 1637. Just weeks later, the next consignment of Pequot captives would be shipped off to the blue Atlantic aboard Pierce's *Desire*.²⁵

It was this multiracial, multigenerational household—a polyglot of people bound by ties of dependence to Stoughton—that expanded to include Dorcas in the late 1630s. Prior to her seizure, the woman may well have had exposure to European language, religion, and cultural forms on the western coast of Central Africa, parts of which were heavily influenced by the Portuguese in the early seventeenth century, for she mastered Puritan beliefs and the English language exceedingly quickly.²⁶ But much of her education doubtless came from living in Stoughton's household. The man, a committed Puritan and founding member of Dorchester's First Church, would have understood it to be his responsibility to instruct her in spiritual matters, and his efforts met with unusual success; by the time of her 1641 baptism, Dorcas was noted for “sound knowledge” and known for “true godliness.”²⁷ And the African woman would have learned more than doctrines of Puritan religion while living in Stoughton's home; she would have heard much of law, government, and politics while sweeping the man's floor and serving his supper. Her owner, who had played a role in the colony's governance since he was named a

²⁵ *Journal of John Winthrop*, 227.

²⁶ See chapter 4 of Thornton and Heywood for a detailed discussion of the spread of Atlantic Creole culture—from religion, to language, to foodways, to dress, to naming practices, to music—in West Central Africa: both Kongo and Angola.

²⁷ *Journal of John Winthrop*, 347. For the importance of spiritual training in Puritan households, see John Morgan, *Godly Learning: Puritan Attitudes towards Reason, Learning, and Education, 1560-1640* (New York: Cambridge University Press, 1988), esp. ch. 8; Edmund S. Morgan, *The Puritan Family: Religion and Domestic Relations in Seventeenth-Century New England* (New York: Harper Collins, 1966); and Judith S. Graham, *Puritan Family Life: The Diary of Samuel Sewall* (Boston: Northeastern University Press, 2000) esp. pp. 66-72.

Dorchester town deputy to the General Court in 1634, cemented his position among the colony's political elite around the time of the Pequot War and would be elected one of the ruling magistrates for years to come. And the man was not a passive member of the court. He used his standing as an elected official to advocate for a number of issues "on the countrys behalfe," as he put it: issues of great importance to the "freemen"—ordinary voting colonists—rather than their rulers.

In 1634, for instance, Stoughton had worked on behalf of the colony's freemen to incorporate local representatives into the governing body of Massachusetts.²⁸ Before this, a small cadre of magistrates elected at large had wielded unchecked authority in the colony, which made the freemen nervous.²⁹ Allowing a few men to exercise absolute power put everyone at risk: what could prevent the people from suffering should the magistrates make poor decisions or rule unjustly? Stoughton's victory on behalf of the freemen helped break the magistrates' monopoly on the administration of justice in the colony by forcing them to recognize local representatives from each town as partners in government. Yet incorporating town-based deputies into the

²⁸ In 1634, the Bay Colony's freemen, who now numbered several hundred, took it upon themselves to elect three men from each town to plan an agenda for matters to be considered at the court. Dozens of men were selected, and three of these "deputies" were chosen to be speakers. Of the three speakers, Stoughton was named the "chief." His role was to address the magistrates "on the countrys behalfe"—no simple task, Stoughton would later write, because "things were so agitated." As a result of this confrontation led by Stoughton as chief speaker, Governor Winthrop and the rest of the magistrates conceded to the towns the right to send deputies to each meeting of the General Court—deputies that would share the judicial, legislative, and executive functions that the Governor, Deputy Governor, and assistants had retained from the time the first Bay Company ship cast anchor in the Massachusetts Bay. For Stoughton's interpretation of this process, see Israel Stoughton, "*A relation concerning some occurences in New England*" (1635) in *Proceedings of the Massachusetts Historical Society*, 5 (1860-1862), 134-143, esp. 137. For a historian's account of this process, see Edmund S. Morgan, *The Puritan Dilemma: The Story of John Winthrop* (Boston, 1958), 112.

²⁹ According to Edgar J. McManus, the magistrates "for a time dispensed justice as a governing elite.... While the magistrates did not abuse their powers, doubts nevertheless surfaced about the desirability of giving any public officials a blank check. Many feared that so much power in so few hands could pose a threat to personal liberty." Edgar J. McManus, *Law and Liberty in Early New England: Criminal Justice and Due Process, 1620-1692* (Amherst, Mass., The University of Massachusetts Press, 1993), 4-5.

government did not solve the fundamental problem; the freemen were still subjected to judicial rulings that depended on the discretion of their rulers and were therefore unpredictable. The solution was simple: the freemen needed protections grounded in law.

As soon as the deputies obtained standing in the colony's government, they set out to accomplish this, passing new laws at each meeting of the General Court. But they quickly realized the insufficiency of this gradual approach to enacting legislation. In order to guarantee that the government could not act unjustly, the colonists needed a corpus of legislation to direct and contain the decision-making of their leaders. They needed more than a smattering of laws: they needed "a bodye... of Lawes," a "magna Charta."³⁰ And they needed it even more in 1635, when Stoughton, "speaker" of the deputies, was evicted from government for opposing the magistrates' attempt to recoup authority by using a veto device they termed the "negative voice." If the magistrates would eject Stoughton from court because he threatened their power, to what lengths would they go to maintain their control? Immediately after the court censured Stoughton, the representatives of the people protested: they "conceived great danger to our state in regarde that our magistrates (for want of positive Lawes in many Cases[]) might proceed according to their discreations," Winthrop recorded in his journal.³¹ And they demanded change. It was therefore "agreed," Winthrop wrote, "that some men should be appointed to frame a bodye of grondes of Lawes in resemblance to a magna Charta: which... should be received for fundamentall Lawes."³²

³⁰ *Journal of John Winthrop*, 146. Edmund Morgan discussed the freemen's desire for legislation in *The Puritan Dilemma*, 166.

³¹ *Journal of John Winthrop*, 146.

³² *Journal of John Winthrop*, 146.

Yet the colony’s magistrates, Winthrop in particular, resisted the people’s “magna Charta.” It was not that the political elite opposed the use of law in Massachusetts. They did not. But, as one scholar put it, “they wanted laws to arise out of judicial decisions rather than out of wholesale legislative enactments.”³³ In Winthrop’s words: the laws that “would be fittest for us” should “arise pro re nata [as needed] upon occasions.”³⁴ As Winthrop saw it, there were two major reasons for relying on judicial precedents for the establishment of law in the colony. First, everything was so new—the colonists, their “circumstances,” and the Puritan “country” they were creating—that accumulating legal standards bit by bit rather than ratifying a comprehensive legal code at the outset made good sense. The people’s elected rulers could use their wisdom to judge fairly while the colony gradually built up a body of appropriate legal conventions. Second, even if the freemen and their rulers were forward-thinking enough to establish a prudent code of laws at the outset, they could not safely do so; the colony’s charter prohibited them from adopting legislation “repugnant” to that of England, and the Puritan colony could not remain true to itself without passing such legislation. Should the laws arise by “practice and custom,” though, instead of legislative enactment, the colony would not transgress its charter.³⁵

Ultimately, the colonists were less concerned about protecting their Puritan experiment from England than they were about protecting themselves from those who ruled over them. In the aftermath of Stoughton’s expulsion, they insisted that the General Court appoint a committee to frame the colony’s “Magna charta.” That committee, made up of magistrates Winthrop, Thomas Dudley, Richard Bellingham, and John Haynes, predictably produced nothing. Yet the

³³ Morgan, *Puritan Dilemma*, 168.

³⁴ *Journal of John Winthrop*, 314.

³⁵ *Journal of John Winthrop*, 314.

deputies were undeterred. The next year, 1636, Stoughton was reinstated to government, and the deputies insisted on forming a new committee to draw up a code of laws for the colony. This committee, consisting of both magistrates and ministers, furnished a body of legislation in October titled “Moses his judicial.” But the code, written by Boston minister John Cotton, would not do: Cotton, who believed that maintaining stable government was more important than protecting people from unjust actions of the state, called for life-long appointments for the magistrates, which would only heighten their power at the expense of those who had elected them.³⁶ Cotton’s contribution was set aside, and lawmaking was temporarily put on hold as Indian war and theological battles wracked the colony.³⁷

In 1638, the year after the *Desire* brought the first cargo of “negroes” to the Massachusetts Bay, the colony’s deputies pushed the issue yet again. The Pequots had been killed or enslaved. The political and religious dissidents led by the charismatic Anne Hutchinson, her brother-in-law, the Reverend John Wheelwright, and the colony’s governor, Henry Vane, had been either suppressed or expelled. And the Bay Colony’s freemen were eager to secure their protections in law. With Stoughton as a magistrate, the deputies advocated a new plan. Rather than request another committee of leaders opposed to the codification of law to draw up the freemen’s legal body, they turned to Nathaniel Ward, a man of significant legal training in England who had once pastored the church in Ispwich, a town on the north shore of the Massachusetts Bay. Ward, a friend and supporter of Stoughton, “disapproved of giving the

³⁶ Morgan, *The Puritan Dilemma*, 167.

³⁷ The Antinomian Crisis was coming to the fore just as Cotton submitted his legal code to the court. In late October, 1636, Winthrop first referenced Ann Hutchinson, “a woman of a ready wit and a bold spirit,” and her “dangerous errors” in his journal. The crisis, which took on theological, political, and social dimensions, climaxed with Hutchinson’s expulsion from the colony in early 1638. Fighting between the Bay Colony and the Pequot peaked in the summer of 1637, when Stoughton went to the Narragansett with Massachusetts troops, concluding in August.

people a free hand in the government, but he was clear that ‘they might not be denied their proper and lawfull liberties.’”³⁸ So he set to work.

Stoughton was deeply invested in the process of encoding in law what the freemen came to call their “liberties”—their safeguards against unwarranted government intrusion.³⁹ He was the only magistrate selected to join the colony’s Governor, Deputy Governor, and Treasurer in the task of vetting the laws drawn up by Ward. The four men were to work with “two or more” deputies to “peruse all... models” of law that had been submitted to the court—that is, Cotton’s and Ward’s—and “drawe them up into one body.” Stoughton and his associates were given full editorial license over the legislation; they retained the right to “alter,” “add,” and “omit” whatever “they shall thinke fit.”⁴⁰ But revision of the colony’s proposed legal code did not stop with Stoughton’s elite cohort. Once the men had compiled suitable laws, they were to have them copied and distributed to the colony’s towns to be vetted by the freemen. According to the journal of the reluctant Winthrop, in February of 1640, the laws were “published by the constables to all of the people,” so that “if any man should think fit, that any thing therein ought to be altered, he might acquaint some of the deputies therewith against the next court.”⁴¹ It was a plan wrought “at length” in order to “satisfy the people,” a “democratical procedure” that

³⁸ Morgan, *The Puritan Dilemma*, 169. For evidence of Ward’s friendly disposition toward Stoughton, see Stoughton’s “*Relation*,” 140.

³⁹ David Hall has concisely distinguished between two kinds of freedom: “doorways to personal freedom” and “protections against unauthorized and unjust actions of the civil state.” The “liberties” that Stoughton sought to protect were of the latter category, not the former. See David Hall, *A Reforming People: Puritanism and the Transformation of Public Life in New England* (Knopf, 2011), xii.

⁴⁰ *Records of the Massachusetts Bay Colony*, vol. 1, p. 279.

⁴¹ *Journal of John Winthrop* 315.

ultimately exceeded Ward's stomach for democracy as well as Winthrop's.⁴² Stoughton's assessment of the process by which the freemen vetted the legal code does not survive. But his persistence in leading the deputies on behalf of the freemen in the early 1630s and his support of the codification of law in the late 1630s suggest that he would have been pleased when his Dorchester neighbors read the laws, discussed them, and came to court to "ripen their thoughts & counsels" about the laws to the deputies, magistrates, and ministers in attendance.⁴³

Stoughton doubtless had many conversations about the body of laws with his neighbors. Surely Dorchester's freemen stopped by the wood-frame house on the Neponset to talk to the magistrate, one of the code's chief proponents and principal architects, before trekking to Boston to make an appearance in the court. What did Stoughton think of the laws? Were they comprehensive enough to protect the people from the magistrates, should they become overzealous? Were they faithful to biblical precepts? Were they fair? How would *he* change them if he could? Perhaps Dorcas overheard some of Stoughton's exchanges with the freemen as she fetched them water from the nearby well or swept the mud they tracked into the home's great room. The young woman had mastered English by then, and conversations about the laws that God gave the Israelites—and the laws that God's people in the Bay Colony deserved—likely struck her as familiar. Thanks to Mather's teaching in Dorchester's First Church and Stoughton's instruction in his home, Dorcas almost certainly knew something about the saga of God's chosen people in the ancient world. And, thanks to her location in the household of a prominent and

⁴² *Journal of John Winthrop* 315. Ward was resistant to allowing the freemen to vet the body of legislation; he complained to Winthrop about this "democratical procedure." See John Winthrop, *The Winthrop Papers*, ed. Allyn Bailey Forbes, vol. 4 (Boston: The Massachusetts Historical Society, 1944), 162-3.

⁴³ *Records of the Massachusetts Bay Colony*, vol. 1, p. 293. Of course, the people did not have the final say: In the session of June 2 1641, the Governor was "appointed to peruse all the laws, & take notice what may bee fit to bee repealed, what to bee certified, & what to stand, & to make returne to the next Genrall Court." See p. 320.

active leader of the colony, she was doubtless familiar with the conflict between the freemen, eager for their legal protections, and the magistrates they elected to power year after year.

The year 1641 marked a turning point for both the Angolan-born woman who served in Stoughton's home and the English-born freemen who came to visit it. In April of that year, Dorcas was deemed worthy of membership in Dorchester's First Church. She stood before the men and women of the congregation, shared the story of Christ's work in her life, and was received as one of the body. Records do not shed light on how Dorcas interpreted her harrowing journey to the foot of the cross. Did she mention her abduction from her Angolan home? Her trans-Atlantic passage on a "Catholic" ship? Her sale to the Spanish? Her seizure by the English? Her coerced voyage to the frozen Massachusetts Bay after Pierce traded her for a Pequot captive on Providence Island? The woman was young—less than twenty—and of lower status than the other members in the Dorchester Church, yet she was far more cosmopolitan than any of the colonists who sat before her; she had travelled farther and interacted with a wider array of people than even the most learned of the brethren who listened to her story.⁴⁴ Unfortunately, the great book of records into which Mather inscribed "Dorcas the blackmore" on the 14th of April, 1641, logged names, not narratives. But even though the substance of Dorcas's testimony before her First Church brethren has been lost, something of its significance remains. Settlers in the Massachusetts Bay clearly considered Dorcas's baptism a remarkable occurrence. At the time of the event, Winthrop was trying to reign in a colony in the midst of codifying a wide-ranging

⁴⁴ Scholars have argued that cosmopolitanism was a common trait of bound Africans like Dorcas, who comprised, in Ira Berlin's term, the "charter generation" of slaves in America. Prior to enslavement in the Atlantic trade, many Africans—particularly those in West Central Africa, as opposed to West Africa—had been exposed to European languages, legal structures, religion, and social customs, which made them better able to negotiate the terms of their enslavement, even, in some cases, to the point of acquiring freedom. These so-called "Atlantic creoles" also benefitted from the fact that American slave systems were not well-formed when they arrived. For the classic statement of this argument, see Ira Berlin, "From Creole to African: Atlantic Creoles and the Origins of African-American Society in Mainland North America." *William and Mary Quarterly* 53 (April 1996): 251-288.

body of laws against his counsel, but he took time to mention Dorcas’s acceptance into Dorchester’s First Church in his journal. His admiration of the woman is clear: “A negro maid, servant to Mr. Stoughton of Dorchester, being well approved by divers years’ experience, for sound knowledge and true godliness, was received into the church and baptized.”⁴⁵

The brief notation indicates the importance of the event in two ways. First, it shows that news of Dorcas’s baptism had spread throughout the colony by word of mouth. Winthrop, who lived in Boston, almost surely did not witness the event, as he rarely left his own congregation, Boston’s First Church, in order to attend others.⁴⁶ Winthrop heard of Dorcas’s baptism from somebody else, then, which indicates that the event was significant enough to become grist for discussion among the colony’s leaders. But Winthrop’s mention of Dorcas’s baptism does more than reveal that people outside the Dorchester community discussed the African woman’s faith confession; it shows that Bay colonists considered Dorcas’s participation in the church enormously significant. Winthrop did not ordinarily record baptisms in his journal. In the 724-page tome, Winthrop mentioned only a few such events.⁴⁷ Very early on, when his journal functioned as a day-to-day record of his life, Winthrop noted two baptisms in his Boston church:

⁴⁵ *Journal of John Winthrop*, 347. I would thank Deborah McNally for originally bringing this reference to my attention. I initially obtained it from “Dorcas the blackmore (ca. 1620- ?),” Blackpast.org, n.d. <<http://www.blackpast.org/aah/dorcas-blackmore-ca-1620>> McNally has since made available the dissertation on which the Blackpast.org piece was based. See Deborah Colleen McNally, “Within Patriarchy: Gender and Power in Massachusetts’s Congregational Churches, 1630–1730.” Doctoral Dissertation, University of Washington, 2013, p. 92.

⁴⁶ Had Winthrop regularly attended the meetings at which area churches admitted new members, his journal—at least early on, when it recorded his daily activities—would have indicated this, something it does not do. This is hardly surprising; Winthrop was extremely committed to his own congregation, Boston’s First Church, and would not have been willing to regularly miss meetings in order to attend gatherings at other churches. As he casually mentioned in 1639, when he neglected to attend the Boston church in order to hear Thomas Hooker preach in Cambridge, he “did very seldom go from his own congregation upon the Lord’s day.” *Journal of John Winthrop*, 297.

⁴⁷ I use the page count of Winthrop’s published journal here, rather than the manuscript edition.

that of his own child, William, and that of the Reverend John Cotton’s child, Seaborne.⁴⁸ A few of years later, Winthrop alluded to the admission of the prominent new settler, Henry Vane, into the Boston church.⁴⁹ But, besides these early references, all to people in Winthrop’s own church, Winthrop failed to remark on baptisms in the record that historians have come to call his “journal”—with one exception, of course: that of Dorcas.

The reason Winthrop neglected to write about baptisms in his journal, particularly after the early years of settlement, is simple: he began increasingly to conceive of his so-called “journal” as an account of Puritan settlement in America rather than a chronicle of his daily affairs. He never actually titled his opus a “journal,” though historians have called it that ever since because it begins very much like one, with short daily entries. Instead, Winthrop conceived of what he wrote as a *history*, especially as time went on. When he began his second (of three) notebooks in October, 1636, he inscribed “A Continuation of the History of N: England” at the top of the first page, and when he began his third notebook, he titled it the same.⁵⁰ By the time of Dorcas’s baptism in 1641, Winthrop composed only about one entry a month, and these entries were longer and more retrospective than the regular brief entries he had penned a decade before.⁵¹

Winthrop’s entries had also become more intentional. The volume had become a public book that needed to be edited for proper voice and content. Winthrop occasionally made such edits explicit in his text. Soon after Dorcas’s baptism, for example, he prefaced an entry with a

⁴⁸ *Journal of John Winthrop*, 79, 96.

⁴⁹ *Journal of John Winthrop*, 158.

⁵⁰ Richard Dunn, introduction to *The Journal of John Winthrop* (Cambridge: Harvard University Press, 1996), xv-xvi. Winthrop’s first book, begun in 1630, had no title.

⁵¹ Dunn, introduction to *The Journal of John Winthrop*, xxiii.

“Query,” asking “whether the following be fit to be published.”⁵² Not long after that, he deemed an event “not unworthy to be recorded,” as it was “the first of its kind.”⁵³ And in the summer of 1643, he cancelled an entire passage, noting in the margin that “this were better left out.”⁵⁴ Winthrop’s largely retrospective composition of his *History*, and the active process of revision to which he subjected it, are significant to understanding Dorcas and her place in the fledgling colony. Neither the African woman’s determination to join the congregation nor the Dorchester church’s acceptance of her relation of faith were trivial fragments from Winthrop’s daily life, casually jotted in a private account. Instead, when news of Dorcas’s baptism reached the magistrate, he deemed it news worth remembering, and he intentionally inscribed it alongside the other noteworthy events of the colony in the story of the New England’s founding that he was carefully crafting. The “negro maid, servant to Mr. Stoughton” had, in a small and anonymous way, made history.

But what of her shipmates? What of those who stood beside her on the deck of the *Desire*, watching the docks and wharves of the little town grow larger on the horizon? The historical record is silent on them, or nearly so. One was mentioned off-handedly in a passage of Winthrop’s *History*. Three were referenced in a traveler’s account.⁵⁵ None of their names have

⁵² *Journal of John Winthrop*, 367. The entry, from November 1641, pertained to the questionable marriage of Richard Bellingham, the colony’s governor, who hastily married Penelope Pelham, a young woman whom his friend was courting, without posting banns as the law required. Bellingham then refused to step down from the bench, where he sat as governor and chief magistrate, to face charges.

⁵³ On March 30 1643, Winthrop noted that “There was a piece of justice executed in New Haven, which, being the first in that kind, is not unworthy to be recorded. Mr. Malbon, one of the magistrates there, had a daughter... which was openly whipped, her father joining in the sentence.” *Journal of John Winthrop*, 425.

⁵⁴ In June 1643, Winthrop apparently described a show of arms by French soldiers visiting Boston, which he then cancelled, noting in the margin “this were better left out.” *Journal of John Winthrop*, 442.

⁵⁵ Winthrop casually mentioned the slave woman owned by William Pierce in June of 1641. See *Journal of John Winthrop*, 352. Traveler John Josselyn referenced three slaves in a 1641 account. See John Josselyn, *John Josselyn*,

been preserved. Nor have their stories.⁵⁶ As for the rest of the captives hauled from Providence Island to snow-covered Boston in the winter of 1638, however many there were, they have been entirely lost to history. By comparison, Dorcas left behind her a remarkably intact trail in the historical record: a trail that was created, and remains traceable close to four centuries later, because the young woman chose to become baptized and join the Dorchester church. The patchiness of historical sources on African life in early New England—and, indeed, on African life in the broader Atlantic—shapes the stories that scholars can tell with reliability, and thus influences profoundly this dissertation. By proclaiming her faith in Christ and allying herself to the First Church, Dorcas not only secured for herself spiritual benefits and, in due time, temporal gain, but she ultimately obtained a place in historical memory.

When Dorcas stood before Dorchester’s First Church and shared her story of faith, she looked out on a group of freemen engrossed in thought about their “liberties.” Not long before, they had received copies of the legislation that Ward had drawn up and Stoughton’s committee had vetted, and they had evaluated that legislation in the General Court. Now, even as Dorcas spoke, the legislation was continuing to be revised. No extant records shed light on the process by which Ward’s draft was amended, either by the elite cadre of legislators to which Stoughton belonged or by the freemen who read the copies published by their local constables and appealed to the colony’s governing body for revisions. But it is clear that both groups had opportunities to alter the laws that were passed by the court in December of 1641. Winthrop’s *History* provides

A Colonial Traveler: A Critical Edition of Two Voyages to New England, ed. Paul Lindholdt (Hanover: University Press of New England, 1988), 24.

⁵⁶ Wendy Warren has crafted a poignant account of the circumstances surrounding the rape of one of Dorcas’s shipmates, but her narrative is by necessity highly imaginative, and she is unable to provide a sense of the woman’s life trajectory, as it is virtually impossible to write a life story based on only one data point. See Warren, “The Cause of Her Grief.”

the best summary of the revision process: Ward “composed” the laws, then the court “revised” them (this was the work of Stoughton’s committee) and “sent” them “into every town to be further considered of.” Finally, acting on the advice of “all the people,” the court “revised, amended, and presented” them.⁵⁷ On the 10th of December, the court’s records read: “the bodye of laws formerly sent forth among the ffreemen... was voted to stand in force.”⁵⁸ Records of the court had been kept, with few exceptions, by Increase Nowell since his election as colony secretary in 1635, but Winthrop himself scratched these lines into the court’s register. He also noted the occasion in his *History*. The court “established 100 laws,” he wrote, “which were called the Body of Liberties.”⁵⁹

The Body of Liberties was aptly named. The Bay Colony’s first legal code was more a bill of rights than a guide for government. It did not shed light on the balance of power between the magistrates and the deputies, something that had irked both parties since Stoughton and the deputies had attained a place for themselves in government on the freemen’s behalf in 1634.⁶⁰ It did, however, lay out in detail the people’s “liberties”—liberties that included freedom of speech and movement; right to trial by jury; and protection against cruel and unusual punishment. And the people’s new liberties did not extend merely to the freemen; the Body of Liberties included liberties for women, children, servants—even animals. The code also included liberties for

⁵⁷ *Journal of John Winthrop*, 315, 380.

⁵⁸ *Records of the Massachusetts Bay Colony*, vol. 1, p. 346.

⁵⁹ *Journal of John Winthrop*, 380.

⁶⁰ Edmund Morgan described the Body of Liberties as “not merely a bill of rights to protect the inhabitants of Massachusetts from arbitrary government” but “a blueprint for the whole Puritan experiment, an attempt to spell out the dimensions of the New England way...” Still, he wrote, “The Body of Liberties did not describe in detail the machinery of government that had been worked out for God’s kingdom in Massachusetts during the preceding ten years. It did not, for example, define the relative authority of deputies and magistrates, which was still a matter of dispute.” See *Puritan Dilemma* 170-1.

“strangers” like Dorcas, the “blackmore” who stood before the Dorchester First Church, the “negro maid” who trod the page of Winthrop’s *History*. The legislation guaranteed relief to “foreigners” and “strangers” should they shipwreck on the colony’s coast and promised shelter should they flee persecution, famine, or plague—provided they profess the “true Christian religion.”⁶¹ And it granted them a third “liberty”: “There shall never be any bond slaverie, villinage or Captivitie amongst us,” the ninety-first “liberty” began, “unless[s] it be lawfull Captives taken in just warres, and such strangers as willingly selle themselves or are sold to us.”⁶²

Emphasizing its first clause—“there shall never be any bond slaverie... among us”—some have pointed to this “liberty” as an early statement of anti-slavery sentiment in the New World.⁶³ But the “liberty” that ostensibly eliminated slavery in the Bay Colony instead provided justification for bondage nearly unprecedented in the Anglo-Atlantic world: it set forth three scenarios in which slavery was legal.⁶⁴ Bay colonists like Stoughton could lawfully claim the lifelong labor of other human beings as long as they were “captives taken in just wars,” like the Pequot woman the Dorchester captain clothed in the Narragansett; “strangers” who chose to “sell

⁶¹ *A Coppie of the Liberties of the Massachusetts Colonie in New England* (1641) in *Collections of the Massachusetts Historical Society*, ser. 3, vol. 8 (Boston: Freeman and Bolles, 1843), 231. These “liberties,” numbered 89 and 90, are found in the section called “Liberties of Forreiners and Strangers.”

⁶² *A Coppie of the Liberties*, 231. This is the 91st liberty.

⁶³ See, for instance, Robert M. Spector, “The Quock Walker Cases (1781-3): Slavery, its Abolition, and Negro Citizenship in Massachusetts” *The Journal of Negro History* 53 (Jan. 1968), 19. Spector argues that the 91st liberty in the *Body of Liberties* “indicate[d] the wish of the early Puritans to abolish slavery in Massachusetts.”

⁶⁴ Slavery was legalized in Barbados in 1636 by a decree, issued by the governor and council, that “Negroes and Indians that came here to be sold, should serve for Life, unless a Contract was made before to the contrary.” Though not prefaced by a statement like “there shall never be bond slaverie... amongst us,” the Barbados decree was in many ways less comprehensive than the Massachusetts law; it only allowed enslavement for the third of the three scenarios set out by the Bay Colony’s legislation. See Jonathan A. Bush, “The British Constitution and the Creation of American Slavery,” in *Slavery and the Law*, ed. Paul Finkelman (Lanham, MD: Rowman & Littlefield, 2002), 382.

themselves”; or “strangers” whom were “sold to [them],” like Dorcas, whose transfer from Puritan privateer to Puritan merchant on Providence Island apparently legitimated in her captors’ minds her fitness for “bond slaverie.”

Two distinctions were emerging in the infant colony’s legislation, distinctions that would prove enormously influential for many decades to come. One differentiated native colonists from “people of other Nations,” while the other distinguished between debt peonage, which was finite, and slavery, which lasted for life. These two distinctions—between native and foreign, limited servitude and lifelong slavery—worked in tandem. That is, the bondage to which native colonists could be reduced was temporary, while the servitude to which “strangers” could be subjected was permanent, or at least could be. The Body of Liberties made sure to avoid confusion between the two types of residents and the two types of bondage by grouping the “liberties” by status: the rights of strangers were delineated beneath the label “Liberties of Strangers,” while those of servants (who were, by implication, native) were demarcated “Liberties of Servants.” Importantly, the three instances in which slavery was legal pertained only to strangers. The clause about “bond slaverie” was inscribed under the “strangers” category rather than the “servants” category, and its text reinforced that it was relevant only to foreigners: those subjected to slavery could only be “captives taken [by the English settlers] in just wars,” something an English colonist would never be, or “strangers,” something an English colonist by definition was not. Servants had altogether different rights than strangers. Under the category “Liberties of Servants,” the Body of Liberties made sure to clarify that servants who served their masters “deligentlie and faithfully” for seven years should be rewarded upon their release.⁶⁵

⁶⁵ *A Coppie of the Liberties*, 231. The 88th liberty reads: “Servants that have served deligentlie and faithfully to the benefitt of their maisters seaven yeares, shall not be sent away emptie. And if any have bene unfaithfull, negligent or

The Bay colonists were not the first to exempt their own from lifelong bondage but allow “people of other Nations” to become chattel slaves. These practices were common in the ancient Near East, and the Old Testament contains nearly identical legislation. Israelites could not bind other Israelites for longer than seven years; after seven years of faithful service, any “Hebrew servant” had to be allowed to “go out free for nothing.”⁶⁶ And the freed Israelite should not “go away empty[-handed]”; masters were instructed to “furnish” former servants “liberally out of [their] flock, and out of [their] floor, and out of [their] winepress.”⁶⁷ Failure to do so could provoke God’s wrath.⁶⁸ But the standards applied to “strangers” or those from “the heathen... round about [Israel]” were very different. These “bondmen and... bondmaids” were their masters’ “possession,” and the Israelites who owned them could “take them as an inheritance for [their] children.”⁶⁹ According to the laws God gave Moses, recorded in Leviticus: strangers “shall be your bondmen for ever: but over your brethren the children of Israel, ye shall not rule one over another with rigour.”⁷⁰

Distinguishing between native servants and foreign slaves, then, would have been natural for Ward as he composed the colony’s first legal code, for Stoughton as he vetted it, and for

unprofitable in their service, notwithstanding the good usage of their maisters, they shall not be dismissed till they have made satisfaction according to the Judgement of Authoritie.”

⁶⁶ Exod. 21:2 KJV.

⁶⁷ Deut. 15:12-14.

⁶⁸ Jer. 34.

⁶⁹ Lev. 25:44-46 reads: “Both thy bondmen, and thy bondmaids, which thou shalt have, shall be of the heathen that are round about you; of them shall ye buy bondmen and bondmaids. Moreover of the children of the strangers that do sojourn among you, of them shall ye buy, and of their families that are with you, which they begat in your land: and they shall be your possession. And ye shall take them as an inheritance for your children after you, to inherit them for a possession; they shall be your bondmen for ever: but over your brethren the children of Israel, ye shall not rule one over another with rigour.”

⁷⁰ Lev. 25:46.

Dorchester's First Church brethren as they pored over it and proposed changes to their deputies. But the distinction in their minds would not have been one of theory, based on ancient biblical decrees of questionable applicability to their society in the American wilderness: Dorcas was present in all these peoples' lives, whether as ephemerally as a report carried north by a visiting magistrate or as corporeally as a dark body stooped in labor or uplifted in worship. Tales of the young woman's "true godliness" circulated the little colony while it worked on refining its inaugural code of laws, and Dorcas had undergone the rigorous public process of joining the community of saints in the Massachusetts Bay at the same time that this community was in the midst of determining who belonged in the colony and who did not, who could one day enjoy liberty and who could not. But the fact that the young woman had been mastering Puritan religion and colonial lifeways in Massachusetts for years did not persuade those around her that that the colony's legislation could afford to elide the distinction between native and foreigner. Dorcas was an outsider, and the new code of laws ensured that she would always be one. The freemen's great legislative accomplishment, the triumph of their legal protections over the discretionary legislation of their rulers, had ensured, for their sister at Dorchester's First Church, perpetual bondage.

Historians have argued that baptism was linked to freedom in the early period of English settlement in the Americas. English common law forbade Christians from enslaving their fellow believers, scholars have observed, which led to a general sense among both slaves and their owners that, should enslaved Africans turn from their "heathen" ways and be baptized, their

owners would be forced to free them.⁷¹ Rebecca Goetz, who treated this issue most recently—and most thoroughly—in *The Baptism of Early Virginia*, posited that the ambiguous relationship between English law and colonial practice contributed to the manumission of several Virginia slaves before 1667, when the colonial legislature passed a law stipulating that baptism did not confer freedom for slaves.⁷² The fact that some baptized people of African descent successfully sued for their liberty at least partly on the grounds of their baptism provides Goetz with evidence that early Virginians believed Africans were capable of embracing the Christian faith. As long as the historic connection between baptism and freedom stood, Goetz argued, Africans were “potential Christians.” When it dissolved, in large part due to the 1667 law, blacks were relegated to the status of permanent heathens. And it was by excluding blacks (and Indians) from Christendom that Virginians distinguished them as innately different from themselves, “creating race” as Goetz’s subtitle puts it.

But the processes of faith-making and race-making differed substantially in New England and the Chesapeake. Unlike Virginia, none of the New England colonies legally rescinded the association between freedom and baptism.⁷³ Apparently the region did not need such laws; extant

⁷¹ See, for example, Phillip Morgan, *Slave Counterpoint: Black Culture in the Eighteenth-Century Chesapeake and Lowcountry* (Chapel Hill, NC: The University of North Carolina Press, 1998), 12; Rebecca Goetz, “‘The Child Should be Made a Christian’: Baptism, Race, and Identity in the Seventeenth-century Chesapeake,” in *Assumed Identities: The Meanings of Race in the Atlantic World* ed. John D. Garrigus and Christopher Morris (Arlington, TX: The University of Texas at Arlington Press, 2010), 57; and Lorenzo Johnston Greene, *The Negro in Colonial New England*. (New York: Athenaeum, 1968), 260.

⁷² Goetz clarifies that baptism alone did not confer freedom to early Virginian slaves; it was, instead, “usually just one of the many criteria for freedom that slaves advanced, and only one of the strategies they used.” See Rebecca Anne Goetz, *The Baptism of Early Virginia: How Christianity Created Race* (Baltimore: The Johns Hopkins University Press, 2012), 99.

⁷³ In 1671, Maryland passed a law “explicitly stating that baptized slaves could not gain their freedom,” and “the Caribbean colonies followed suit with similar laws later in the seventeenth century.” See Goetz, “This Child,” 57. North and South Carolina, New York, and New Jersey had all passed such laws by 1704, but the New England colonies, Georgia, and Pennsylvania did not produce similar legislation. See Greene, 260.

evidence indicates that baptism did *not* lead to freedom for blacks, even in a place and time as animated by religious belief as the Bay Colony in its founding decades. No slaves in seventeenth-century Massachusetts received manumission as a result of being baptized—not even Dorcas, though she was renowned in the colony for scriptural knowledge, and her baptism was regarded as historic by the colony’s governor.⁷⁴ In fact, for Dorcas at least, the relationship between baptism and freedom seems to have moved in the opposite direction: nearly as soon as she was baptized, the colony passed legislation that bound her as a slave in perpetuity—legislation to some degree unprecedented in the Anglo-Atlantic world.

Other factors distinguish faith-making and race-making in New England and the Chesapeake. Though baptism did not lead to freedom in early New England, Afro-New Englanders were not relegated to the “hereditary heathen” status that Goetz identifies in Virginia. Dorcas’s situation shows that being a “blackmore” did not prevent one from joining the community of saints in the early decades of English settlement in the Bay Colony. Nor did New Englanders regard blacks as incapable of becoming Christians in the latter part of the seventeenth century. In fact, as other stories that this dissertation tells will make clear, the communities perched on the edge of the Massachusetts Bay experienced their first wave of African baptisms

⁷⁴ Although there is no evidence that baptism led to freedom for slaves in early Massachusetts, at least some Bay colonists believed that masters—fearful of losing their bound laborers—resisted slave conversion. Ministers in Massachusetts remained concerned about the issue through the end of the seventeenth century; in 1694, a group of them petitioned the legislature, requesting a law that would “take away all pre[text] to Release [slaves] from just servitude, by [their] receiving of Baptisme.” This, they claimed, would “remove” the “well knowne Discouragem[n]t of many masters [to] Christianize their slaves.” See Greene, 267. The legislature failed to act on the petition, and Cotton Mather was still trying to convince slaveholders that baptism would not free their slaves in the early eighteenth century. His tract, *The Negro Christianized*, answered the common objection to slave baptism, namely: “if the *Negroes* are *Christianized*, they will be *Baptised*; and their *Baptism* will presently entitle them to their *Freedom*; so our *Money* is thrown away.” Reviewing the “*Law of Christianity*,” “*Canon-law*,” “*Civil Law*,” and “*English Laws*,” Mather concluded that “the *Baptised*... are not... entitled unto their *Liberty*.” See Cotton Mather, *The Negro Christianized* (Boston: B. Green, 1706), 16-17.

in the early eighteenth century, at the very time Goetz’s Afro-Virginians were irrevocably excluded from Christendom in the Chesapeake.

New Englanders were adept at distinguishing spiritual status from earthly rank, which enabled them to see slaves as potential Christians when Virginians could not or would not. Cotton Mather, the grandson of Dorcas’s pastor, Richard Mather, would publish extensively on the fitness of Africans for Christian faith in New England at the turn of the eighteenth century—the very time Africans in Virginia were decisively deemed hereditary heathens. Emphasizing that “*Negroes have Rational Souls*” and numbered among “God’s Elect,” Mather argued for the common descent of both English and Africans and insisted on their common humanity.⁷⁵ Speaking to slaveholders, he exclaimed, “*God hath made of one Blood, all nations of men...* [so the negro] is *thy Brother*.”⁷⁶ He rejected as ridiculous the argument that racial differences carried corresponding spiritual differences: “As if the great God went by the *Complexion* of Men, in His Favours to them! As if none but *Whites* might hope to be Favoured and Accepted with God!” God, Mather argued, “*looks on the Heart*,” not “the colour of the *Skin*.”⁷⁷

Separating spiritual status from earthly rank not only enabled New Englanders to see Africans as potential Christians, but it also allowed them to overlook earthly oppression, explaining a hierarchical ordering of humanity as an expression of God’s will. Though he insisted on the value of each soul—African or English, slave or free—Mather saw no contradiction between Christianity and slavery. Promising slave-owners that “Your *Servants* will be *Better Servants*, for being made *Christian Servants*,” he exhorted them to teach their slaves

⁷⁵ Mather, *The Negro Christianized*, 14, 2.

⁷⁶ Mather, *The Negro Christianized*, 14, 2, 4.

⁷⁷ Mather, *The Negro Christianized*, 15

“That it is GOD who has caused them to be *Servants*; and that they Serve JESUS CHRIST, while they are at Work for their *Masters*.”⁷⁸ Slaves should do their masters’ work “cheerfully,” Mather asserted, because “the Lord JESUS CHRIST has bid them to do it.”⁷⁹ In a catechism designed to instruct “negro servants,” Mather interpreted the tenth commandment—“Thou shall not Covet”—to mean the following for a slave: “I must be Patient and Content with such a Condition as God has ordered for me.”⁸⁰ By teaching that the Christian God had ordained slavery, placed Afro-New Englanders in bondage, and commanded slaves to be “content” in their servitude, Puritans rendered Christianity compatible with slavery.

Still, though baptism may not have led to earthly freedom in Puritan New England, it nonetheless had temporal consequences. When Dorcas became a member of Dorchester’s church, she pledged, as all members did, to “further... the best spirituall good” of the other “members of this Congregacon.” Engaging in “mutuall Instruction[,] reprehension, exhorta[ti]on, [and] consola[ti]on,” those who covenanted with the church would “watch... over one another for good.”⁸¹ Church members could recite covenants, of course, without believing or acting upon them, and nothing guaranteed that such covenants would be honored, but there was nonetheless symbolic power in Dorcas’s act of joining the Dorchester church. Through her formal admission and baptism, Dorcas, though a slave, attained a status in the congregation that many Euro-

⁷⁸ Mather, *The Negro Christianized*, 13, 20

⁷⁹ Mather, *The Negro Christianized*, 20

⁸⁰ Mather, *The Negro Christianized*, 29

⁸¹ *Records of the First Church at Dorchester*, 2.

Americans never attained, and in the process she bound the church's members to herself in word—and, as it turned out, in deed.⁸²

By 1653, the men who worshipped alongside Dorcas in the Dorchester church, who had long tolerated the woman's bondage, even endorsing legislation that grounded her slave status in law, had become concerned about the "bond-slaverie" that would keep their African sister tethered to the Stoughton household for life. They were so concerned, in fact, that the church's leading men called a meeting to discuss Dorcas's situation with the "brethren." Nearly thirteen years had passed since the African woman had stood in the low-ceilinged log meeting house and confessed her faith in Christ before the men and women of the congregation, and for nearly thirteen years Dorcas's fellow believers had condoned her bondage, but in late December of 1653, seventeen men gathered to address what had become a pressing situation: Richard Mather was present, of course, along with Henry Withington, the church's ruling elder; John Wiswall, a deacon; Richard Baker, a town selectman; and Hopestill Foster, captain of the Dorchester militia. A dozen other sturdy freemen absorbed in the affairs of the congregation joined them. The men met to take a vote on a matter of great importance: the "redemption" of the enslaved African woman with whom they had so long worshipped. The decision was unanimous. "[T]hey were all willing that Dorcas was to be Redeemed."

Redeeming Dorcas was no small task, and Dorcas's First Church brethren had no guarantee of success. They could not simply purchase the slave from her owner and pronounce her free; the process of freeing bound laborers in the colony was not so simple. Dorcas's brethren

⁸² For more on mutual obligation within the church, see David Hall, *A Reforming People: Puritanism and the Transformation of Public Life in New England* (New York: Knopf, 2011). Hall discusses covenanting and its implications, ultimately arguing that "the naked affirmation of hierarchy" of New England life were "overtaken in the larger discourse by the theme of obligation rooted in a mutual covenant between the saints as well as between them and God" (57).

depended for success on the will of the Bay Colony’s magistrates, men who had played a role in the process by which servants were freed from their masters since the colony’s founding.⁸³ In 1631, for instance, the magistrates’ court, called the Court of Assistants, ruled that one Phillip Swaddon should be “sett free” from Robert Seely in exchange for ten shillings, and it “sett at liberty” John Webb from his master, William Parks, two years later.⁸⁴ The following year, it adjudicated the process by which Robert Fibbin was freed from bondage to his deceased master’s heirs due to “some service [he] p[er]formed att sea.”⁸⁵

The role of the court in the early years seems to have been limited to arbitrating disputes between masters and their freedom-seeking servants, but, beginning in 1636, the magistrates claimed for themselves far more authority in overseeing the process by which bound laborers became freemen. In December of 1636, the year Stoughton re-joined the colony’s leadership after his expulsion from government, the General Court forbade masters from liberating their servants before their terms of indentures expired. “[N]o servant shalbee set free,” the court ruled, “until hee have served out the time covenanted.” The court would inflict a fine on any master who liberated his servant prematurely and, presumably, nullify the liberation.⁸⁶ The magistrates left for themselves room for discretion, though, as they were wont to do: they could “remit” the

⁸³ Most of the judgments pertaining to emancipation petitions of servants and masters are found in the Court of Assistants, also called the Quarter Court, which tended to meet monthly, except during the four months each year when the General Court was in session. Only magistrates sat on the Court of Assistants (as opposed to magistrates and deputies), so usually magistrates ruled on these freedom suits. My language here reflects this tendency. Occasionally, though, freedom petitions were brought before the General Court, at which both magistrates (the Governor, Deputy Governor, and their assistants) and—after 1634—deputies sat. In these instances, both magistrates and deputies influenced the outcome of the cases in question.

⁸⁴ *Records of the Massachusetts Bay Colony*, vol. 1, pp. 91 and 105.

⁸⁵ *Records of the Massachusetts Bay Colony*, vol. 1, p. 121.

⁸⁶ *Records of the Massachusetts Bay Colony*, vol. 1, p. 186. The colony at this time was busily maximizing productive labor and shoring up its households. At the same court, it was “ordered, that all townes shall take care to order & dispose of all single persons & inmates wth their towne to servise....”

fine if they “s[aw] cause.” And sometimes they did. A few months later, they deemed James Hayden free because his master had promised to free him “before the act of the Court made against it.”⁸⁷ They later fined Stoughton for “releasing his man before the expiration of his time,” but “remitted” the fine a few months after.⁸⁸ Not long after, they freed Hester Ketcham from her master, John Woolrige, and allowed William Tyng to buy his liberty from John Coggan.⁸⁹ In the fall of 1640, they approved the emancipation petitions of Ralph Wilmott and John White, but they subsequently fined several masters for “selling [their] servant[s] [their] time.”⁹⁰ The court selectively freed a number of bound laborers in the following years: it “granted... power” to Joane Oliver to free her servant; it approved the petition of Captain Bridges to “sett free” George Millard; and it “granted leave” to Mr. John Gore to free Thomas Reeves.⁹¹ Records of the court do not explain why the magistrates approved certain emancipations and denied others, but they make abundantly clear the power that the magistrates exerted over the ability of masters to release their servants.

The first step in the First Church brethren’s elaborate plan to emancipate Dorcas, then, involved convincing the magistrates that Dorcas could, in fact, legally be freed. Dorcas’s advocates may have expected this to be difficult, because the woman’s situation differed from

⁸⁷ *Records of the Massachusetts Bay Colony*, vol. 1, p. 193.

⁸⁸ *Records of the Massachusetts Bay Colony*, vol. 1, pp. 267, 282. Stoughton was discharged from his 40-shilling fine because the court determined that “hee could not hould his servant, having no covenant.” In the case of Stoughton, then, the servant’s early freedom seems to have had legal grounding; had the servant never indentured—or “covenanted”—himself to Stoughton, then it would have been legal for him to leave Stoughton’s service at any time. The other emancipations referenced in this section did not hinge on this matter; the court in those cases seems to have been ruling on servants who sought release from their indentures before having served their time.

⁸⁹ *Records of the Massachusetts Bay Colony*, vol. 1, p. 286.

⁹⁰ *Records of the Massachusetts Bay Colony*, vol. 1, pp. 306, 307, 315, 317.

⁹¹ *Records of the Massachusetts Bay Colony*, vol. 2, pp. 12, 32, 67.

those of the other bound laborers emancipated by the court since its 1636 prohibition of early liberation. Unlike the servants freed before her, Dorcas was a stranger, so the legislation stipulating that servants must be released after seven years of service did not apply to her—she would have received her freedom years before if it had. As a stranger, she was one of the few Bay colonists subjected to a lifetime of “bond-slaverie” according to the body of legislation brought into being by her First Church brethren and their fellow freemen a decade before. Therefore, Dorcas’s Dorchester brethren were not asking the court merely to move an already-scheduled emancipation to an earlier date: they were asking the court to bring about an emancipation that would never have happened without their intervention. They were requesting that the magistrates intervene to alter the status of someone whose status was fixed.

The leading men of the Dorchester congregation worked out an elaborate plan. Three of them would initiate the process: Hopestill Foster and “the 2 deacons”—probably John Wiswall, who was present at the meeting, and Robert Clap, a longstanding deacon not in attendance that day. Foster and the deacons would go to Boston and ask the magistrates what they “could doe by power.” Would the magistrates, in other words, be willing to sanction the emancipation of their First Church sister? Would they make an exception to the 1636 legislation and allow a slave for life to assume an identity as a free woman? Would they use their judicial prerogative to enforce law or to override it? If the magistrates looked upon their venture with favor, Foster, Wiswall, and Clap would then come to agreement with somebody of authority—it could be “Liuetennant Cooke or any other,” the brethren noted—as to what, precisely, the price of Dorcas’s “Redemptio[n]” ought to be. The three First Church representatives would then furnish Mr. Robert Howard, one of the brethren present at the meeting that December day, with an ox and a cow. Howard was to hold the livestock as payment for Dorcas, presumably until the transaction

was completed. But Foster, Wiswall, and Clap would not alone be responsible for the financial outlay to secure Dorcas's freedom. The records Mather inscribed in the First Church's annals were clear: the "Rest of the bretheren above named," the minister wrote, "doe p[ro]mise to Laye down for the present amonge them the sume" that Foster, Wiswall, and Clap put forth. And the men at the meeting planned to share the cost still further: in due time the "whole church" would put forth a "Contribution" to reimburse them for their expenses. This was not the deed of a solitary benevolent individual; it was the action of an entire faith community. A whole body of people would take on together the burden of liberating one of their own.⁹²

But why did the Dorchester brethren suddenly care so much about the status of the enslaved woman in their midst? Dorcas had likely begun attending the church in 1638, a full fifteen years before the brethren called this unusual meeting. None had protested when Stoughton originally brought the bound "stranger" to the congregation—at least, Mather's records do not mention any objection to either the woman or her enslavement. None had complained about the woman's perpetual bondage when she joined the congregation and was baptized. And none of the Dorchester freemen had effectively opposed the "liberty" that bound their sister in Christ to perpetual slavery when given the opportunity to assess the body of legislation that would govern the colony around the time of Dorcas's baptism. Condemning a baptized believer to a state of perpetual bondage had not struck them as problematic.

But eventually the same people who had once assented to Dorcas's slavery began to change their minds. Slaves, after all, could do unexpected things—things that made their

⁹² Deborah McNally has also noted that the members of the Dorchester church helped free Dorcas. See Deborah McNally, "Dorcas the Blackmore (ca. 1620- ?)," Blackpast.org, n.d. <<http://www.blackpast.org/aah/dorcas-the-blackmore-ca-1620>> The dissertation on which the Blackpast.org entry was based has since been made publicly available, and McNally's observation occurs there as well. See Deborah Colleen McNally, "Within Patriarchy: Gender and Power in Massachusetts's Congregational Churches, 1630-1730." Doctoral Dissertation, University of Washington, 2013, p. 95.

continued bondage more difficult to justify. Dorcas certainly did. Though she lived five or six miles up the Neponset River from the Dorchester Bay, which was itself at least a mile south of Boston, Dorcas did not confine her geographic movement to Stoughton's home, its immediate environs, and Dorchester's First Church; nor did she limit her social circle to Stoughton's Euro-American neighbors and their bound laborers. Somehow the woman managed to maintain contact with other Africans in Boston.⁹³ And, eventually, Dorcas began to build a family with one of the men in her little circle of African acquaintances: a man named Matthew. They probably married—something that the scripturally-versed and reputedly pious Dorcas would undoubtedly have wished to do—but marriage records for the town of Boston were not recorded prior to 1651, so it is impossible to know with certainty. One thing, though, is clear: the two had entered into a longstanding sexual relationship by the early 1650s: a relationship that resulted in the birth of African-descended children on American soil.

As the days began to cool at the end of summer in 1652, Dorcas, who was now close to thirty, give birth to a son named for his father, Matthew. The child's spiritual welfare, not surprisingly, was a priority for Dorcas; Matthew was baptized by Dorcas's Dorchester congregation at that time.⁹⁴ Curiously, the records of Boston's First Church discuss Matthew's

⁹³ Though no estimates exist of their numbers, the population of blacks in the area was tiny; the only recorded shipment of Africans into the region had come on Peirce's *Desire* back in 1638. Perhaps blacks had trickled in on other ships in the interim, but no extant sources provide evidence of this. New England ships were engaged in the slave trade, though. In 1645, Winthrop mentioned the return of "One of our shippes," which had brought pipe staves (wooden barrels constructed of the region's ample lumber) to the Canary Islands and purchased "Africoes" from the Cape Verde Islands, whom she traded for "wine & Sugar & salt, & some tobacco" in Barbados. *Journal of John Winthrop*, 573. Later that year, the Bay Colony's court ordered the return of Africans "stolen" from Guinea by Captain James Smith and his mate, Thomas Keyser. See *Records of the Massachusetts Bay Colony*, vol. 2, pp. 136, 168. The court did not punish Smith and Keyser for the "haynos & crying sinn of man stealing," though it condemned their action as such.

⁹⁴ Curiously, Matthew's baptism was not reported in the Dorchester church records. Twenty infants were baptized in the First Church of Dorchester in 1652, none of whom were named Matthew. According to the Boston church's records, Matthew was baptized into the Dorchester church on September 12. The Dorchester records list the

Dorchester baptism: “Mathew a Negro sonne to Dorcas a Negro a sister of the Church of Dorchester was baptized into the fellowship of that Church on the 12th day of...

[September]1652.”⁹⁵ The decision of the Boston church’s record-keeper to reference the infant’s baptism was unusual; while the church had been logging the baptisms it performed since the year 1630, not once had it recorded a baptism that took place in a *different* meeting house. But the circumstances of little Matthew’s birth differed from those of the other infants baptized in the Bay Colony. The issue was simple: Matthew’s parents dwelled apart. They broke the cardinal rule of Puritan family life that “husbands and wives... [must] cohabit[at]e.”⁹⁶ They did not do so by their own choosing, of course, but they did so nonetheless.

Because the elder Matthew lived in Boston and Dorcas lived in Dorchester, they attended different churches: Matthew the Boston congregation, and Dorcas the Dorchester one. So the leadership of both churches would have known about—and cared about—the child’s baptism. Matthew, apparently, was not as devoted to the Boston church as Dorcas was to the Dorchester congregation; unlike Dorcas, he was never baptized, and he never joined his congregation, though he did attend meetings, as church attendance was required by law.⁹⁷ This explains little Matthew’s baptism in Dorchester. The infant was baptized by Mather in Dorcas’s meeting house because the colony’s churches only baptized children into their congregations if their parents

baptisms of James Blake and John Brown on August 22, and that of Elhenan Lyon on October 3, but none in between. See *Records of the First Church of Dorchester*, 162.

⁹⁵ Richard Donald Pierce, ed., *Records of the First Church of Boston*, vol. 1 (Boston: The Colonial Society of Massachusetts, 1961), 323.

⁹⁶ The importance of spousal cohabitation was ubiquitous in Puritan thought. Richard Baxter, seventeenth-century English Puritan church leader and theologian, included a section on the “duty” of “cohabitation” in a sermon titled “The mutual Duties of Husbands and Wives towards each other.” See William Orme, *The Practical Works of the Rev. Richard Baxter: with a Life of the Author, and a Critical Evaluation of His Writings*, vol. 4 (London: James Duncan, 1830), 119.

⁹⁷ In fact, the records of the First Church of Boston, which are fairly intact, never mention Matthew.

were members. Dorcas's membership, then, was her child's ticket to initiation into the community of saints. But the Boston church probably chose to record Matthew's remote baptism because the infant's father, though not a member, was nonetheless a regular participant in the congregation. Neither of the churches had experienced a similar situation before, and that was why Dorcas's Dorchester brethren gathered in the winter of 1653 to discuss the woman's redemption: families in the Puritan colony should not—could not—live this way.

One can only imagine the difficulties that Dorcas and Matthew faced as they tried to hold together an African family that not only bridged separate English households but crossed town borders as well. The documentary record is not as rich for Matthew as it is for Dorcas, but the man was almost certainly a slave. Unlike in Virginia, where some of the first blacks were considered indentured laborers, Africans in seventeenth-century Massachusetts did not benefit from ambiguous status. Even the Dorcas and her shipmates on the *Desire*, who appear to have been the earliest Africans in New England, had their status fixed as strangers, and therefore lifelong bondspeople, when the colony ratified the Body of Liberties just three years after their arrival. The divergent statuses of “negro servants,” as they were often called, and English servants can be glimpsed from early probate records. The seventeenth-century probate records of Suffolk County, the populous Massachusetts county that contained both Boston and Dorchester, reference hundreds of servants, most of whom were European or African. Strong patterns distinguish white servants from black ones. Almost without exception, bound Africans were considered significantly more valuable than white servants; blacks were assessed at up to four times the value of whites of comparable age and gender, which suggests that the service they were expected to render was far more protracted than that of whites. And the language used to discuss black and white laborers differs substantially as well: decedents' wills bequeathed the

“time” of white servants to their heirs while they bequeathed the persons of black ones. The following example illustrates the broader trend: around the time of Dorcas’s baptism, one Henry Russell gave his wife the “remainder of the time of my servant, John Comstock,” while a man named William Brimsmead bequeathed to his son “my Negro Symon” not long after.⁹⁸

Matthew’s enslavement would have made the circumstances confronting the fledgling family even more trying. His presence in Dorcas’s life was probably limited to brief visits; he certainly would not have had more than one day a week to do as he pleased, and his master may have prohibited him from undertaking the long journey to the Stoughton farm once snow heaped up in piles along the buried paths that snaked from Boston to Stoughton’s Dorchester farm. Dorcas, then, likely assumed by herself the exhausting responsibilities of caring for a newborn—little Matthew needed her for physical sustenance, after all—while she attempted to perform whatever duties were expected of her in the Stoughton household. Dorcas faced sleepless nights and long workdays; the demands of soothing, breastfeeding, and diapering her child; and the loneliness of doing it all on her own. Perhaps worst was her lack of hope. Time would not ameliorate the family’s situation, after all: Dorcas and Matthew’s condition was permanent.

Dorcas’s godliness had not discouraged her First Church brethren from consenting to her lifelong servitude when they supported the Body of Liberties, but her fractured family life eventually caused them to reevaluate their position. The men who in 1641 had been comfortable with the idea of slavery—limited, of course, to “strangers”—now pledged their finances, and those of their fellow congregants, to free the African woman in order to allow her to engage in mothering and family-building as God intended it. They risked sacrificing status as well as

⁹⁸ Will of Henry Russell, Suffolk County Probate Records, Massachusetts State Archives, First Series, box 30, vol. 1, p. 24; will of William Brimsmead, Suffolk County Probate Records, Massachusetts State Archives, First Series, box 30, vol. 1, p. 54.

financial resources, as the colony's ruling elite could look upon their errand with favor or spurn their request with disdain. When the brethren intent on freeing Dorcas gathered in the meeting house on that December day, they were by no means certain of the magistrates' minds; plenty of petitions for early liberation had been denied over the course of the prior decade. But the magistrates seem to have tilted toward magnanimity when they considered the appeal on Dorcas's behalf. Though their records from this period do not survive, the notes of Boston's town clerk indicate that the African woman moved from Dorchester to Boston during the following year and resumed her family duties there, presumably alongside Matthew.⁹⁹

The two soon conceived another child, a daughter they named Martha. By choosing a biblical name, the couple (perhaps with Matthew in the lead, as naming was a male prerogative in Puritan New England) paid homage to the importance of Puritan Christianity to the young family, or, at least, to Dorcas. Martha's most memorable biblical appearance, described in the Gospel of Luke, records a visit Jesus made to her home. Saddled with household preparations, Martha asked her guest to tell her sister Mary, seated at his feet, to help her. But Jesus corrected Martha rather than Mary. "Martha, Martha, thou art careful and troubled about many things," he responded, yet "but one thing is needful."¹⁰⁰ No matter how pressing the demands of the world, he affirmed, the most important task was to rest at the feet of the Lord. Perhaps the decision of Dorcas and Matthew to name their daughter after a worried and over-worked woman who had been freed from her daily toil by the Lord himself gestured to the liberation, both spiritual and temporal, that Dorcas had found in Christianity through Dorchester's First Church.

⁹⁹ Unfortunately, the magistrates' records from the 1650s do not survive.

¹⁰⁰ Luke 10:41-2.

Baby Martha did not live long. According to the records of Boston's clerk, she died in October of 1654, less than a year after her mother's emancipation.¹⁰¹ No surviving evidence sheds light on how Dorcas and her family dealt with the loss of little Martha, a girl who seems to have represented the shards of hope to which her parents clung at that juncture of their lives—hope for rest and redemption, family and freedom on the shore of the Massachusetts Bay. And the trail grows cold on Dorcas and her family: no more baptisms were registered in the region's churches; no more deaths were recorded by the town clerk; no more observations were inscribed in the accounts of Puritan grandees. The little African family lived a quiet life, abiding by the law, worshipping with the nearby Boston congregation, and, presumably, finding enough employment to make it through each year with food on the table, a roof over their heads, and clothing sufficient to keep them from freezing in New England's winters, which must have felt harsh indeed to people born and bred in West Central Africa.

But, in the fall of 1675, Dorcas, now beyond middle age, resurfaced in the historical record: her husband had died in July, and Dorcas appeared before the colony's governor and deputy governor with an inventory of the man's estate in late September. The estate was humble; the man's entire inventory totaled less than ten pounds sterling, coming in at nine pounds, fourteen shillings, and twenty-six pence. He owned no land, so the family must have lived in a rented chamber or in the corner of a sympathetic neighbor's home. Besides his clothing, Dorcas's husband owned a bed and bedstead as well as a modest collection of furniture: a chest, two stools, three chairs, a small table, and a looking glass. He had the necessary equipment for

¹⁰¹ The Record Commissioners of Boston, *Boston Births, Marriages, and Deaths, 1630-1699* (Boston: Municipal Printing Office, 1908), 47. Martha lived in Boston, which suggests that Dorcas had relocated sometime between the 1652 baptism of her son in Dorchester and the 1654 death of her daughter in Boston—timing that makes sense in light of her 1653 emancipation.

tending and cooking on an open fire—tongs, a pair of andirons, and a spit—and he possessed an assortment of cookware and utensils: pots, skillets, dishes, bottles, and a collection of pottery described simply as “earthen things.” On the last line of the account, the appraisers noted “old tubs” and “lumber,” items that may provide clues to the family’s survival. Dorcas probably used the tubs for cleaning. Did she take in neighbors’ laundry to make ends meet? Or do wash for a landlord in exchange for housing? Did her husband work as a handyman around town, using his small stock of lumber to repair neighbors’ homes and outbuildings?¹⁰²

Curiously, Dorcas’s husband was not referred to as “Matthew” in the inventory of his estate. Instead, the record rendered him “Menenie.” And Dorcas had acquired his name as her surname: “Dorcas Menenie.” Yet abundant evidence indicates that Dorcas Menenie was indeed the Dorcas who served in Stoughton’s household, covenanted with the Dorchester congregation, and received her freedom as a result of the church’s concerns about her fractured family life. Records from both the Boston and Dorchester congregations indicate that the Dorcas whom Mather baptized in 1641 was still alive, still living in Boston, and still attending Boston’s First Church as late as 1677, two years after Menenie’s possessions were inventoried. And she was one of an exceedingly small group of Africans in the port at the time; no more than fifty black women resided in Boston when Dorcas Menenie probated her husband’s estate, and the number could have been as low as a dozen.¹⁰³ While one of these other women could have been named

¹⁰² Inventory of Menenie, Suffolk County Probate Records, Massachusetts State Archives, First Series, box 31, vol. 5, p. 266.

¹⁰³ Evidence is spotty, but according to the best demographic data available, the population of blacks was exceedingly small in Boston at the time of Menenie’s death. In 1680, Simon Bradstreet, the governor of Massachusetts, reported to England that there were between 100 and 120 blacks in the colony, 40 to 50 of which had been brought on a ship from Madagascar two years earlier. According to this estimate, there could have been as few as 50 blacks in Massachusetts in 1675 when Dorcas Menenie appeared in probate court, which means that the number in Boston would have been even lower: perhaps between 35 and 40, assuming (generously) that around

Dorcas, that was almost certainly not the case, as Dorcas was a highly unusual name for a slave woman in New England. In fact, among the thousands of blacks registered in Boston’s vital records during the seventeenth and eighteenth centuries, only one Dorcas can be found—the Dorcas who bore Matthew and Martha in the early 1650s.¹⁰⁴ Menenie’s inventory yields other clues linking Dorcas Menenie to the Dorcas who once cared for the young Stoughton children. For instance, Jacob Elliot and Theophilus Frary, the two men who appraised Menenie’s estate for Dorcas, would have known the woman well, as they were longtime members and layleaders of Boston’s First Church, the congregation that Dorcas attended after moving to Boston. It would have been natural, then, for the Angolan woman to turn to them for aid as she struggled to settle her husband’s affairs after his passing.

Menenie and Matthew, like Dorcas Menenie and Dorcas, were likely one and the same. The strong phonetic resemblance of the two names suggests that the designation “Matthew” may have been given to—or taken on by—Menenie upon his arrival in the Bay Colony. Perhaps Menenie willingly changed his name, or at least used Matthew in certain social circles, in a bid

three-quarters of the colony’s Africans were clustered in its principal port. Only one other contemporary estimate of the colony’s African population exists. In 1676, Edward Randolph, an English colonial administrator, reported that “there are not above 200 slaves in the colony.” Randolph’s number is almost surely inflated. The man has been described as “always extravagant in his statistics relating to Massachusetts,” and the way he phrased his estimation as “not above 200” suggests that his approximation, if anything, somewhat exceeded the African population. Assuming Randolph’s figure was accurate, though, the population of Boston’s blacks would come in at 150. So somewhere between 40 and 150 blacks resided in the port at the time Dorcas presented her husband’s estate in court. At most, half of them were women, as evidence from probate records indicates that enslaved men slightly outnumbered enslaved women at this time. This means that only 20 to 75 females of African descent lived in Boston, and some of these were undoubtedly children: Bradstreet estimated that “five or six blacks [were] born a year.” Bradstreet’s and Randolph’s two estimates, then, one low and one high, leave us with between a dozen and fifty or so African women in Boston. Bradstreet is quoted in Joshua Griffin, *An account of some of the principal slave insurrections: and others, which have occurred, or been attempted, in the United States and elsewhere, during the last two centuries* (New York: American Anti-Slavery Society, 1860), 9. For Randolph’s statement, see Charles Deane, *The Connection of Massachusetts with Slavery and the Slave-Trade* (Worcester, MA: Charles Hamilton, 1886), p. 28 n. 2.

¹⁰⁴ I have compiled nearly all of Boston’s seventeenth- and eighteenth-century vital records (birth, marriage, death, and baptism records) pertaining to people of African descent in a database that numbers over 3000 individuals. The first record dates from 1641; the last from 1800. For the primary sources that went into this compilation, see chapter 2, note 50.

to adopt the outward trappings of his new culture. Such a decision could have been strategic; as Dorcas’s case shows, making radical accommodations to Puritan life had the potential to pay off for even the most exploited of early New Englanders. However the man acquired his new moniker, the naming of baby Matthew suggests that the anglicization of Menenie was probably not coerced. Children born to slaves at the time of little Matthew’s birth were not enslaved themselves, so Matthew’s naming almost certainly would have been his parents’ prerogative, and it seems unlikely that the couple would have bestowed on their child a name that was imposed upon Menenie by his owner. Why did the man decide to go by Menenie later in life? Perhaps he had accomplished what he set out to do—say, by acquiring his freedom—and decided that “Matthew” had done its duty. Alternatively, he may have grown disillusioned with his Puritan society and rejected the biblical name he had taken on. The fact that Dorcas waited until just *after* his death to formalize her membership in Boston’s First Church lends support to this interpretation. Or maybe the man simply went by both names, presenting himself by turns as either Matthew or Menenie, depending on his audience.

Menenie, like Dorcas, almost surely hailed from West Central Africa. His name strongly resembles *munene*, a common word in the Kasai region of the Kongo hinterland, which had opened to the Atlantic slave trade by the early years of the seventeenth century.¹⁰⁵ Rendered by linguists as meaning either “big” or “tall,” the word was integral to the system of government prevalent in the region—the *ngongo munene*—an association of men that exercised authority

¹⁰⁵ The Kasai region was linked to Kongo by the Teke Kingdom, which was on Kongo’s northeastern border. David Birmingham has suggested that “new trading opportunities... were introduced into the lower Kasai by [Teke] merchants,” and “pioneers from the west had begun to penetrate the Kasai and bring slaves to the Teke markets” by the seventeenth century. See *Central Africa to 1870: Zambezia, Zaire, and the South Atlantic* (New York: Cambridge University Press, 1981), 94 and 89. According to Thornton and Heywood, the Teke Kingdom, which was “a powerful force even at the start of the sixteenth century,” warred with Kongo periodically during the seventeenth and eighteenth centuries, which could have brought Teke captives—or their slaves—into the Atlantic slave system via Kongo’s trade with the Portuguese. See Thornton and Heywood, 54.

over each neighborhood jurisdiction.¹⁰⁶ Menenie was given, then, or perhaps took for himself, a name that seems to be related either to his social standing in the Kasai or to his physical stature.¹⁰⁷ Regardless of how Menenie acquired his name, it is one that evokes strength and authority: traits that the man would have needed to move from a captive sold into the Atlantic slave trade to a free man heading a free household in a place unimaginably distant from his native land, both geographically and culturally. Like Dorcas, Menenie doubtless was born in the western region of Central Africa, and he was probably brought by a Portuguese slaver to the Americas. Somewhere along the way the ship was likely intercepted by an English privateer, which brought its human spoils to an Anglo-Caribbean settlement, perhaps Providence Island, or, if Menenie was shipped across the Atlantic in a later period, probably Barbados.¹⁰⁸

Though Menenie's death brought to an end a relationship that may have spanned three decades, it did not leave Dorcas adrift in the Massachusetts port, unmoored from meaningful relational ties. Shards of evidence indicate that the woman had built connections with other blacks on the shore of the Massachusetts Bay—Africans whose kin and communities will be explored in succeeding chapters. And Dorcas made a concerted effort to formalize her church

¹⁰⁶ According to Jan Vansina, “Ngongo munene” was “a compound of *ngongo* (world, country, bush) and *munene* (big).” See Jan Vansina, “Government in the Kasai before the Lunda,” *The International Journal of African Historical Studies*, 31 (1998): 10, 13. Joseph H. Greenberg has argued that “munene” meant “tall” among the Ciluba speakers of the Kasai. See “Linguistic Evidence Regarding Bantu Origins,” *The Journal of African History* 13 (1972): 198.

¹⁰⁷ Alternatively, the name Menenie could be derived from *menino*, the Portuguese term for “boy.” Melinde Sanborn suggests this interpretation in “Angola and Elizabeth: An African Family in the Massachusetts Bay Colony,” *The New England Quarterly*, 72 (1999): 126 n. 21.

¹⁰⁸ Barbados was New England's main supply of slaves in the middle of the seventeenth century, as most Africans were brought in small numbers on the ships that plied the Atlantic between Boston and Barbados rather than on bona fide slave ships. According to Governor Bradstreet, writing in 1680, “now and then two or three negroes are brought hither from Barbados and other of his majesties plantations,” but “there hath been no company of blacks or slaves brought into the country since the beginning of this plantation, for the space of 50 years, [except] one small vessell about two yeares since after 20 month's voyage from Madagasca [that] brought hither betwixt 40 and 50 negroes....” See *An Account of some of the principal slave insurrections*, 9.

affiliation after her husband’s passing, which suggests that she had forged significant relationships with Boston’s white inhabitants as well as its black ones. For decades after her move to Boston, Dorcas had remained a member of the Dorchester congregation that redeemed her, but, following Menenie’s death, she decided to make official her change in affiliation. In August of 1676, a full 35 years after Mather had noted that “Dorcas ye blackmore” had been baptized and joined his First Church, the African woman appeared in the Dorchester congregation’s book of records for the last time. Dorcas had formally requested dismissal from the congregation in order to join her longtime home church in Boston, and the Dorchester brethren approved: “Dorcas ye neger being formerly a member of this Church was dismissed to joyn to ye first Church at boston,” the entry read.¹⁰⁹ The record-keeper’s unusual formulation—that Dorcas was “formerly” a member—makes sense in light of Dorcas’s long-ago move to Boston and its First Church; Dorcas had long been absent from the Dorchester meeting house, and her affiliation, she decided at last, ought to match that reality.¹¹⁰

Dorcas was received into Boston’s First Church in July of 1677. She was the first person of color admitted to membership, but the records of the congregation do not show any special interest in or distain for her. The Angolan woman had attended the church for nearly a quarter of a century, after all, and the strangeness of this godly “stranger” had surely diminished over time.

Extant church records suggest that the men and women who had long worshipped with Dorcas

¹⁰⁹ *Records of the First Church of Dorchester*, 12.

¹¹⁰ Contemporaneous dismissals noted in the church’s record book dismiss “members,” not those who were “formerly” members, as most leaving the church had been regular attenders right up until the time it dismissed them to another congregation. The only reference to somebody who was “formerly a member of the church” concerned a woman who had since become a member of another church and therefore was not, at the time the record was written, a member of the Dorchester congregation. See the example of Thankfull Baker, a widow: “Than[k]full Baker widow formerly a member of this Church & dismissed to [the] 2[n]d Church in Boston was readmitted againe [the] 15 2 77 being dismissed from [that] Church” *Records of the First Church of Dorchester*, 24. Baker was “formerly” a member because she had been elsewhere in the meantime.

had no qualms about the woman's fitness for fellowship. She was admitted alongside one John Dyer, an Englishman who had recently relocated to Boston from neighboring Weymouth. Both presented letters of dismissal from their prior churches: that is, assurances they had left in good standing and were free to join another congregation. Dorcas's letter from Dorchester's First Church was undoubtedly satisfactory, as the Boston brethren voted to receive her without debate. The notes taken that day dwell instead on an undisclosed "something" that was "more than usual in the Letters for John Dyer" and might have kept him from being "safely accepted." While the members ultimately ended up "Receiv[ing]" Dyer "according to their old and usuall manner," it was Dyer who prompted discussion, not Dorcas.¹¹¹

Dorcas fades from the historical record after joining Boston's First Church. By the time she stood before her Boston brethren in 1677, she was in her mid fifties, if not older, and over four decades had passed since her life in the Angolan hinterland had been so unspeakably upturned. The African woman had been forced across the Atlantic on a slave ship, captured by English pirates, exchanged for a Pequot deep in the Caribbean, brought with the first cargo of "negroes" to the fledgling settlement on the Massachusetts Bay, and sold into the household of one of the colony's political elites. There she had mastered English, attained biblical proficiency, and lived with such piety that rumors of it rippled outward from Stoughton's household on the Neponset. She had embraced the sacrament of baptism and been received as a member of the local Dorchester congregation, but watched, helpless, as her condition of bondage become permanent and entrenched in law. Slave status notwithstanding, Dorcas had continued to fashion a meaningful life for herself; she had forged a longstanding relationship with an African man in

¹¹¹ *Records of the First Church of Boston*, vol. 1, p. 74.

Boston—one of the handful in the region—and birthed children, laying bare the incompatibility of Puritan living and the colony’s slaveholding practices. Liberated by her congregation in order to reunite her fractured family, Dorcas had relocated to Boston, arriving just in time to bury her deceased daughter. She would mourn more kin—first, perhaps, her son, Matthew, whose fate the historical record does not divulge, and then her husband—but she had soldiered on, making her way as a free African woman in a largely Euro-American, Puritan, slaveholding town.¹¹² By the time she reached old age, she had accumulated a modest amount of property and built relationships in the little colony that appear to have run deep, relationships with whites as well as blacks: after her husband’s passing, she chose to formalize her long commitment to the local Boston congregation, and her brothers and sisters in Christ—all of European ancestry—appear to have welcomed her with open arms.

That a narrative of such richness can be reconstructed of an African woman’s life in the first decades of New England’s settlement is astonishing; scholars of early New England’s slave past have emphasized the virtual impossibility of resurrecting individual lives from this period.¹¹³ Nearly as surprising is the degree to which the shards of evidence relating to Dorcas and her family reorient scholars’ understandings of the founding period of New England’s history. For instance, Dorcas’s story sheds new light on the relationship between religion and race in the seventeenth-century Atlantic world, a relationship that took on different dimensions in New England than in the Chesapeake. Africans in the Bay Colony did not follow the linear pattern Goetz outlines so clearly in Virginia, progressing from potential Christians to hereditary

¹¹² No records relating to Matthew exist beyond his baptismal record, so it is plausible that the boy did not live long.

¹¹³ Wendy Warren asserted that “multiple entries concerning the same slave are almost entirely lacking” in New England’s earliest period. See Warren, “The Cause of Her Grief,” 2.

heathens; they were considered potential Christians from the beginning of European settlement in New England, and they never lost that status, but Puritan doctrines shaped blacks' temporal lives in different ways at different times. In Dorcas's case, for example, Puritan interpretations of biblical injunctions both justified her enslavement and redeemed her from bondage; the Old Testament provided an important precedent for implementing chattel slavery in the colony, but Puritan teaching on family life convinced the Dorchester congregation to rescue their African sister from bondage. At least in certain cases, then, Christianity had the potential to provide slaves with earthly redemption as well as spiritual salvation.

Placing Dorcas front and center in New England's early history not only provides insight into the relationship between race and religion in the seventeenth-century Atlantic world, but it also sheds new light on the complex relationship between liberty and slavery in the early period of Anglo-Atlantic settlement. The advancement of rights for ordinary English settlers in the colony—even those, like women and children, who were not voting citizens—proceeded at the expense of the “strangers” like Dorcas who were brought in bondage into the Massachusetts Bay on the colony's ships that plied the Atlantic; the great “democratical” victory of Dorcas's Euro-American neighbors ensured perpetual servitude for the young Angolan woman in their midst. And Dorcas's story reveals that the Puritans' legalization of slavery in their “Body of Liberties” was no thoughtless mistake, no unthinking replication of Old Testament legislation. The very people most dedicated to moving the project forward—the freemen and Dorcas's owner, an advocate and architect of the legal code—had known Dorcas, in some cases intimately, and they had been well aware that the legislation they scrutinized and vetted would condemn to slavery the African woman so widely hailed for her godliness and scriptural knowledge. Yet they had pushed the project forward nevertheless. Viewing the development of Massachusetts law from

Dorcas's vantage reveals that slavery was bound up in liberty from the earliest stages of Anglo-American settlement.

Dorcas's story also enables scholars to navigate between conflicting interpretations of the Puritans and the societies they created in New England. On the one hand, the woman's narrative serves as a powerful reminder that the Puritans on the shore of the Massachusetts Bay, whom scholars consider "the most advanced reformers of the Anglo-colonial world," were some of the first Anglos in the Atlantic to stipulate in law that Africans could be bound for life.¹¹⁴ And it reveals that this legalization of slavery was intentional. On the other hand, though, Dorcas's story shows that the colony the Puritans built on the edge of the Massachusetts Bay was not the place of isolation, exclusion, and racialized and sexualized violence that various scholars have depicted.¹¹⁵ Some Africans found meaning, community, and a measure of acceptance in New England despite their status as "strangers" in the colony, and Puritan Christianity was central to their ability to do this. In Dorcas's case, at least, binding herself to a community of believers in the Bay Colony helped her to forge a place for herself in a society poised to discount her due to race, nationality, gender, and status.

Dorcas's saga provides insight into African family life in the Bay Colony as well. It shows that blacks were building kin networks from the earliest period of New England settlement, and it reveals that whites were recognizing them as legitimate families. It also

¹¹⁴ The governor and council of Barbados issued a less expansive recognition of slavery five years prior to the Bay Colony's Body of Liberties. See note 64 above.

¹¹⁵ In an elegant prize-winning essay built around a single piece of evidence about one of Dorcas's contemporaries—an African woman who was raped in 1638—Wendy Warren portrayed a New England rife with racialized and sexualized violence, and marked for Africans by exclusion from white Puritan society and isolation from kin and community. While aspects of this representation surely capture reality for many early blacks, none of them accurately characterize Dorcas's story, a story that is based on more extensive archival evidence than the story Warren tells. See Warren, "The Cause of Her Grief."

illuminates the gendered challenges that African women faced when they engaged in family-building. Raising children was particularly difficult for mothers in bondage, who had to continue serving their masters' households while shouldering responsibility for their infants' care—all without the help of husbands, co-resident kin, or domestic assistants. The challenges that Dorcas faced in holding together a family separated by significant geographic distance must have been particularly profound. It was by watching Dorcas navigate life as an enslaved *mother*, rather than simply an enslaved *wife*, that her brethren in Dorchester's First Church were moved to action, after all; they chose to redeem the woman in the aftermath of her son's birth. Alleviating the gendered difficulties of single mothering that slave women faced seems to have been more important to the English settlers of the Massachusetts Bay, at least those with whom Dorcas interacted, than maintaining proper headship within spousal units.¹¹⁶

Liberty notwithstanding, life was tenuous for Dorcas and her fellow Africans in New England. Dorcas's young daughter died within a year of her emancipation, and her son may not have lived long, either.¹¹⁷ But the fragile bonds of blood and affection that Africans built in the earliest years of New England's settlement meant something, both to whites and to blacks. Indeed, they meant quite a lot. They established Dorcas as fit for freedom in a way that her celebrated conversion and noteworthy baptism did not. And they enabled African women and

¹¹⁶ This is, of course, assuming that Dorcas and Matthew married—something that we cannot know with certainty, as marriage records for the town of Boston were not kept prior to 1651, and the two would almost surely have been married before that time. However, Dorcas would likely have been disciplined by the Dorchester church had she begun to conceive and bear children out of wedlock, and church records do not indicate that this ever happened. In later instances, baptized blacks who committed fornication were punished by their churches.

¹¹⁷ Interesting, a free black man named Charles Meneno appeared on multiple occasions in Boston's town records in the early 1700s. He could have been a third child born to Dorcas and Matthew/Menenie. Or perhaps he was the son of the younger Matthew. See William H. Whitmore and William S. Appleton, *A Report of the Record Commissioners of the City of Boston Containing the Records of the Boston Selectmen, 1701-1715* (Boston: Rockwell and Churchill, 1884), 74, 76, 116, 137, and 166.

men who had been torn from their homelands and thrust into Atlantic bondage to begin to re-embed themselves in some semblance of community. Though Dorcas and her kin trod lightly on the historical record and their lives can only just be pieced together, the tale of the long-forgotten woman and her family is powerful. It would be easy to tell the story of the first decades of settlement in the Bay Colony as if Dorcas had never existed. That, in fact, is how it has always been told. But placing Dorcas at the center makes for a richer account—and a more honest one.

Chapter Two

Sebastian, Jane Lake, and the Six “Basteens”: Religion, Power, and Patriarchy at the Turn of the Early Eighteenth Century

An enslaved African man named Sebastian walked to Boston’s First Church on the first Sunday of November in 1701. The family who owned him paced the familiar route as well: north up Summer Street, then east onto the road known as “the way to the neck,” which they followed deeper into the peninsular town rather than out to the slim spit of land leading to neighboring Roxbury. The walk was not far. The company had less than a mile to travel before it reached the aging wooden meeting house, at which point it probably split: Sebastian likely left his master’s family as usual and filed into a pew in the gallery alongside the congregation’s other dark-skinned worshippers, which was where he and his enslaved black wife, Jane, regularly sat. This Sunday, though, was unlike any other Sabbath day. Sebastian had an important role to play in the service, one he could not play from the gallery. His infant daughter was to be baptized, and Sebastian, like all fathers presenting their children to the Lord, would hold her aloft before the congregation while the minister poured symbolic water over her head. Little Jane “is baptised by

Mr. Allen,” Samuel Sewall, a prominent Boston merchant and judge, would note in his diary later that day: “Bastian holds her up.”¹

Fragments of evidence in church, town, court, print, and private records have preserved the story of Sebastian and Jane’s courtship, marriage, and family life—a story that bears little resemblance to the narratives historians tell of slave family life in the Anglo-Atlantic world. These narratives emphasize the informality of slave marriage ties and the lack of obligations incumbent upon slaves who entered into so-called “marriages.” Slaves were denied legal marriages in the British West Indies, scholars have argued, because marriage was considered a civil contract, and slaves, as legal non-entities, could not enter into contracts.² A number of historians have contended that the situation was similar throughout the mainland colonies.³ In fact, scholars have argued that American slaves had no legal marital obligations at all; enslaved fathers were not considered responsible for the financial support of their families, for example, while enslaved husbands and wives were not punished for marital unfaithfulness. Slaves,

¹ Samuel Sewall Diary, Nov. 2, 1701, in “Diary of Samuel Sewall. 1674–1729. Vol. II. 1699–1700–1714,” in *Collections of the Massachusetts Historical Society*, 5th series, (10 vols., Boston, 1871–1888), VI, 46.

² Cecilia A. Green, “‘A Civil Inconvenience’? The Vexed Question of Slave Marriage in the British West Indies,” *Law and History Review*, Vol. 25, No. 1 (Spring 2007): 26. Green argued that “marriage among slaves had not been the subject of law or of slave codes because, slaves being legal non-entities, the possibility had no conception in law.”

³ According to legal historian Margaret Burnham, American slaves were prohibited from marriage due to judicial decree. She pointed out that there were “no statutes forbidding slaves to marry” in mainland North America, but “the prohibition [of marriage to slaves] was judicially defined.” See Margaret A. Burnham, “An Impossible Marriage: Slave Law and Family Law,” *Law and Inequality* 5 (1987-88): 207. A host of scholars concur that American slaves were denied legal marriage. See, for example, Norma Basch, *Framing American Divorce: From the Revolutionary Generation to the Victorians* (Berkeley: University of California Press, 1999), 48-9; Brenda Stevenson, *Life in Black and White: Family and Community in the Slave South* (New York: Oxford University Press, 1996), 226; Ann Patton Malone, *Sweet Chariot: Slave Family and Household Structure in Nineteenth-Century Louisiana* (Chapel Hill: University of North Carolina Press, 1992), 224; Lorri Glover, *Southern Sons: Becoming Men in the New Nation* (Baltimore, The Johns Hopkins University Press, 2007), 127; Phillip Morgan, *Slave Counterpoint: Black Culture in the Eighteenth-Century Chesapeake and Low Country* (Chapel Hill: University of North Carolina Press, 1998), 499.

historians have claimed, were simply not held by law to the standards of monogamy.⁴ But the opportunities for family-building—as well as the practical and moral constraints that controlled the process—differed starkly for Africans in New England on the one hand and those throughout the rest of the Anglo-Atlantic on the other. A number of Sebastian and Jane’s slaveholding neighbors took seriously the marriages of their bound Africans, and many expected enslaved men to provide for their families at least in part—slave status notwithstanding. Influenced by the region’s religious culture, New England’s slave masters, churches, and courts worked together to facilitate both monogamy and patriarchy in slaves’ families.

Sebastian and Jane’s story differs from those of enslaved families throughout the Atlantic in other ways as well. This African family, divided between multiple Euro-American households, hardly fits the “two-parent, nuclear family” model that historians at work in the heyday of scholarship on slave family life argued was “the typical form of slave cohabitation regardless of the location, size, or economy of a plantation; the nature of its ownership; or the age of its slave community.” Recent scholars have complicated this sweeping model of slave family life, but the great bulk of research on families in bondage continues to explore blacks who lived on large plantations in the nineteenth-century South. Examining the families of slaves who lived at other times and in other places can helpfully reorient historical analysis, exposing long-held assumptions about the families that people of African descent built and maintained in slavery.⁵

⁴ Margaret Burnham makes this argument most concisely in “An Impossible Marriage,” 207-8.

⁵ Jacqueline Jones, “‘My Mother Was Much of a Woman’: Black Women, Work, and the Family under Slavery,” *Feminist Studies*, 8 (Summer 1982), 252. Jones was just one of a series of scholars at work in the 1970s and 1980s who argued that the nuclear family was standard for slaves across time and space. This chapter uses enslaved families in New England to shed light on slavery and family in the southern mainland colonies and the Atlantic more broadly. For recent work on enslaved families in the New England context, see Allegra di Bonaventura, *For Adam’s*

Exploring Sebastian and Jane’s family, its religious context, and the smallholding slave system in which it operated provides new insight into the dynamics of gender and power in bound Africans’ lives. The structure of slave families in New England was unusually matrifocal because slaveowners tended to possess no more than a couple of slaves, and they subscribed to the widespread belief in the Anglo-Atlantic world that the children of enslaved women should inherit their mother’s status and belong by law to their mother’s master. The distribution of slaves on smallholdings—which ensured that most enslaved couples did not cohabit— and the practice of maternal inheritance worked together to prevent the vast majority of New England’s slave fathers from living with their offspring. At the same time, these factors facilitated the co-residence of slave mothers and children (when kin lived together at all, that is). Most scholarship on black family life assumes that the structure of slave families defined their normative values, so one would expect of Afro-New England families that function would follow form. That premise, though, does not hold true for families like Jane and Sebastian’s, which, despite their mother-centered structure, exhibited a number of patriarchal tendencies. Jane, Sebastian, and the other Africans who built families on New England soil therefore shed surprising new light on the intersection of religion, gender, family, race, and slavery in the Atlantic world.

Sake: A Family Saga in Colonial New England (New York, 2014) and Gretchen Holbrook Gerzina, *Mr. and Mrs. Prince: How an Extraordinary Eighteenth-Century Family Moved Out of Slavery and Into Legend* (New York, 2009). See also Wendy Warren’s evocative article, “‘The Cause of Her Grief’: The Rape of a Slave in Early New England,” *Journal of American History*, 93 (March 2007), 1031–49. Wendy Warren’s forthcoming book will no doubt shed further light on the intimate relationships that enslaved people forged in seventeenth-century New England. See Wendy Warren, *New England Bound: Slavery and Colonization in Early America* (New York, 2016). Though my focus here is on families that were formed by blood and marriage, I do not intend to suggest that biological kinship was the exclusive—or always the most important—way that enslaved Africans embedded themselves in familial communities throughout the Americas. As James H. Sweet has convincingly argued, “adoptive, corporate, spiritual, and intellectual families” should be considered “alongside biological ones as part of a broader structural social norm.” See James H. Sweet, “Defying Social Death: The Multiple Configurations of African Slave Family in the Atlantic World,” *William and Mary Quarterly* 70 (April 2013), 253.

Sebastian and Jane may have met at Boston’s First Church, the meeting house that Dorcas Menenie and her husband had frequented in the mid- to late seventeenth century. In 1677, Dorcas had been the first African to affiliate with the congregation, and Jane followed in her footsteps not long after; the minister noted that “Jane, a Negro” joined the church and was baptized in February of 1691, though he neglected to record the woman’s last name: Lake.⁶ Sebastian never joined the First Church, but he accompanied the Waites to their meeting house on Sabbath days—church attendance was mandated by Massachusetts law, after all—so the two enslaved people doubtless encountered one another inside the aging wooden edifice.⁷ Segregated in the “galleries” along with children, Africans suffered the indignity of inferior seating based on their race, but they may have enjoyed less oversight than usual as a result of their distance from those who owned them.⁸ And it is possible that the First Church held special meetings for its black congregants. Other congregations in the region did; for instance, the Africans in Cotton Mather’s Second Church formed a “religious society” as early as 1693, when, according to

⁶ Richard Donald Pierce, ed., *Records of the First Church of Boston*, vol. 1 (Boston: The Colonial Society of Massachusetts, 1961), 91.

⁷ While exceptions were made for people in extenuating circumstances (nursing mothers, for instance, or the infirm), regular church attendance was expected of all colonists in the seventeenth and eighteenth centuries. Massachusetts re-enacted an attendance law as late as 1797 punishing absentees with a ten shilling fine. See Steven Green, *The Second Disestablishment: Church and State in Nineteenth-Century America* (New York: Oxford University Press, 2010), 183.

⁸ The eighteenth-century papers of two of Boston’s churches remark on the seating of blacks in the sanctuary, indicating a common seating pattern. Old North Church (also called Christ Church) regularly compensated a member to “Take Care that no Disturbance happen by the boys or any other unruly Persons.... in the Gallerys” and voted that “The Wardens Apply to Mr. Webber & offer him 1s. lawfull money a Week to keep the Boys & Negroes in Order.” Vestry Records, July 23, 1733 and June 11, 1760, folder 35, box 45, Old North Church Records, Massachusetts Historical Society, Boston, Massachusetts. Similarly, at the Old South Church, members voted “That the Deacons be desir’d to Procure some suitable Person to take the oversight of the Children & Servants in the Galleries, and take Care that good Order be maintain’d in time of divine Worship.” Records of the Old South Church and Congregation, Aug. 4, 1732, box 1, vol. 1, p. 72, Old South Church Records, Congregational Library, Boston, Massachusetts.

Mather, they asked him for his guidance.⁹ The group convened every Sabbath from seven to nine in the evening, and, though Mather exhorted them to “obtain some wise and good Man, of the *English* in the Neighbourhood” to “look in upon [them]... as often as may bee,” it is unclear how consistent this oversight was. Mather himself seems to have visited them only on occasion.¹⁰

Though the meeting house was a prime location for interaction among blacks, Sebastian and Jane doubtless encountered one another outside the walls of the old First Church. Slaves in Boston—both male and female—were extraordinarily mobile, delivering messages and goods for their masters throughout the fledgling city and the towns surrounding it. This is clear in the writings of Samuel Sewall, the prominent merchant and judge who noted that Sebastian “held up” his daughter, Jane, for baptism in 1701. The judge constantly referenced slaves’ whereabouts in his diary: “Capt. Prentice’s Negro” brought Sewall his horse; “Madam Winthrop sen[t] Mingo to invite [Sewall] to the Meeting at her House”; “Mr. cooper sen[t] [Sewall’s] wife a Present of Oranges and a Shattuck... by his Mother’s Negro Bristol.”¹¹ On several occasions during the judge’s ill-fated courtship with widow Katherine Winthrop, he mentioned returning home after nightfall in the company of Winthrop’s slave woman; as a courtesy to her aging suitor, Winthrop sent Juno out with a “good Lantern” to light his way.¹² Juno may have ventured into the darkness on her mistress’ errand, but plenty of other slaves—both men and women—left their owners’

⁹ Mather was not the only pastor who reported doing this. Later in the eighteenth century, other ministers supported similar meetings for their black congregants. For instance, Jeremy Belknap recorded giving “Ev[en]ing Lec[tu]r[es]” to the “Negroes” in his church in Dover, NH. Jeremy Belknap, 1770 Ames almanac, Jan. 21 and Apr. 1, Massachusetts Historical Society, Boston, Massachusetts.

¹⁰ Mather’s diary reports only two potential interactions with the “Negro Society”: one in 1716, when he planned to “entertain them at my House”; and one in 1718 when he reminded himself that “it is time for me again, to send for; and pray with them, and preach to them...” Diary of Cotton Mather, *Collections of the Massachusetts Historical Society*, 7th ser., vol. 8 (Boston, 1912), 364 and 532.

¹¹ Diary of Samuel Sewall, vol. 5, p. 191; vol. 6, p. 253; vol. 7, p. 238.

¹² Diary of Samuel Sewall, vol. 7, pp. 267 and 269.

homes after dusk to pursue their own purposes. Court records are rife with accusations against slaves of crimes such as theft, fornication, and assault, a great many of which were supposedly committed under cover of darkness. Most of these crimes were linked to male slaves rather than female, but in 1703, when the Massachusetts General Court passed its first act to limit the movement of enslaved people of color at night, it did not choose to gender the law. Declaring that “great disorders, insolencies and burglaries are oftentimes raised and committed in the night time by Indian, negro and molatto servants and slaves,” the act prohibited *all* such people from being “absent from the families whereof they respectively belong... after nine a clock, unless it be upon some errand for their respective masters or owners.”¹³

Sebastian was one of Boston’s many mobile slaves, at least in the licit sense. No evidence suggests that he was out after dark “mak[ing] any disturbance” contrary to the 1703 law, but Sewall’s diary makes clear that the slave moved throughout the town during daylight hours. “Bastian,” as Sewall often called him, helped the judge regularly with errands; in 1694, for example, Sebastian and Sewall “set seeds of White-Thorn” (a fruiting tree) together, and, in 1695, the slave “fetched... a chest” for Sewall. It was convenient for Sebastian to run errands for Sewall, for he lived with the Waite family just south of Sewall.¹⁴ Jane, meanwhile, lived just north and east of Sewall, so the judge’s house was located roughly between the homes of the two

¹³ Massachusetts Acts and Resolves, Province Laws 1703-4, Session 3, Chapter 11.

¹⁴ For the location of Sewall’s home, see Estes How, “Communication from Dr. Estes Howe, of Cambridge, in Regard to the Abode of John Hull and Samuel Sewall,” *Proceedings of the Massachusetts Historical Society*, ser. 2, vol. 1 (Boston: Massachusetts Historical Society, 1884-1885): 312-326. See also Melvin Yazawa, ed. *The Diary and Life of Samuel Sewall*, (Boston: Bedford Books, 1998), x.

slaves.¹⁵ Jane was likely at Sewall’s house often, as her owner lived so close to the judge that she used his pump.¹⁶ Perhaps, then, delivering goods and fetching water became occasions for the sort of friendly banter or neighborly gossip that Sebastian and Jane may not have exchanged in the meeting house.

Whether for work or worship, the two must have relished opportunities to leave their masters’ homes. Probate records reveal that Sebastian was the only slave who lived with the Waite family: John, Eunice, and their four children. John Waite was a Boston merchant of modest means, and the papers filed upon his death in Suffolk County’s probate court refer to Sebastian, whom his executor valued at £20 in 1702, as his “One Negroman.” Jane, who resided with Deborah Thayer, a Boston widow and mother of five children, was almost surely the only slave in that home as well; accounts relating to the administration of Thayer’s estate in the early years of the eighteenth century refer to Jane by name but do not mention any other bound laborers. Like many other slaves in the Bay Colony, then, Jane and Sebastian seem to have been the only Africans in their respective households. Performing outdoor duties and attending Sabbath “lectures” therefore provided them with valuable opportunities to build ties with other blacks—ties that, for them, would lead to marriage.¹⁷

¹⁵ Thayer home was located on the north side of Marlborough, just to the east of the Sewalls, near Winter Street in the direction of School Street. See Henry F. Waters, *Notes on the Townsend Family* (Salem: Essex Institute, 1883), 2.

¹⁶ Sewall’s diary entry for January 4, 1701, mentions that Jane’s owner was “at our pump for water” on the morning of the day she died. *Diary of Samuel Sewall*, vol. 6, p. 28. For Sebastian’s aid to Sewall, see vol. 5, pp. 389 and 397.

¹⁷ Account of Thayer’s Administrator, May 15, 1703, p. 149, vol. 15, Suffolk County Probate First Series (Massachusetts Archives, Boston); Inventory of John Waite, April 28, 1702, p. 179, vol. 15, *ibid*. I have found no evidence of additional slaves belonging to either Thayer or the Waites, although I have looked through the seventeenth- and eighteenth-century vital records kept by Boston’s town clerk as well as the baptism, marriage, and death records of the city’s churches for the same period.

By the spring of 1699, the two seem to have decided that they wished to wed. According to Sewall, a Justice of the Peace who often married his fellow Bostonians, John Waite visited him on the first of April “and express’d his earnest desire that Bastian might have Jane, Mr. Thair’s Negro.” A week later, Waite’s wife repeated the appeal. “Mrs. Eunice Wait comes to our house and expresses her desire that Sebastian might have Mrs. Thair’s Jane,” Sewall noted. “She would have me promote it; though she said ’twould be to their prejudice in some respect.”¹⁸ Eventually, the three slaveowners concerned in the matter—John and Eunice Waite and Deborah Thayer—visited Sewall together to negotiate an arrangement. Thayer demanded that the Waites allow Sebastian to have “one day in six... for the support of Jane, his intended wife and her children, if it should please God to give her any.” John Waite, Sewall wrote, “wholly declin’d that but freely offer’d to allow Bastian Five pounds, in Money p[er] annum towards the support of his children p[er] said Jane (besides Sebastians cloathing and Diet).” Ultimately, Sewall “persuaded Jane and Mrs. Thair to agree to it, and so it was concluded.”¹⁹ But the matter was not, in fact, concluded just yet; when Deborah Thayer died that coming January, the two were still not married, and John Waite visited Sewall yet again, “earnestly desir[ing] me to hasten consummating the Marriage between his Bastian and Jane.”²⁰ Finally, on February 13, 1701, nearly two years after the bargaining process had begun, the two were married by Sewall himself.

The prolonged exchange reveals a great deal about the processes by which slaves worked out their marriage plans with their masters at the turn of the eighteenth century. Perhaps most

¹⁸ Diary of Samuel Sewall, vol. 5, p. 495.

¹⁹ Diary of Samuel Sewall, vol. 6, p. 22.

²⁰ Diary of Samuel Sewall, vol. 6, p. 29.

notably, Sewall’s account indicates that the slaves themselves initiated this process rather than either of their masters, which seems to have been the pattern in the Bay Colony.²¹ Waite *did* introduce the issue to Sewall, but he does not appear to have done so because the match was his idea; the slaves’ union clearly would not advantage him, as he would not own their offspring but would nonetheless be obligated to help support them. His wife seems to have spoken honestly when she stated that the match “would be to their prejudice.” Since they brought up the matter but had little to gain from it, the Waites appear to have been responding to Sebastian’s desires. Sebastian, though, apparently did not have the power to bring the union about without Jane’s consent. The day after Sewall first heard Waite’s proposal, he “spake to Jane,” and his decision to move forward with the bargaining suggests that she was amenable to the marriage; if her preferences were not relevant, Sewall would not have bothered to inquire of her and take note of it in his diary.

Sebastian and Jane were not unique. Though almost no sources shed light on the process by which Africans obtained marriage partners at the turn of the eighteenth century, fragmentary evidence suggests that other slaves at this time—at least male slaves—initiated their own unions. A revealing example can be found in the records of Middlesex County’s General Sessions of the Peace, the lower-level criminal court of the Bay Colony. In 1691, Thomas Sungo, a “negro man” who had somehow obtained his freedom from a Charlestown resident named Benjamin Sweetser, sold himself *back* into servitude. This time, Sungo would serve a Charlestown mariner named Nathaniel Cary. He promised to “dwell & serve at Sea or on Shore” for a “Terme of four years,” and Cary, in turn, promised to fulfill the standard duties of a master: to provide “Apparrell Meat

²¹ Only scattered evidence suggests that slaves initiated their marriages, but I have yet to find any evidence indicating that masters initiated their slaves’ unions in the late seventeenth or eighteenth centuries.

drink & lodging” as well as supply “all other Necessaries Meet & Convenient... during the s[ai]d terme.” That, however, was not all: Cary also pledged that he would “permit & suffer the s[ai]d Apprentice & his [Cary’s] Negro Woman Servant named Penella forthwith to Joyn together in Marriage.” Ultimately, Penella would go free with Sungo at the expiration of his service.

Penella and Thomas Sungo’s marriage was not forced upon them by Penella’s master; on the contrary, Sungo had to give up a great deal in order to convince Cary to allow the union. Nor was the marriage of Cotton Mather’s slave, Onesimus, arranged. Mather noted that he “allowed” Onesimus to “enter into the married state”—language that suggests the minister was responding to his slave’s request rather dictating orders. An enslaved man of Ebenezer Pemberton, minister of Boston’s Old South Church in the early eighteenth century, also took his marriage into his own hands. This man, whom Samuel Sewall called “Cophee,” paid Pemberton £40 “for his Time, that he might be with his wife.”²² Thomas Sungo, Onesimus, and Cophee, like Sebastian, all took the initiative in establishing and sustaining their marital relationships. Unfortunately, the roles that their wives—two of whom cannot even be named—played in courtship are essentially invisible. But one thing is clear: those who owned Africans in at the turn of the eighteenth century did not, as a matter of course, dictate whom their slaves should love and marry. This does not mean that slave owners played no role in the courtship and marriage of those they owned. Some, such as Nathaniel Cary, demanded payment before assenting to their slaves’ marriage. Others, like Cotton Mather, believed they had the right to prevent their slaves from entering marital relationships if they so desired but allowed their slaves’ to marry regardless. Still others, such John and Eunice Waite, worked to facilitate their slaves’ marriage: ultimately, while Sebastian and Jane seem to have instigated the match-making process, Sewall’s diary

²² Diary of Samuel Sewall, vol. 7, p. 9.

shows that it was carried on for the most part by their owners, particularly the Waites, who showed great persistence in bringing forth a marriage that would yield little benefit to themselves.

It is impossible to know how often colonists invested such time and effort in facilitating the marriages and family lives of their slaves, but scattered clues suggest that some—particularly those of strong religious convictions—took seriously their slaves’ marital unions and kin connections. When Benjamin Colman, pastor of Boston’s Brattle Street Church, “inquired” of Samuel Sewall concerning the baptism of a slave named Scipio, Sewall wrote Colman a letter expressing hope that Scipio would indeed be baptized. Yet he “has had a Child,” Sewall wrote, and “I never heard that he was married.” To Sewall, the situation demanded a remedy: “If he should desire a Wife, I should forward him therein so it might be conveniently [accomplished],” Sewall informed Colman.²³ Likewise, Cotton Mather and Thomas Prince, ministers at the Second and Old South (Third) Church, respectively, expressed concern over the spiritual welfare of the enslaved family that was split between their two households. Mather’s slave, Ezer, and Prince’s slave, Dinah, had two children, Arminna and Ezer, in 1722, when Ezer was baptized by Mather and joined his Second Church.²⁴ Because Ezer “was Received into the Covenant of GOD, and Baptised Lately with us,” Mather wrote to Prince, “his offspring (whereof I hear, part is newly born in your Family) is humbly recommended unto the Christian Baptism with you, by,

²³ Letter from Samuel Sewall to Benjamin Colman, Mar. 22, 1718, Benjamin Colman Papers, Massachusetts Historical Society, Boston, Massachusetts. Note that once again the matter is dependent on Scipio’s *desire* for a wife; Sewall here shows no interest in initiating a marriage that Scipio does not want.

²⁴ Ezer and Dinah were probably married, but the marriage records of the Second Church are very sparse and those of the Third Church were either never kept or have been lost.

Sir, Your Brother and Servt.”²⁵ Prince seemed happy to comply; the two children were baptized in the Old South Church the following day.

The New England slaveowners who facilitated the marriages and recognized the families of the Africans they owned were not acting out of economic self-interest. Unlike masters throughout much of the Atlantic world, those in Massachusetts and its neighbor colonies rarely wanted infant slaves. The few examples of what could be considered slave breeding in New England pale before an avalanche of evidence demonstrating that the region’s slave masters—particularly those in urban areas—found objectionable women who “bred” too much.²⁶ Testimony sworn in Boston’s lower criminal court reveals how unfavorably one Boston slaveowner, a Captain John Wing, responded to the slave children born in his household at the end of the seventeenth century. In the case, a suit for freedom brought by a “mulatto” woman named Mary Auternote, witnesses discussed the woman’s birth to a “Spanish Indian” slave named Kila, who had sexual relations with—but never married—a “Privateer” described as “white.”²⁷ Several mentioned casually in their testimonies that Captain Wing and his wife “were resolved to sell [Kila] out of the country... if shee had any more bastards.” Eventually, after Kila had given birth to two or three children out of wedlock, they did just that, leaving Auternote orphaned in her owner’s family.²⁸

²⁵ For Cotton Mather’s letter to Thomas Prince, see “Diary of Cotton Mather, 1681–1708,” in *Collections of the Massachusetts Historical Society*, 7th series, vol. VIII (Boston, 1911–1912), 683.

²⁶ For an example of slave breeding in New England, see Wendy Warren’s essay on the rape of an African woman in 1638: “‘The Cause of Her Grief’: The Rape of a Slave in Early New England,” *Journal of American History* 93 (March 2007): 1031-1049.

²⁷ Auternote’s suit was ultimately successful.

²⁸ Case #13991, Suffolk Files, Massachusetts Archives, Boston.

Though Kila’s extramarital sex appears to have bothered Captain Wing, it does not seem to have been the only issue at hand; had Captain Wing been troubled merely by Kila’s fornication, he could have encouraged her to marry, and the problem would have been resolved: Kila’s children would no longer have been “bastards.” But Wing would still be saddled with the responsibility of caring for her children—a responsibility, apparently, he did not wish to assume. His neighbors felt similarly: in 1706, an anonymous advertiser placed a notice in the *Boston News-Letter* offering “A Negro Infant Girl about Six Weeks Old, to be Given for the bringing up,” and in 1711 Boston merchant John Colman hoped to find someone who would relieve him of “A Negro Child to be given for the Rearing.”²⁹ Not only did Kila’s sexual behavior bring about children whom her owner did not want and could not sell, but it harmed Wing economically in other ways as well. It decreased her productivity leading up to and following each lying-in and raised the risk that Wing would lose the slave he *did* want—Kila—in the process of childbirth. From a crude economic standpoint, which seems to have been Wing’s perspective, Kila’s production of children simply had to be stopped.³⁰

When bargaining with the Waites, Deborah Thayer may have had similar concerns in mind. Jane’s relationship with Sebastian would bring into the Thayer household more mouths to feed and bodies to clothe—mouths and bodies that would not benefit Thayer economically, at least for a long while. At the same time, Jane’s usefulness would be diminished by the demands of bearing and raising her offspring, and a pregnancy gone wrong could bring about her death. Thayer had five children of her own to raise—little Deborah was still just seven when the Waites

²⁹ *Boston News-Letter*: Sept. 3, 1706; Dec. 3, 1711.

³⁰ Testimony from other cases echoes Captain Wing’s sentiments. See, for instance, case #163420, Suffolk Files, Massachusetts Archives, Boston.

broached the prospect of Jane’s marriage in 1699—and no husband to help her do so: Nathaniel Thayer had died six years earlier. Everyone involved in Jane and Sebastian’s courtship could see that allowing this marriage would be a poor economic decision for the Thayer household. If Sewall had thought that the slave couple’s children would be a boon to Thayer, he would not have orchestrated the compromise he did. And if the Waites had believed that Thayer would profit from Jane and Sebastian’s union, they would never have agreed to pay Thayer a £5 annual subsidy to support Jane’s children. The couple’s offspring, all parties acknowledged, would be an economic burden for the Thayer household.³¹

Bay colonists like the Waites and Thayer, Mather, and Prince cared about their slaves’ liaisons because they had much at stake in these relationships. Their concern, however, was not about encouraging slave procreation and thereby cultivating a large labor force, as can be seen from the Waites’ persistent attempt to bring about a match that would yield them material loss instead of gain. Rather, their aim was to keep sin from their households and communities. If slaves were not encouraged to pursue monogamous marriage, religious colonists worried, they would engage in sinful behavior, which would do more than harm just the slaves involved;

³¹ One could argue that the marriage would benefit the Waites by rooting Sebastian in Boston’s slave community, but the chances that Sebastian would run were very small. Very few African slaves appear to have absconded in the early eighteenth century; Boston slave owners placed notices for only ten runaway “negroes” between 1704, when the *Boston News-Letter* was first printed, and 1719, when the *Boston Gazette* began to compete with the *News-Letter* for advertising business. This is not because the form of slavery practiced in the region was benign or enslaved people of color were content in their bondage; instead, it indicates that African slaves realistically assessed their life chances and decided that running was not worth the risk. Many blacks lacked the language skills to function effectively on their own in their new environment (and to convince the whites at their destination that they were, in fact, free); of over 500 slaves offered for sale in the *Boston News-Letter* between 1704 and 1719, only about ten percent were described as proficient in English. And new arrivals to New England were often as unfamiliar with the region as the language spoken by its residents. But perhaps the most significant obstacle confronting slave runaways was racial prejudice. While fugitive white servants could blend into their new environs without raising much suspicion, enslaved people of color like Sebastian did not have that luxury. Ultimately, though, the Waites’ decision to support the Thayer household with £5 a year would have been economically unproductive even if African slaves *had* absconded at high rates in early New England; according to the arrangement, the Waites would end up paying Thayer two and a half times Sebastian’s value (£20 in 1702) during the first decade of his marriage. This was indeed, as Eunice Waite claimed, “to their prejudice in some respect.” *Diary of Samuel Sewall*, vol. 5, p. 491.

Puritans and many of their eighteenth-century descendents believed that they were responsible for rooting out the evil in their households, and, if they failed to do so, God’s punishment might come upon their entire family. Thomas Shepard, esteemed minister of Cambridge’s First Church, wrote extensively on this subject in the seventeenth century, arguing that God would “impute” the sins of “children, servants, [and] strangers who are within our gates” to the father, master, or host “who had the power... to restrain them and did not.” If household servants sinned, “Our families and consciences,” Shepard warned, would be “stained with their guilt and blood.”³² Safeguarding the marriages of slaves like Sebastian and Jane therefore had the potential to protect Christian slave-holding households.

Christian slaveholders in Boston, the rest of the Bay Colony, and New England more broadly may have been concerned that the sin of their bondspeople would “stain” their households, but they by and large had very few bound Africans to worry about; most masters in the region owned only a small number of slaves.³³ The Thayer and Waite households were

³² Quoted in Edmund S. Morgan, *The Puritan Family: Religion and Domestic Relations in Seventeenth-Century New England* (New York: Harper Collins, 1966), 7. This way of thinking is ubiquitous in the writings of the Bay Colony’s early religious authorities. In 1711, Cotton Mather noted his need to bring his slave, Onesimus, “into Repentance, for some Actions of a thievish Aspect. Herein I must endeavour that there be no Theft of his unrepented of, and left without Restitution.” He went on: “But then, upon every observable miscarriage of any Person in my Family, I must make my Flight unto the Blood of my Saviour, as a Family-Sacrifice; that so the Wrath of God may be turned away from my Family.” *Diary of Cotton Mather*, vol. 8, p. 139.

³³ Nowhere in the region did slaves live on large plantations, the sort that have been the center of nearly all scholarship on slave family life in the Anglo-Atlantic world; instead, with few exceptions (principally the Narragansett region of Rhode Island) slaves across New England were dispersed in very small numbers throughout Euro-American households—they tended to reside with one or two other Africans, if they lived with other blacks at all. Probate records are crucial to mapping the distribution of slaves in Euro-American households. Generations of historians have casually noted the sparse distribution of blacks throughout Euro-American households, but systematically mapping the dispersal of slaves throughout New England households is nearly impossible apart from probate. Tax records in seventeenth- and eighteenth-century New England are scarce, and those that exist often fail to record slaves. In addition, New England censuses from this period, which are rare, almost uniformly return counts at the town level rather than that of the household. Though probate records are the only means to effectively approximating slave distribution in Euro-American households, working through these records systematically, as I

highly typical; systematic analysis of probate records in Boston and the surrounding villages reveals that the majority of slaveholders at the turn of the eighteenth century owned only one slave. Between 1670 and 1740, 1070 slaves appeared in Suffolk County’s probate court records. These slaves were divided into 622 different households, the vast majority of which had only one or two Africans. In fact, 379 households were just like the Waites and the Thayers, with only one slave; 142 households had two slaves; 53 had three; 24 had four; 13 households had five slaves; three had six; four had seven; two had eight; one had 11 slaves, and one unusual household—that of an extraordinarily successful Boston merchant who married a wealthy widow—had 14 slaves. With an average of merely 1.7 Africans per slaveholding household, the opportunities for Jane, Sebastian, and their African neighbors to build families under the same roof were quite limited.³⁴

This picture is not complete, though, without taking gender into account. Fortunately, the vast majority of the 1070 slaves found in turn-of-the-century Suffolk County probate records can be identified by sex, and it is possible to ascertain the approximate age of most; only 143 are listed akin to innkeeper Thomas Selby’s “four Negroes”: in a manner that obscures their gender,

have done here, is enormously time-consuming; these records are vast and indexed by owner rather than the owned, so distilling information about slaves on a population scale requires perusing thousands of pages of mostly irrelevant text. For this reason, probate remains virtually untapped as a source of insight into black populations in seventeenth- and eighteenth-century African-descended populations, though, incredibly, it provides more demographic information on blacks than any census published before 1950. See Gloria Main, “Probate Records as a Source for Early American History,” *William and Mary Quarterly*, 3rd Ser., Vol. 32, No. 1 (Jan., 1975): 94. For a rare example of systematic probate analysis as a means to gain insight into slave demography and kinship, see Russell R. Menard, “The Maryland Slave Population, 1658 to 1730: A Demographic Profile of Blacks in Four Counties,” *William and Mary Quarterly*, 3rd Ser., Vol. 32, No. 1 (Jan, 1975): 29-54.

³⁴ The 1070 slaves tabulated here appeared primarily in wills and estate inventories, though some appeared in other documents related to settling the estates of decedents, such as divisions of property, executors’ accounts, or testimony related to inheritance disputes. It is important to note that a small proportion—less than ten percent—of these slaves are labeled as “Indian” rather than “Negro.” An even smaller number are referred to as “Mulatto.” For the purposes of this analysis, I have not separated those few Indian and Mulatto slaves from the much larger body of African slaves.

their age, or both.³⁵ Among adult slaves, men outnumbered their female counterparts by a significant margin; the records list 327 adult men and 260 adult women, which means that African men made up nearly 56 percent of the total slave population. The problem for blacks looking to find a co-resident partner in Boston at this time, however, was less the gender distribution of Africans in the region than the gendered division of slaves by household. Of the 408 households probated during this period that left gender-specific references to adult slaves, less than a quarter (99 households or 24 percent) had both men *and* women—and therefore potential co-resident couples. And only 47 of these 408 households (12 percent) had bound men, women, *and* children—and therefore potential co-resident nuclear families.

Low as these numbers are, they actually overestimate the prevalence of enslaved co-resident kin in New England households, because, even when slaves within a given household theoretically could have comprised a family, it is possible that they did not. There is no way to know, for instance, if the slave John Richards referred to as “my Negro Woman named Jane” was the mother of the slave he called “my Negro Boy named Dick.” Both were bequeathed by Richards, a Dedham husbandman, to his wife Judith in 1719, but while Richards’s will makes plain the nature of *his* relationship to both Jane and Dick, it does not explain the relationship between the two. Was Dick Jane’s son as well as Richards’s slave? Similarly, the “Negro Boy” listed in the 1709 inventory of Boston physician William Hewes could have been the son of the “Negro Woman” inscribed directly below him, or they could have been unrelated. Hewes leaves no evidence to clarify the relationship. Familial ties are equally difficult to distill from the 1703 inventory of John Wing, a Boston sea captain, which itemizes three African slaves: one man, one

³⁵ The inventory of Thomas Selby, an innkeeper or “Tavern keeper” in Boston, listed “four Negroes” as valued at £60 each. See inventory of Thomas Selby, Suffolk County Probate vol. 25 p. 535, Massachusetts Archives, Boston.

woman, and one child. Theoretically, these individuals could have comprised a nuclear family, but Wing’s probate provides no information beyond their market values.³⁶

Very occasionally, probate records explicitly reference slave families. In 1686, Boston merchant James Whitcomb deeded to his wife Elizabeth “the negro woman Cisly and her child.” Likewise, Simon Bradstreet, former governor of the Bay Colony, stipulated in 1689 that his wife Ann should have his “Negro woman Hannah and her Daughter Bilhah.” The 1719 inventory of a Boston sea captain named Newcombe Blague listed “a Negro Woman and her Child,” valuing them at £50. And in 1721, Boston mariner John Stevens willed that “my Woman Quash and her Child” be sold upon his death. These examples point to an important trend illuminated by probate records at the turn of the eighteenth century. More references to slave families describe a mother-child relationship than any other kin connection. Of the 21 slaveowners whose probate papers explicitly note their slaves’ familial bonds, 12 mention mothers and their children. Four documents reference slaves’ marital relationships, and four more mention nuclear families in bondage, but John Loring’s 1720 inventory is the only record to reference explicitly a father-son relationship; it values “a Negro called Peter” at £20 and “his Son” at £10.³⁷

Though mother-child ties dominate the explicit references to slaves’ relationships found in probate records, the presence of the mother-child bond in slaveholding households was even

³⁶ Will of John Richards, Jan. 25, 1719, p. 395, vol. 21, *ibid.* When the clerk transcribed Richards’s will into the court’s record book, he referred to the enslaved woman as “Jane” rather than “Jenne,” but the original will called the woman “Jenne.” Because it would be prohibitively time-consuming to ensure that the clerk accurately rendered the hundreds of probate documents on which this analysis rests, I use the transcriptions found in the court’s volumes except where otherwise noted. See also Inventory of William Hewes, Feb. 24, 1709, p. 55, vol. 17, *ibid.*; Inventory of John Wing, April 17, 1703, p. 233, vol. 15, *ibid.*

³⁷ Will of James Whitcomb, Nov. 7, 1686, p. 55, vol. 11, Suffolk County Probate First Series; Will of Simon Bradstreet, Feb. 20, 1689, p. 277, vol. 11, *ibid.*; Inventory of Newcombe Blague, Apr. 24, 1719, p. 382, vol. 21, *ibid.*; Will of John Stevens, Mar. 31, 1721, p. 164, vol. 22, *ibid.*; Inventory of John Loring, Dec. 12, 1720, p. 44, *ibid.*

stronger than these references indicate, as wills and inventories created around the turn of the eighteenth century are rife with *implicit* allusions to women and their children. Pairs of women and children were commonly valued separately from other slaves and listed in a way that evokes a mother-child relationship: “a Negro woman named Sue & Child”; “Jone a Negro woman with a Child”; a “negro Woman & Child named Sarah.” Enslaved men, by contrast, were almost never coupled with youngsters and set apart from other slaves in inventories. Apparently the executors of most slaveholders’ estates did not bother to clearly identify mother-child bonds in the documents they created, but they seem to have allowed these relationships to influence how they valued decedents’ slaves and how they logged those slaves in inventories; subtle clues to intimate ties between women and children can be found all throughout these records.³⁸

Mother-child bonds figure prominently in other bodies of sources as well. Similar to probate records, the slave-for-sale advertisements found in the early issues of the *Boston News-Letter* only rarely specify slaves’ familial relationships, but, when they do, the mother-child relationship dominates all other kin connections. In fact, every ad to reference a familial bond acknowledges a mother-child tie—not even one mentions an alternative relationship. In 1707, for example, the *News-Letter* advertised “A Negro Woman, aged about 23 years, that speaks good English, with her Child about a year old.” The following year another slaveowner advertised “An Indian Woman and her Male Child about 3 years old.” Sometimes owners advertising a mother-child pair mentioned the availability of other slaves as well. However, such advertisements did not reference any additional kin connections. James Pecker, a wharfinger who lived in Boston’s North End, listed four slaves in 1718: “A Negro Man aged about 26 Years, and a Negro Boy

³⁸ “Schedule” of Possessions Listed in James Leblond’s Probate, Jan. 19, 1721, p. 302, vol. 7, Suffolk County Probate New Series (Massachusetts Archives); Inventory of William Cherus, Jul. 8, 1715, p. 63, vol. 19, *ibid.*; Inventory of Isaac Branch, Aug. 20, 1736, p. 487, vol. 32, Suffolk County Probate First Series.

aged about 14 Years, and a Negro Woman aged about 24 Years, and her Child a Girl about five Years.” Although it is possible that the “Negro Man” was the partner of the “Negro Woman” and the father of the five-year-old girl, Pecker only highlighted the connection between the woman and “her Child.” Similarly, Francis Clarke, a neighbor of the Thayers, advertised a “Likely Negro Man aged about Twenty-five years... a Negro Woman aged about Thirty-eight years, and her Child about Four Months old.”³⁹

On one level, the association of women with their children in probate records and slave-for-sale advertisements was simply practical. Enslaved mothers were crucial to the physical health and welfare of their very young children. When Boston merchant Samuel Palmer’s executors listed “One Negro Woman & Suckling Child,” the pairing made sense; the nursing infant could not at that point subsist apart from its mother (or another lactating woman). Likewise, the “Child of a Quarter [year] Old” offered for sale by William Briggs, a Boston baker, could not well be separated from the “Negro Woman aged about 25 Years” who birthed him. Nor could the “Boy about half a Year old” belonging to Boston brasier William Man survive without his mother, a “Spanish Indian Woman.” However, children associated with their mothers were often of such an age that they did not, from a crudely physical standpoint, “need” their mothers in order to survive. The “Man Child” listed with Captain Blague’s “Negro

³⁹ 388 slave-for-sale advertisements were placed in the *Boston News-Letter* between 1704, the *News-Letter*’s first year of publication, and 1719, the year that the *Boston Gazette* was founded and began to compete with the *News-Letter* for readership and advertising. The vast majority marketed “negro” servants. *Boston News-Letter*, Aug. 25, 1707, Oct. 25, 1708, Aug. 25, 1718, March 14, 1714. Other scholars have used advertisements in attempt to understand the realities of slaves’ lives in New England. See, for example, Lorenzo J. Greene, “The New England Negro as Seen in Advertisements for Runaway Slaves,” *Journal of Negro History*, 29 (Apr. 1944): 125–46, and Robert E. Desrochers, Jr., “Slave-for-Sale Advertisements and Slavery in Massachusetts, 1704–1781,” *William and Mary Quarterly*, 59 (July 2002), 623–64. David Waldstreicher has shed light on slavery, identity, and print culture in the eighteenth-century mid-Atlantic through analysis of runaway slave advertisements. See David Waldstreicher, “Reading the Runaways: Self-Fashioning, Print Culture, and Confidence in Slavery in the Eighteenth-Century Mid-Atlantic,” *William and Mary Quarterly*, 56 (Apr. 1999), 243–72.

Woman” was three years old—well beyond the age of weaning in early New England—and the child advertised with “A Surranam Indian Woman” was five years of age. Likewise, Mary Edwards’s mention of “my negro Dick & his Mother Peg” in her will indicates that Dick was no nursing infant; by listing Peg as an appendage to her son rather than vice versa, the document suggests that Dick had surpassed his mother in importance to the household.⁴⁰

By referencing children—even those beyond the age of nursing—in relation to their mothers but not their fathers, slaveholders’ probate documents and slave-for-sale ads point to an important reality of slaves’ lives in Boston and the greater New England region: enslaved children lived with their mothers far more often than with their fathers. The cause of this gender disparity in cohabitation can be traced to the custom widespread throughout the Anglo-Atlantic that the children of enslaved mothers would inherit their mothers’ slave status. Although none of the New England colonies codified this tradition in law, abundant evidence indicates that New Englanders hewed closely to this convention, which most likely arose out of the common law understanding that the “increase” of chattel property—such as the pigs that roamed Boston’s streets and the cows that grazed on the town’s common—belonged to the owner of the female animal that birthed it. Applying inheritance practices used for beasts to human beings, however chilling, was only natural in a society where estate executors indifferently listed property on inventories like the following: “Horse and Oxen, 3 Cows, 1 Bull 2 Heifers a Yearling, A Negro Boy, 2 pairs of Loons and 3 Swine.”⁴¹

⁴⁰ Inventory of Samuel Palmer, Dec. 18, 1709, p. 188, vol. 17, Suffolk County Probate First Series. *Boston News-Letter*, Sep. 3, 1716, Dec. 29, 1718, Nov. 4, 1717, April 29, 1706. Will of Mary Edwards, Sep. 2, 1718, p. 651, vol. 22, Suffolk County Probate First Series.

⁴¹ Virginia’s infamous 1662 legislation declared that “all children born in this country shall be held bond or free only according to the condition of the mother.” Other southern colonies followed suit: Maryland in 1715 (revising a 1663 ruling that had made the father’s status heritable rather than the mother’s); South Carolina in 1740 (altering a 1712

Though some scholars have recently questioned the extent to which slave status was heritable through the maternal line in New England, the evidence that the master of an enslaved woman received ownership of her children as a matter of course is overwhelming.⁴² Jane and Sebastian’s story provides insight into how this practice influenced both slaves and their owners. According to Sewall’s diary, Deborah Thayer demanded that the Waites let Sebastian provide for his family using the proceeds of one of his six weekly workdays. John Waite refused, but he offered to give Sebastian £5 annually to support his family. Though parties differed on the means by which Waite should compensate Thayer, they operated according to the same basic assumption: that the enslaved couple’s children would belong to Thayer—Jane’s owner—and that Thayer would be responsible for their upbringing. Nobody thought to resolve the conflict by suggesting that the Waites take in the young slaves themselves; the custom of maternal heritability was too firmly fixed.⁴³

code in which the “status of the child followed the most degraded status of its two parents”); and Georgia in 1770, adopting South Carolina’s legislation. See Thomas D. Morris, ““Villeinage... as it existed in England, reflects but little light on our subject’: The Problem of the ‘Sources’ of Southern Slave Law,” *American Journal of Legal History* 32 (April 1988), 112–14. Other colonies enacted similar legislation. New York, for instance, adopted in 1706 a law stipulating that “every negro or mulatto child should inherit the status of its mother.” See Ulrich B. Phillips, *American Negro Slavery* (New York, 1918), 80. I have not found legislation codifying this conception of human inheritance in the New England colonies. Lorenzo Greene maintained that “none of the New England colonies effected the change [from the inheritance of the father’s status to the mother’s status] legally, [but] custom and tradition achieved the same end.” See Lorenzo Johnston Greene, *Negro in Colonial New England* (New York, 1942), 126. For the reference to the “Negro Boy,” see Inventory of Thomas Mory, March 7, 1718, p. 310, vol. 20, Suffolk County Probate First Series.

⁴² Catherine Adams and Elizabeth Pleck posit that “only after 1740 can it be said that slavery in New England was inherited through the mother’s line and then not consistently,” pointing to the case of Abda Duce, a Connecticut slave who won his freedom in 1703, as evidence. The son of an English man and an enslaved African woman, Duce successfully “argued... that he should be considered free and white because his father was an Englishman.” Though Duce’s case does show that New Englanders occasionally made exceptions, it confirms the practice of maternal inheritability of slavery rather than denies it; Duce, after all, had been assumed a slave as a result of his mother’s slave status and only gained his freedom after launching a lawsuit against his owner. Catherine Adams and Elizabeth H. Pleck, *Love of Freedom: Black Women in Colonial and Revolutionary New England* (New York, 2009), 45–46, 48.

⁴³ For the references to the negotiations that Sewall facilitated between Thayer and the Waites, see the Diary of Samuel Sewall, vol. 5, p. 495 and vol. 6, p. 22.

One can glimpse the same assumptions regarding inheritance of slave status and ownership in a wide array of historical documentation, including Boston’s early church records.⁴⁴ In 1723, for instance, Samuel Sewall’s son, Joseph, a minister of Boston’s Old South Church, married “Lisborn Negro” and Bess, a “Negro Servant to John Flag.” Though the record does not clarify Lisborn’s status, the fact that he was listed without an owner suggests that he was a free man. Regardless of whether Lisborn was free or enslaved, his offspring inherited his wife’s status and belonged to his wife’s master; two years after the marriage, the church recorded the baptisms of “Elizabeth, & Pompey her Son, negro-servants of John Flag.” Newspapers show the same principle of inheritance in operation, particularly in slave-for-sale ads. Extremely fertile women were recommended to masters who lived in the countryside because rural owners might be able to find work for several slaves, while less fertile women were considered advantageous in urban areas.⁴⁵ As one owner put it bluntly in 1738, the woman he offered for sale was a “good...Breeder” and would provide her new master with “*a greater Stock than he cares for*” [italics in original]. Neither buyers nor sellers had any doubt that the children born to enslaved women belonged by default to their mothers’ owners. Custom, if not law, dictated as much.⁴⁶

Court records also provide compelling evidence that New Englanders subscribed to the principle of maternal inheritability of slave status and ownership. In the 1720s, for instance, a

⁴⁴ Although church records contain information that sheds light on patterns of slave inheritance, record-keeping practices make such evidence spotty. Church registers include many records of baptisms of infant “negroes,” but while the records almost always name the parents of these young black children, they very rarely name the infants’ owners, which makes it difficult to see analyze inheritance practices using these sources.

⁴⁵ For instance, the *Boston Gazette* advertised “A Likely Negro Woman about eight and twenty Years of Age, that has had the Small Pox.” She was “a very poor Breeder” and “therefore [was] not fit for the Country.” *Boston Gazette*, April 16, 1745.

⁴⁶ For the marriage of Lisborn and Bess, see Edward W. McGlenen, *Boston Marriages from 1700 to 1809*, vol. 1 (Boston, 1898), 115. For the baptism of Bess and Pompey, see Baptismal Record of March 28, 1725, (microfilm: reel 4: Baptisms, 1669–1875), Records of the Old South Church (Congregational Library, Boston, Mass.). For the newspaper advertisement offering the enslaved woman for sale, see *Boston Gazette*, June 5, 1738.

widow named Mary West of Beverly, Massachusetts, initiated a series of lawsuits to recover three slaves: Jethro, Abijah, and Matthew. The boys, West claimed, were the children of her enslaved woman, Sue Black, and thereby lawfully hers. In fighting to recover Jethro from Aaron Bennet, a Manchester miller, she argued that the child was “born of the Body of the s[ai]d Negroe Woman Servant” and therefore “part of the Estate” belonging to her late husband, Samuel West, who had owned Sue Black before his death. She simultaneously sued Richard Dodge, a baker from nearby Wenham, putting forth the same argument: she “had good right unto” a “Certain Negro Boy called Habijah” whom her slave, Sue Black, “had born of her Body.” Finally, West sued her brother, Shadrack Norton, contending that he had wrongly withheld from her yet another slave, and to support her case she provided testimony from women who had been present when Sue Black “was delivered of a Boy called Matthew.” Significantly, none of the defendants defended themselves by contesting the principle of maternal inheritance. None put forth the argument, for example, that they rightfully owned the enslaved child because they owned his father. On the contrary, each readily acknowledged Sue Black as the mother of the slave he claimed, and each operated according to the assumption that the ownership of Sue Black determined that of her children. The three cases hinged on the question of who owned Sue Black. As Bennet’s attorney put it: “Ye pl[ain]t[iff] [Mary West] could have no right to ye boy [Jethro] Since her only pretended title is by her pretended right to the boys mother [Sue Black].” Following this line of argument but disagreeing with the attorney’s conclusion, the jury awarded Mary West ownership of the children, deeming her title to Sue Black legitimate rather than “pretended.” Ultimately, while the parties disputed which slaves belonged to whom, they—and

all the other Euro-Americans in the courtroom—operated according to the same principles governing inheritability of status and ownership.⁴⁷

No surviving records shed light on what happened to Sue Black’s scattered family following the legal victories of the slave woman’s owner. Did West collect Jethro and Matthew from Manchester, pick up Abijah from Wenham, and reunite mother and children in her Beverly home? Perhaps West did not need the labor of three growing boys and instead rented them out or sold them, dashing any hopes the family might have had of sharing life together under one roof. Though it is impossible to discern the contours of Sue Black’s family life on the northern coast of Massachusetts during the early eighteenth century, one thing is clear: the prevailing assumption that Afro-New England children belonged by right to their mothers’ owner worked to ensure that more enslaved children lived in proximity to their mothers than to their fathers. We know nothing about the man (perhaps, men) who fathered Jethro, Abijah, and Matthew, but he almost surely did not cohabit with his enslaved children as his wife may have; he either belonged to—and therefore lived with—a different master altogether or, if he was free, subsisted somewhere on his own, perhaps making visits to his wife and children as time and their owner(s) permitted.⁴⁸

⁴⁷ “Bennet v West Admx,” Records of the Superior Court of Judicature vol. 1725-1727 p. 127, Massachusetts Archives, Boston. For West’s suit against Richard Dodge, see case #22148, Suffolk Files, Massachusetts Archives, Boston. For the suit against Shadrack Norton, see also case #22148, Suffolk Files, Massachusetts Archives, Boston. For the statement by Aaron Bennet’s attorney, see case #20891, Suffolk Files, Massachusetts Archives, Boston.

⁴⁸ Sue Black’s partner (or partners) was almost surely African, as no records describe Jethro, Abijah, or Matthew as “molatto,” but I can surmise nothing else about him. Court records from the Bay Colony are rife with cases displaying the practice of maternal inheritability of slave ownership. For an interesting example of a challenge to the principle of maternal inheritance, see Cornelius Briggs’s suit against Tony and Maria, in which Briggs argued that he ought to own Tony and Maria’s daughter, Mary, because he owned Tony. The practice of maternal inheritability stood; Briggs was unsuccessful. See case #12282, Suffolk Files, Massachusetts Archives, Boston.

New England’s practice of inheriting slaves through the maternal line combined with the dispersal of Africans in extraordinarily small slaveholdings throughout the region led to the creation of what may have been the most matrifocal of living arrangements for slaves in the Atlantic world. Of course, a great many of the region’s slave families were not matrifocal at all; they were instead simply broken by slaveholders who pawned or gave away the children that their enslaved women bore. The large number of households with only one slave inventoried in probate records points to this reality.⁴⁹ However, when owners kept their slaves’ children—as Deborah Thayer planned to do for Jane and Sebastian’s offspring—the living arrangements of the African families growing in their households were almost entirely mother-centered, because slaves who married one another most often resided in separate households. Over four-fifths of enslaved Africans who chose to marry fellow slaves found themselves in situations similar to that of Sebastian and Jane: they belonged to a different master than their spouse.⁵⁰ In all of these

⁴⁹ Of the 379 households probated in Suffolk County between 1670 and 1740 with only one slave, 125 (33%) owned a slave child, which suggests that the practice of giving away or selling unwanted enslaved children was fairly common. Of course, some of these children were probably imported from Africa or the West Indies; children were not useful as laborers on sugar plantations in the Caribbean and may have ended up disproportionately in New England. Suffolk County Probate First Series and Suffolk County Probate New Series.

⁵⁰ The database I have constructed of enslaved and free blacks in Boston during the seventeenth and eighteenth centuries currently contains 229 unions between enslaved individuals that were solemnized by marriage or intended to be so. (I have included marriage intentions to help compensate for spotty marriage records.) In 36 of these unions, the slaves were owned by the same master. But in 193 of these marriages or intended marriages, the slaves had different owners and therefore did not live in the same household (unless they managed to work out an unusual arrangement). This means that a mere 15.7% of slaves who married other slaves actually lived with their spouse. Note that this statistic does not take into account the living patterns of slaves who married freed persons, as it is more difficult to ascertain whether those individuals lived together or apart. To construct the database on which this analysis rests, I drew on the following printed and manuscript sources: William H. Whitmore and William S. Appleton, *A Report of the Record Commissioners Containing Boston Births, Baptisms, Marriages, and Deaths, 1630–1699* (Boston, 1883); W. S. Appleton, *A Report of the Record Commissioners of the City of Boston, Containing Boston Births from A.D. 1700 to A. D. 1800* (Boston, 1894); Edward W. McGlenen, *Boston Marriages from 1700 to 1809* (2 vols., Boston, 1898); Robert J. Dunkle and Ann S. Lainhart, eds. *Deaths in Boston: 1700–1799* (Boston, 1999); Richard D. Pierce, ed., *The Records of the First Church in Boston, 1630–1868* (3 vols., Boston, 1961), I and II; Ellis Loring Motte, Henry Fitch Jenks, and John Homans II, eds., *The Manifesto Church: Records of the Church in Brattle Square, Boston: With Lists of Communicants, Baptisms, Marriages, and Funerals, 1699–1872* (Boston, 1902); Andrew Oliver and James Bishop Peabody, eds. *The Records of Trinity Church, Boston,*

cases, without some extraordinary intervention on the part of both slaveholders, any children born to the couple would live with their mother in one Euro-American household, while their father lived in a different household altogether.

Historians have long been fascinated by the families that women and men built under slavery. Central to their interest have been the gender roles of enslaved mothers and fathers, which they have generally understood to proceed naturally from the form and structure that families assumed under bondage. The first generation to analyze slave family life—composed of scholars such as E. Franklin Frazier, Kenneth Stampp, and Stanley Elkins—argued in the early and middle twentieth century that slavery had destroyed the patriarchal nuclear family form in the black community. Maternal inheritability of slave status and ownership combined with frequent sale and other family disruptions led to the widespread absence of slave fathers on plantations, they claimed. And the resultant pervasiveness of female-headed family units denied fathers a significant role in child-rearing, even in those instances when they managed to remain

1728–1830 (2 vols., Boston, 1980–1982), II; Vol. 4, “Baptisms and admissions, 1689–1716,” Second Church (Boston, Mass.) Records, (Massachusetts Historical Society, Boston, Mass.); Vol. 5, “Baptisms and admissions, 1717–1741,” *ibid.*; Vol. 6, “Record Book, 1741–1816,” *ibid.*; Vol. 7, “Record Book, 1768–1815,” *ibid.*; “Minutes of church meetings, 1665–1799” First Baptist Church of Boston (Special Collections and Archives, Andover Newton Theological School, Newton, Mass.); “Samuel Stillman... marriage record book,” *ibid.*; “Baptisms, 1669–1875,” (microfilm: reel 4), Records of the Old South Church (Congregational Library, Boston, Mass.); “Admission [to full church membership] of Old South, 1669–1855,” *ibid.*; “owners of the baptismal covenant, 1669–1814,” *ibid.*; “Marriages [solemnized by] Joseph Eckley, pastor, 1780–1882,” *ibid.*; Vol. 38, “King’s Chapel vestry records, 1787–1867,” King’s Chapel (Boston, Mass.) Records (Massachusetts Historical Society); Vol. 39, “Register of baptisms, 1703–1843,” *ibid.*; Vol. 40, “Register of burials, 1714–1843,” *ibid.*; Vol. 41, “Register of marriages, 1718–1841,” *ibid.*; New North Church Record Book (Rare Books and Manuscripts Department, Boston Public Library, Boston, Mass.); Vol. 1, “Baptisms, marriages, deaths, and persons admitted to communion,” New South Church Records, *ibid.*; “Records of those who own’d the Covenant With the Names of those Baptised &c,” New Brick Church, *ibid.*; Vol. 34, “Clark’s register, 1723–1851,” Old North Church (Christ Church in the City of Boston) Records (Massachusetts Historical Society); “Records of baptisms and marriages, 1730–1863” Arlington Street Church (Boston, Mass.) Records, 1730–1979 (Andover-Harvard Theological Library, Harvard Divinity School, Cambridge, Mass.); “Records of baptisms and marriages, 1730–1772,” *ibid.*; “Record book, 1736–1854,” Boston West Church (Rare Books and Manuscripts Department, Boston Public Library); “Records of membership, 1732–1739,” Hollis Street Church, *ibid.*; “Libro Secundo,” Second Baptist Church of Boston, *ibid.*; and “Church Record Book, 1787–1793,” Second Baptist Church (Boston, Mass.) (Special Collections and Archives, Andover Newton Theological School).

proximate to their kin. What is more, due to the control exercised by their owners, enslaved men, whether present or absent, had no authority to protect or provide for their families. Positing that the slave family’s matriarchal form and the absolute power of slaveholders together brought about a dysfunctional and diminished position for black fathers, this literature formed the basis for Daniel Moynihan’s *The Negro Family: A Case for National Action*, a controversial 1965 government report that rooted contemporary “deterioration of the Negro family”—particularly the prevalence of female-headed homes—in the structure black families assumed during slavery.⁵¹

An innovative cadre of historians fought the matriarchal family paradigm in the 1970s, many in direct response to the Moynihan Report. For instance, John Blassingame emphasized the monogamous nuclear family structure of slaves and drew attention to the camaraderie, cooperation, and affection it fostered, while Robert Fogel and Stanley Engerman argued that it was in the interest of planters to encourage longstanding kin attachments among their slaves. In 1976, Herbert Gutman’s magisterial *Black Family in Slavery and Freedom* marshaled an abundance of evidence in support of the thesis that there was indeed a coherent and stable nuclear structure among enslaved black families. By the 1980s, scholars had reached a new consensus. As Jacqueline Jones put it: “The two-parent, nuclear family was the typical form of slave cohabitation regardless of the location, size, or economy of a plantation; the nature of its ownership; or the age of its slave community.” This outpouring of literature completely remade historical understandings of slave family life, but it relied on the same basic assumptions of the

⁵¹ E. Franklin Frazier, *The Negro Family in the United States* (Chicago, 1939); Kenneth Stampp, *The Peculiar Institution: Slavery and the Ante-Bellum South* (New York, 1956); Stanley M. Elkins, *Slavery: A Problem in American Institutional and Intellectual Life* (Chicago, 1959). Quote from Daniel Moynihan, *The Negro Family: The Case for National Action* (Washington, D.C., 1965), 5.

scholarship it supplanted. As the revisionists saw it, disproving the matriarchal slave family thesis required demonstrating that enslaved families were not matrifocal. Just as their predecessors explained the supposed matriarchal tendencies of black families under slavery by focusing on the absence of enslaved fathers and the prevalence of mother-headed households, this new cohort of historians combated claims of slave matriarchy by insisting on a nuclear family structure. Both camps grounded their arguments on the assumption that the structure of families in bondage defined the ideals they held, determined the characters they developed, and molded the habits that shaped slaves’ lives.⁵²

More recent scholarship has complicated the nuclear family thesis, contending that the slave family was neither static across time and place nor universal in structure. But, again, much of it has adhered to the supposition that the form which slave families assumed inevitably shaped their normative values. For instance, in *Sweet Chariot: Slave Family and Household Structure in Nineteenth-Century Louisiana*, Ann Patton Malone meticulously reconstructed slaves’ kin networks to show how they changed over time, but she focused far more on household composition to make her arguments than she did on the roles slaves played and the functions they held within the family. Similarly, Brenda Stevenson’s *Life in Black and White: Family and Community in the Slave South* showed the limitations of the stable-nuclear-family model as an explanatory force for slaves in the Upper South by paying close attention to the divergent family

⁵² John W. Blassingame, *The Slave Community: Plantation Life in the Antebellum South* (New York, 1972); Robert William Fogel and Stanley L. Engerman, *Time on the Cross: The Economics of American Negro Slavery* (New York, 1974); Herbert G. Gutman, *The Black Family in Slavery and Freedom* (New York, 1976). Though Gutman emphasized the extended kin networks that enslaved people built, he took pains to show the prevalence of double-headed households among blacks (as opposed to single-headed, mother-centered ones) both during slavery and after emancipation. Quotation from Jones, ““My Mother Was Much of a Woman,”” 252. Jones soon published a gendered analysis of black families that won the Bancroft Prize: Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work, and the Family from Slavery to the Present* (New York, 1985).

structures—most non-nuclear—that slaves formed in the face of the booming domestic slave trade. And Wilma Dunaway’s *African-American Family in Slavery and Emancipation* turned to small plantations in the Mountain South to challenge what she called “the dominant paradigm” that the majority of American slaves lived in stable, nuclear families. This and other work published over the course of the last decade provided exceptional insight into the many different forms that slave families assumed over time and space, but, again, it regularly utilized the structure of families in bondage as a barometer by which to assess of the nature of gender and power within enslaved kin groups.⁵³

It is hardly surprising that the living arrangements of slaves have been used so often to stand in for power dynamics within the family or to define relationships of blood or affection. Available source material, after all, yields information far more readily on the structure of families in bondage than on the internal dynamics of enslaved kin groups. The organization of slaves into discrete family units can be distilled from a variety of historical records, particularly on large plantations in the antebellum South, where owners tended to track the growth of their slave populations with care.⁵⁴ Sources that shed light on the ways in which slaves within kin units interacted with one other are far less plentiful. Plantation lists, for example, provide little

⁵³ The literature on the slave family is voluminous. See, for instance, Deborah Gray White, *Ar’n’t I a Woman?: Female Slaves in the Plantation South* (New York, 1985); Ann Patton Malone, *Sweet Chariot: Slave Family and Household Structure in Nineteenth-Century Louisiana* (Chapel Hill, 1992); Brenda E. Stevenson, *Life in Black and White: Family and Community in the Slave South* (New York, 1996); Philip D. Morgan, *Slave Counterpoint: Black Culture in the Eighteenth-Century Chesapeake and Lowcountry* (Chapel Hill, 1998); Ira Berlin, *Many Thousands Gone: the First Two Centuries of Slavery in North America* (Cambridge, Mass., 1998); Wilma A. Dunaway, *The African-American Family in Slavery and Emancipation* (New York, 2003); Larry E. Hudson Jr., *To Have and to Hold: Slave Work and Family Life in Antebellum South Carolina* (Athens, 1997); Emily West, *Chains of Love: Slave Couples in Antebellum South Carolina* (Champaign, 2004).

⁵⁴ Although the lists that slaveowners compiled of their human property have been utilized extensively by historians of black family life, it is important to note that slaves’ definitions of their families could differ considerably from their masters’. For insight into this matter, see Cheryll Ann Cody, “Naming, Kinship, and Estate Dispersal: Notes on Slave Family Life on a South Carolina Plantation, 1786 to 1833,” *William and Mary Quarterly*, 39 (Jan. 1982), 192–211.

insight into how enslaved mothers and fathers shared (or did not) the tasks of provisioning, maintaining their living space, or caring for children. Nor do they reveal the extent to which discipline, memory-making, education, or other family matters were carried out by mothers, fathers, or other people altogether.

But relative silences in the historical record have not shaped the historiography on their own. Scholars have latched onto structure as a means to measure slave family norms in large part because the organization of slaves into family units truly mattered. Did children in bondage reside in nuclear families, or were they raised by their mothers because their fathers had been sold away? Did enslaved men and women manage to construct sprawling kin networks on a single plantation, or were they cut off from all ties of consanguinity and affinity? These issues are unquestionably of great importance. The structures of the families that slaves built indisputably molded the patterns, habits, and rituals that gave form to slaves’ daily lives. Nonetheless, influences besides living arrangements profoundly altered the values, beliefs, and experiences of people in bondage, and they sometimes affected enslaved families in surprising ways. It is on this count that Jane and Sebastian can teach something of use to scholars of slavery, race, gender, and family whose interests lie far from the burgeoning port of Boston at the turn of the eighteenth century.

The stories of bound Africans like Jane and Sebastian call into question the assumption that the structure of slave families defined their normative values. As this chapter has shown, enslaved families in early New England were unquestionably matrifocal. Nevertheless, the central position of mothers in these families did not define the gender expectations to which New England society held bound Africans. Nor, apparently, did it define the values of slaves

themselves. According to fragmentary but consistent evidence, the fact that enslaved children more frequently cohabited with their mothers than their fathers did not cause gender relations within the family to skew toward providing power to the mother. On the contrary, family structure notwithstanding, gender relations in early New England slave families were strongly patriarchal in a variety of ways.

Unlike enslaved men in the antebellum South, male slaves in early New England were considered responsible for supporting their families by their broader Euro-American society—at least in certain instances.⁵⁵ This can be seen clearly in the case of Jane and Sebastian. Deborah Thayer’s first suggestion to the Waites, after all, was that “Sebastian might have one day in six allow’d him for the support of Jane, his intended wife and her children.”⁵⁶ Sebastian’s labor, in Thayer’s mind, ought to help feed and clothe his dependents. And the Waites apparently agreed; though they refused Thayer’s request that Sebastian apply the proceeds of one weekly workday to his wife and children, they agreed to provide Sebastian £5 annually—a sum equal to one quarter of Sebastian’s assessed value in John Waite’s 1702 inventory. With this yearly payment, Sebastian would be able to support his family, at least in part. Significantly, Waite agreed to give *Sebastian* the annual allowance. He could have simply provided the cash to Thayer, but he did not. And Thayer did not ask to manage the payment herself. Apparently both slaveholders thought it appropriate for Sebastian to feed and clothe his wife and children using money he earned through his labor, and they gave him leeway to use the £5 as he saw fit. Even though

⁵⁵ Scholars examining the situation of Southern slaves have observed that such slaves had no legal marital obligations at all; enslaved fathers were not considered responsible for the financial support of their families, for example, while enslaved husbands and wives were not punished for marital unfaithfulness. See, for instance, Margaret A. Burnham, “An Impossible Marriage: Slave Law and Family Law,” *Law and Inequality* 5 (1987–1988), 207–8.

⁵⁶ Diary of Samuel Sewall, vol. 6, p. 22.

Sebastian was a slave, the Euro-Americans around him considered him responsible for supporting his family.

Jane and Sebastian’s story was not unique; New Englanders expected other slaves to provide for their offspring as well. Because the arrangements slaveholders made concerning their slaves’ marriages almost uniformly have not survived—indeed, Jane and Sebastian’s story would have been lost if not for Sewall’s unusually prodigious note-taking and fortuitous role in mediating the relationship—the expectation that enslaved fathers provide for their offspring can be seen most readily in cases of bastardy, which were documented by colonial courts. It was not unusual for enslaved men convicted of fathering children out of wedlock to be required to pay for their offspring’s support. In the late seventeenth century, for example, a Roxbury slave named Sylvanus Warro was convicted of impregnating a white servant named Elizabeth Parker, who gave birth to a mixed-race son. As part of Warro’s sentence, the court required that he pay two and a half shillings per week in child support. A similar situation arose in the early eighteenth century, when Cesar, a slave belonging to a Boston cooper and sea captain named James Hill, admitted to fornication with Mary Goslin, a white woman who bore a “Molatto Bastard Child” as a result of their relationship. The two were convicted by the court and summarily punished: each was whipped ten stripes and ordered to pay court costs. But Cesar alone was ordered to post £20 security to the towns of Boston and Dorchester in order to provide for his child.⁵⁷

⁵⁷ Warro’s status was somewhat ambiguous. He was born a slave into Daniel Gookin’s Cambridge household, but Gookin had hired him out to William Parke of Roxbury and apparently promised to free him after eight years of faithful service. Regardless of Gookin’s original intention, Warro never saw freedom, as he was sold from Parke and Gookin to a man named Jonathan Wade in order to provide the court-ordered funds for the bastard child. For Warro’s circuitous story, see M. Michelle Jarrett Morris, *Under Household Government: Sex and Family in Puritan Massachusetts* (Cambridge, Mass., 2013), 20–27. For Cesar’s punishment, see “Cesar & Goslin Sentanced,” p. 116, court session beginning Oct. 2, 1705, vol. 1702–1712, Suffolk County General Sessions of the Peace (Massachusetts

The case of Cesar and Mary Goslin not only provides evidence of Euro-Americans’ expectation that at least some slaves help maintain their offspring, but it also sheds light on the degree to which slaves internalized the patriarchal assumptions of their society regarding male provision within the family. Cesar took it upon himself to materially support his illicit lover and their bastard child. Cesar and Mary were not the only ones convicted as a result of their crime; the court ferreted out a cadre of people whom Cesar had recruited to care for Mary and their newborn child. Sometime before the birth of the child, Cesar had approached a Euro-American woman from Dorchester, one Abigail Trott, and convinced her to “receive” Mary Goslin “into her house.” Trott apparently cared for both Goslin and the child, who was born in her Dorchester home. In return for her services, Cesar compensated Trott with “money and other things.” Two free Indians, Andrew and Anne Johnson, were fined by the court along with Trott; at some point they had “receiv[ed] and entertain[ed]” Cesar and Mary Goslin’s child in their Boston home. As these records show, Cesar not only took the initiative in assembling an interracial network of people to care for his sexual partner and their child, but he also supplied financial incentives to compensate Goslin’s caretaker for her time and trouble. Slave status notwithstanding, Cesar insisted on providing for his sexual partner and their child.⁵⁸

Archives). Cesar and Mary’s punishments were typical for fornicators who bore bastard children (regardless of race) prior to December of 1705, when the Colonial Assembly passed legislation to criminalize interracial sex.

⁵⁸ It is difficult to ascertain whether or not enslaved men believed themselves responsible for supporting their sexual partners and offspring because slaves from this period left essentially no written records—at least none that survive. And the region’s courts, churches, and town selectmen had no reason to comment on slaves’ provision of goods or services to their family members. These private transactions, in fact, were likely invisible to most Euro-Americans at the time. Examples like Cesar and Mary Goslin’s provide the only insight into this matter. For Abigail Trott’s sentence, see “Trott’s Sentence,” p. 116, court session beginning Oct. 2, 1705, vol. 1702–1712, Suffolk County General Sessions of the Peace. For Andrew and Anne Johnson’s sentence, see “Johnson’s Sentence,” *ibid.* No instances of bastardy between two slaves were punished in early Suffolk County records, likely because the master of the mother was required by custom to provide for the resultant children, so the courts were not concerned with keeping them from burdening the towns in which they lived. It is unclear to what extent enslaved fathers helped sustain their offspring in these situations.

Enslaved Africans managed to act as provider for their families in other ways as well. The most visible of their efforts to safeguard the welfare of their family members revolved around the process of obtaining freedom—a process that generated a paper trail and therefore, at least in certain instances, can still be traced. Liberty was gendered in early New England; enslaved men managed to acquire their freedom more frequently than enslaved women. In the first half of the eighteenth century, for example, about two-thirds of slaves liberated by their masters’ wills in Suffolk County were male. Fragmentary but consistent evidence indicates that, once free, emancipated African husbands and fathers went to work liberating their family members. They labored, usually in the most menial of occupations; they saved their money, occasionally investing it with sympathetic Euro-Americans; and, in certain instances, they even sold themselves back into bondage in attempt to acquire the funds to free their families. The reality that opportunities for freedom came more readily to men than to women and could subsequently spread from husbands and fathers to wives and children influenced the gendered division of power in enslaved families. The enslaved fathers and husbands who lived alongside Jane and Sebastian were not so consistently deprived of the opportunity to protect and provide for their families as historians have understood slave men in much of the Anglo-Atlantic world to be. They lived with the knowledge, after all, that they might one day manage to secure their family’s welfare as a free family, even if the chances were slim. Quite the opposite was true for slave women. Enslaved wives and mothers in the region rarely, if ever, had the opportunity to enact both their own freedom and that of their kin.⁵⁹

⁵⁹ Of the 54 slaves liberated by will in Suffolk County during the first half of the eighteenth century, 35 of them (65%) were men. If one could find a reliable way to assess the manumission of slaves who bought their liberty (as opposed to those manumitted by will), the gendering of freedom would skew even more male, as more African men had the financial wherewithal to purchase their freedom than African women. Unfortunately, the freedom papers or

Jane and Sebastian’s family life was shaped by these gendered patterns of manumission: no evidence indicates that Jane ever escaped bondage, but Sebastian was freed sometime in the opening years of the eighteenth century. Extant sources do not detail precisely how Sebastian acquired his liberty, though they do leave some tantalizing suggestions. Sebastian’s manumission occurred sometime between 1702 and 1708; in the former year, he was listed on the inventory of John Waite, who had recently passed away, and by the latter year, he was included on a list of “Free Negro’s” compiled by Boston’s selectmen. Unfortunately, Waite died intestate, so we cannot know for certain if he emancipated his slave upon his death. But it is plausible that Waite asked his wife to free Sebastian after a period of faithful service. Such stipulations were fairly common among male slave-owning decedents, and Sebastian seems to have had a more amicable relationship with the family who owned him than many slaves had with their masters. An evocative clue supports this interpretation. When Sebastian and Jane’s second child, a son, was born soon after John Waite’s death, Sebastian named the boy John in what seems to have been an act of deference to his deceased owner. Could Waite’s manumission of Sebastian—or promise of manumission—have prompted this gesture? While it is impossible to know for sure, the chronological proximity of Waite’s death, Sebastian’s manumission, and the naming of little John makes such a connection plausible.⁶⁰

bills of sale generated when slaves bought their liberty were not systematically filed with the probate court—or anywhere else—and therefore have largely been lost. In my extensive research, I have found evidence of fathers, sons, husbands, and prospective husbands arranging to free their relatives, but I have found virtually no evidence of African-descended women freeing their enslaved family members; the process of manumission seems to have moved exclusively in the opposite direction, or nearly so. The 54 manumissions by will can be found in the Suffolk County Probate First Series and Suffolk County Probate New Series.

⁶⁰ For the list of “Free Negro’s,” see William H. Whitmore and William S. Appleton, *Records of the Boston Selectmen, 1701–1715* (Boston, 1884), 73. Sebastian maintained a relationship with the Waites long after his manumission. He was still conveying news of the Waite household to Sewall in 1716, who jotted it down in his diary along with other notations about his neighbors’ daily lives. Sewall Diary, Aug. 21, 1716, in “Diary of Samuel Sewall. 1674–1729. Vol. III. 1714–1729,” in *Collections of the Massachusetts Historical Society*, 5th series, VII, p.

Upon receiving his freedom, Sebastian earned a reputation for working hard as a handyman around Boston; at the end of his life, he would be described as “a faithful Servant to all that employ’d him.” Most of the record of Sebastian’s labor has been lost, but Sewall’s diary reveals that the African man helped him from time to time with a variety of odd jobs: Sebastian dug a drain in 1702; he “Lop[ped]” an elm tree in 1706, “cut[ting] off a cord of good wood”; he brought Sewall a “great Penniworth of Bast” (flexible plaited linden bark) in 1711; he climbed the roof of Sewall’s house to clear the rainspout in 1713; and he delivered two dozen of Sewall’s books to Increase Mather soon after. Unfortunately, Sewall did not record how much money he paid Sebastian for his efforts, and the historical record is silent on whether or not Sebastian managed to accumulate sufficient funds to purchase the liberty of his wife and children. But the story of another African man who frequented the Sewall home provides insight into how patriarchy was bound up in the process of becoming free in early New England.⁶¹

Scipio, like Sebastian, had a longstanding relationship with Sewall. Whereas Sebastian had come to know Sewall through geographic proximity—the Waites lived just a few doors down the street from the judge—Scipio became acquainted with Sewall through relational proximity: the African man belonged to Grove Hirst, a Boston merchant who married Sewall’s daughter, Elizabeth, in 1700. In the early years of the eighteenth century, Scipio became a regular feature in the Sewall home, moving back and forth across town relaying news from one

99. Little John was baptized on August 29, 1703. For the record of his baptism, see Pierce, ed., *Records of the First Church in Boston*, II, 374. According to birth records collected by the town, he was exactly one week old at the baptism. See W. S. Appleton, *Boston Births from A.D. 1700 to A.D. 1800* (Boston, 1894), 20.

⁶¹ See the obituary of Sebastian (also called “Boston”) in the *New-England Weekly Journal*, Feb. 24, 1729. The piece is highly unusual, as ordinary Bostonians—particularly those of African descent—were rarely memorialized in print. For reference to the drain, see Sewall Diary, Oct. 6, 1702, in “Diary of Samuel Sewall. 1674–1729. Vol. II. 1699–1700–1714,” p. 66; for the elm tree, see Sewall Diary, Dec. 18, 1706, *ibid.*, p. 174; for the linden bark, see Sewall Diary, Feb. 28, 1711, *ibid.*, p. 302; for the rainspout, see Sewall Diary, June 6, 1713, *ibid.*, p. 388; and for the books, see Sewall Diary, Aug. 12, 1713, *ibid.*, p. 393.

branch of the family to the other. In 1714, for instance, Sewall noted that “Scipio comes and tells me that my daughter [Elizabeth] Hirst is brought to Bed of a son. I give him a good shilling.”⁶²

By 1717, Scipio had relocated permanently to Sewall’s home. Elizabeth Hirst had passed away the prior year, and Grove Hirst had just died himself, leaving a will that freed Scipio, but only “at the expiration of four years after his [Hirst’s] decease.”⁶³ At this point, with neither master nor mistress alive but four years of bondage remaining, Scipio began to serve Sewall, accompanying the man, a justice of the Superior Court of Judicature, from county to county to hear cases with the colony’s highest court. In 1718, Scipio “set out” for Plimouth, Salem, and Bristol; the following year, he accompanied Sewall to Scituate, York, and twice to Salem; in 1720, he “waited on” Sewall in Charlestown, Scituate, Ipswich, Cambridge, and Bristol; and in 1721 he traveled with Sewall to York.⁶⁴ Sewall gave Scipio a great deal of freedom on these trips. Sometimes Scipio drove Sewall’s calash to their destination, but on other occasions Sewall shared a carriage with other justices (who presumably had their own driver), and Scipio rode a horse on his own. Once they arrived, Sewall, despite his extensive record-keeping, usually gave no indication as to what Scipio did while the court presided, sometimes for weeks, in a given county seat. In all probability, the African found himself with a good deal of time on his hands and came to know the eastern seaboard of the Bay Colony far better than most men in the eighteenth century, white or black.

⁶² Sewall Diary, Aug. 5, 1714, in “Diary of Samuel Sewall. 1674–1729. Vol. III. 1714–1729,” p. 13.

⁶³ Will of Grove Hirst, Suffolk County Probate vol. 20 p. 73, Massachusetts Archives, Boston.

⁶⁴ See Sewall Diary, Apr. 28, June 11, Sept. 4, 1718, April 25, May 11, Sept. 29, Dec. 14, 1719, Jan. 26, April 23, May 16, July 26, Sept. 10, 1720, May 6, 1721, *ibid.*, pp. 183, 186, 192, 219, 220, 229, 237, 241, 251, 254, 259, 260, 288.

Scipio’s four years of service ended in late 1721, at which point he received his freedom as well as £20, which Hirst’s will had ordered that his executors provide Scipio at the end of the four-year term. On the eighth of December, Sewall “deliver’d Scipio his Money,” but Scipio apparently had no need for cash at the time and preferred to invest it: he promptly “delivered [it] to me to keep for him,” Sewall noted. Sewall in turn “gave him my Bond to pay him £20 with Interest at 5 per Cent” in a year’s time. Though Scipio had technically become free, he continued to live in Sewall’s home (the judge noted the following year that he viewed an eclipse from “Scipio’s Garret”), and his daily tasks looked much like they had before his status change: Sewall’s diary reveals that Scipio accompanied Sewall to county courts throughout the eastern part of the colony and delivered letters and news to Sewall’s family and neighbors throughout the Boston area.⁶⁵

Scipio’s decision to remain in Sewall’s home and employ was strategic: he was busy saving. By 1724, he had amassed £50 from Hirst’s original £20 bequest, the interest it had earned, and additional sums he had been paid in the interim, presumably by Sewall. He had clear plans for the disbursal of this money: he wished to purchase the woman who would be his wife. A bill of sale, transcribed by nineteenth-century antiquarians, recorded the transaction. For £50, Scipio bought Margaret, a 27-year-old enslaved woman belonging to a Boston widow named Dorcas Marshall. It is not clear who drafted the bill of sale. Marshall was not literate (she signed with a mark), so she did not write it herself, though she may have dictated its contents to a capable scribe. Alternatively, either of the two men who witnessed Marshall signing the document—John Marshall (Dorcas’s son) or Samuel Tyley—may have drafted the bill. Or

⁶⁵ For Scipio’s £20 investment with Sewall, see Sewall Diary, Dec. 8, 1721, *ibid.*, p. 296. For the reference to the eclipse, see Sewall Diary, Nov. 27, 1722, *ibid.*, p. 312. For examples of Scipio’s continued service to Sewall, see Sewall Diary, May 18, July 30, July 31, 1724, *ibid.*, p. 338–41.

perhaps Scipio himself produced the document with the aid of Sewall, who, as justice of the peace, presided over the transaction. Whoever penned the piece included specific information about why Scipio wished to purchase Margaret: Scipio “purpose[d] Marriage” to Margaret, but he was apparently unwilling to follow through until he had secured her freedom; only with the purchase of the woman, apparently, would “the said Intended Marriage... take Effect.” Then Scipio would be able to “Enjoy the said Margaret without any Interruption.”⁶⁶

What Scipio seems to have wished for was a patriarchal family, one in which his wife was available to him at all times and answered to him only—a marriage and family that mirrored, at least in theory, the Euro-American ones he saw around him. Through hard work, careful planning, and good fortune, Scipio got just that. His situation was unusual but not unique: other enslaved African men who walked Boston’s streets, manned its wharves, and tended the livestock that roamed its common, managed, like Scipio, to extricate both themselves and their families from freedom. It was quite a feat, and it appears to have been relatively rare, but it happened with enough regularity that every black in Boston doubtless knew families whose African patriarchs had provided them freedom from their Euro-American owners. Enslaved women, however, did not have the same ability to bring about the manumission of their family members.⁶⁷ The fragmentary evidence that sheds light on the process of becoming free in early New England suggests that it was marked indelibly by patriarchy: men were freed more often than women, and men more frequently managed to liberate their family members. Though

⁶⁶ “Bill of Sale of a Negro Servant in Boston, 1724,” *New England Historical and Genealogical Register*, 18 (1864), 78. The original document does not appear to have survived, so handwriting does not offer any clues as to authorship.

⁶⁷ I have not found archival evidence of African women freeing their enslaved family members; of all the manumissions I have unearthed in which African-descended individuals helped free their kin, those engaged in the act of redeeming their relatives from bondage were men: husbands or husbands-to-be, brothers, or fathers.

slaves’ living arrangements in the region may have been strongly matrifocal, enslaved fathers alone held the hope of extricating their families from perpetual servitude. Fathers, at least on occasion, had the power to provide for their families in powerful ways.

Patriarchy in New England’s enslaved families extended beyond provision of material resources. Religious ritual also helped augment the authority of enslaved men in their families. This can be seen most clearly in the sacrament of baptism. When Sewall noted that Sebastian “held [little Jane] up” before the First Church, he was recording Sebastian’s participation in an important symbolic practice. The “holding up” of children was hugely consequential to Sewall; he wrote a great deal about holding up his own children as they were baptized. In 1687, when Samuel Willard, minister of Sewall’s Old South Church, baptized Sewall’s son, Stephen, Sewall “held him up.” Three years later Willard baptized Judith, and Sewall, yet again, “held her up.” When 11 of his 14 children had been born, Sewall took time to list them by name in his diary, noting that “All the above-named Eleven Children have been by their father, Samuel Sewall, (holding them in his arms,) Offered up to God in Baptisme, at the South-Meeting-House in Boston... upon the Sabbath Day in the Solemn Assembly of God’s Saints.”⁶⁸ Holding up the child, as Sewall saw it, represented the offering of that child to God. And familial ties trumped legal ownership in this situation. Baptism took on great power for enslaved families, then, because the practice of offering their children to God momentarily placed enslaved fathers, rather than their masters, in the position of family head. As was the case for Sebastian’s family, the child may have been owned by somebody else, but that did not negate the right of Sebastian—

⁶⁸ Sewall Diary, Feb. 6, 1687, Aug. 24, 1690, and Sept. 13, 1693, in “Diary of Samuel Sewall. 1674–1729. Vol. I. 1674–1700,” *Collections of the Massachusetts Historical Society*, 5th series, V, 167, 328, 383.

and Sebastian only—to stand before the church and be recognized, if only for a moment, as the true authority over that child.

Besides providing enslaved men with an opportunity to momentarily wrest authority over their children from the Euro-Americans who claimed ownership of them, baptisms reinforced the authority of enslaved men within their own families. The practice of offering children to the Lord in baptism seems to have been exclusively carried out by men, or nearly so; in Sewall’s many references to baptisms, not once did an infant’s mother hold her child up before the congregation. It was an offering that only the father, as the head of the household, could make. Puritan conceptions of family life gave wives a good deal of power within the home, but the husband, ultimately, was “the Head of the Wife.” As Sewall’s minister, Samuel Willard, put it: both husbands and wives “have each of them a share in the government of them [children and servants]; tho’ there is an inequality in the degree of this Authority, and the Husband is to be acknowledged to hold a *Superiority*.”⁶⁹ Maintaining what Puritans considered proper gender relations was important within the church. Even though Jane had been baptized in the meeting house and was a longstanding member of the congregation, it was Sebastian—a man with no official relationship to the First Church at all—who held aloft their infant child for baptism.

Sewall was not the only person to take note of little Jane’s baptism. The First Church’s record book states that “Jane daughter of Jane Basteen Negro” was baptized on the second of November, 1701. This brief but standard notation is significant. It shows, first, the limits of patriarchy; despite Sebastian’s public role in the actual ritual of baptism, the church’s written records associated little Jane with her mother—“Jane Basteen Negro”—because her mother was

⁶⁹ Samuel Willard, *Compleat Body of Divinity* (Boston, 1726), 610. Italics in original. For a discussion of the duties and privileges of husbands and wives in the Puritan home, see Edmund Morgan, 29-64.

a member of the congregation. This was standard practice; record-keepers in Boston’s early churches tended to record the child’s father’s name if he was a member of the congregation and sometimes recorded the names of both parents if they were both members, but they usually recorded only the mother’s name if she was a member and her husband was not.⁷⁰

Little Jane’s baptismal entry, though, reveals more than the significance of a parent’s baptismal status to a child’s initiation into the community of saints; it also exemplifies the gendered pattern of naming common to New England’s early slaves. The elder Jane had a last name—Lake—before she married Sebastian, though it is recorded in only one surviving document: their 1701 marriage record filed with Boston’s town clerk.⁷¹ At the time of little Jane’s birth, Sebastian did *not* have a last name; at least, no extant records indicate that he did. In such a situation—unknown to white New Englanders, all of whom possessed surnames as well as given names—it might have been logical for Sebastian to take on Jane’s name, seeing as it was the only last name either of them could claim. But no evidence indicates that Sebastian was ever called “Sebastian Lake.” Instead, Jane lost the surname she had once possessed and gained a corruption of her husband’s given name as a replacement: Jane Lake became “Jane Basteen.” This was no accident of a careless scribe; “Jane Basteen” resurfaced in church records in 1703,

⁷⁰ For little Jane’s baptism, see Pierce, ed., *Records of the First Church in Boston*, II, 372. Jane was the only person baptized in the meeting house that day. It is important to note that by the time the elder Jane bore her last two children in 1712 and 1714 (the last two children, at least, whose baptisms were recorded in the annals of the First Church), church recorders listed Sebastian’s name as well as Jane’s.

⁷¹ See McGlenen, *Boston Marriages from 1700 to 1809*, vol. 1, p. 2. The record states that “Bastian, Negro Servent to John Wait & Jane Lake, Negro Servent to Mr. Thair” were married on the 13th day of February, 1701, by Sewall himself.

1706, and 1708. And in 1711, Samuel Sewall, who by then had known the woman for more than two decades, referred to her as “Jane Boston” in his diary.⁷²

The patriarchal patterns of naming that rendered Jane and her children “Basteens” rather than “Lakes” do not seem to have been unusual among Afro-New Englanders. Other women of color lost their surnames when they married African men without last names, and, like Jane, they gained their spouses’ given names as replacements. For instance, a Yarmouth Indian woman named Patience Samson, whose surname had been passed down to her from her father, a man named John Samson, became known as Patience Boston after marrying a black slave named Boston around 1730. Similarly, a “Free Negro Woman” of Bridgewater named Margaret received her husband’s given name—Sash—when they married. And Dorcas, who lived in Boston and attended Jane and Sebastian’s First Church in the middle to late seventeenth century, adopted as her surname the name Menenie, which was her husband’s given name.⁷³

⁷² Sebastian’s name, which appears in town, church, and private records, was corrupted progressively over the course of the early eighteenth century. Sebastian originally surfaces in the historical record as “Sebastian” or “Bastian” in the 1690s. By 1710, he was regularly called “Bastian,” “Bastion,” or “Basteen,” as well as, occasionally, “Boston,” and in the second two decades of the eighteenth century he became simply “Boston.” Jane and the children’s last name went through parallel transformations, moving from “Basteen” to “Boston.” For the 1711 reference to “Jane Boston,” see the Sewall Diary, July 12, 1711, in “Diary of Samuel Sewall. 1674–1729. Vol. II. 1699–1700–1714,” 319.

⁷³ The record of Patience Samson and Boston’s marriage has not survived. Two clues suggest that Patience and Boston may not have married in an official capacity, with a minister or justice of the peace presiding: first, the missing documentation; and, second, the fact that Patience is called “Patience Boston alias Samson” in the confession narrative published upon her 1735 execution for murdering her master’s child. New England women whose marriages were unofficial or for some reason considered suspect by their communities were often referred to by their husband’s last name with their maiden name appended, following an “alias.” See Ruth Wallis Herndon, *Unwelcome Americans: Living on the Margin in Early New England* (Philadelphia, 2001), 50–51. For Patience’s narrative, see Patience Boston, *Faithful Narrative of the Wicked Life and Remarkable Conversion of Patience Boston alias Samson* (Boston, 1738). In 1732, Margaret Sash petitioned the legislature concerning “her husband Sash a Free Negro.” She sought permission to sell her deceased husband’s estate in order to pay his debts. White women commonly lodged similar petitions. See “Negro Sash his estate sold,” p. 142, vol. 1730–1733, Superior Court of Judicature (Massachusetts Archives). Dorcas Menenie appeared before the probate court on September 25, 1675, and “made Oath” concerning the estate of her husband, Menenie, which had been appraised the month before. See Inventory of “Menenie Negro,” Aug. 19, 1675, p. 266, vol. 5, Suffolk County Probate First Series.

Jane Basteen, Patience Boston, Margaret Sash, and Dorcas Menenie were no outliers; this patriarchal pattern of naming operated on a population scale throughout the region. The burgeoning port of Boston, again, serves as a useful example. Over 200 surnamed slaves and free blacks were registered in Boston’s church and vital records from the late seventeenth century through 1730, and many of their last names, like Jane Basteen’s, were derived from given names common to Afro-New England men. Some of these names, such as Anthony, were of Luso-Spanish origin akin to Sebastian. Others, like George, Lewis, Edwards, and Richards, were conventional English names. Still others were classical: Ceasar, Primus, and Titus are examples. Some names, such as Sampson and Simons, were biblical in origin. And a significant number were African. Coffy derived from Kofi, the Akan day name for Friday; Cojoe from Cudjoe, the day name for Monday; and both Quakee and Quaquo were probably versions of Quaco, the Akan name for Wednesday. Mingo and Sanco (a distortion of Sango) were also given names of African origin that doubled as surnames in early eighteenth-century Boston, as was Cumin, which was likely derived from Kumina, a Kikongo word originating in the Kongo region. The African practice of adopting the given name of one’s father as a surname flourished in early New England, where the patriarchal naming customs of Africans melded easily with those of their Euro-American neighbors.⁷⁴

⁷⁴ While this list of surnames includes many last names that appear to have derived from men’s given names, it does not include any that appear to have derived from women’s given names. Scholars of Afro-New Englanders have alluded to the African origins of this patriarchal naming practice, but they have not discussed it in any detail. For a reference to the “African practice of adopting the father’s first name as a surname,” see Adams and Pleck, *Love of Freedom*, 87. Africanists have produced helpful scholarship related to this issue. John Thornton contends that among eighteenth-century Angolans, “given names show descent in that the father’s given name is used as a second element,” [i.e. a second name]. Alternatively, “a given name might become a title that was then passed down through paternal inheritance.” The evidence, Thornton writes, indicates that “children of both sexes received names showing descent through the father’s line and not the mother’s.” John Thornton, “Central African Names and African-American Naming Patterns,” *William and Mary Quarterly*, 50 (Oct. 1993), 736–37. For a reference to the seventeenth-century Kongolese “practice of taking the father’s personal name as the individual’s second name,” see

Besides passing his first name on to his children as a surname—and trumping his wife’s bona fide last name in the process—Sebastian seems to have had the power to choose his children’s given names. As Samuel Sewall noted in his diary after mentioning the birth of Sebastian and Jane’s daughter: “He [Sebastian] calls her Jane.” Sewall may simply have been projecting his own cultural assumptions onto the enslaved couple; Euro-American fathers in early New England typically named their children, sometimes without seeking advice from their wives. Whether or not Sebastian selected his daughter’s name, though, he lived in a society that recognized naming as the father’s prerogative. He may have consulted Jane while making his decision, and he ultimately chose a name that demonstrated deep respect for her, but the act of naming—like the act of offering his daughter to the Lord in the front of the First Church—was rightfully his, and his alone.⁷⁵

Anne Hilton, “Family and Kinship among the Kongo South of the Zaïre River from the Sixteenth to the Nineteenth Centuries,” *Journal of African History*, 24 (no. 2, 1983), 192. On the African-origin given names doubling as surnames listed here, see David DeCamp, “African Day-Names in Jamaica,” *Language*, 43 (March 1967), 139–49; and Charles Joyner, *Down by the Riverside: A South Carolina Slave Community* (Urbana, 1985), 218. The list of blacks’ surnames referenced in the text derives from a database I have constructed of free and enslaved blacks in Boston in the seventeenth and eighteenth centuries. For the sources used to create this database, see note 50.

⁷⁵ Sewall Diary, Nov. 1, 1701, in “Diary of Samuel Sewall. 1674–1729. Vol. II. 1699–1700–1714,” 46. On the naming practices of white men in New England, see Robert M. Taylor Jr. and Ralph J. Crandall, *Generations and Change: Genealogical Perspectives in Social History* (Macon, 1986), 223. As neither Sebastian nor the elder Jane produced written records that survive, Sewall’s claim that Sebastian named the child is the only direct clue to little Jane’s naming. Of course, it is possible that Sewall was misinformed, but contextual evidence supports his statement; Euro-American men had the privilege of naming children in early New England, and men in many of the African regions that fed the slave trade appear to have named their children as well. While little historical evidence sheds light on who retained naming rights in Atlantic Africa during the seventeenth and eighteenth centuries, ethnographic sources from the nineteenth and twentieth centuries suggest that various West and West-Central African people groups afforded fathers some form of naming privileges. For instance, a mid-nineteenth-century observer noted that men on the Gold Coast named their children on the eighth day after birth, and twentieth-century researchers have documented that fathers retained “the rights of naming” among the Asante and the “right and duty” of naming among the Akan. For the nineteenth-century source, see Brodie Cruickshank, *Eighteen Years on the Gold Coast of Africa* (2 vols., London, 1853), II, 202–3. For the Asante quote, see Jean Allman, “Fathering, Mothering, and Making Sense of *Ntamoba*: Reflections on the Economy of Child-Rearing in Colonial Asante,” *Africa: Journal of the International African Institute*, 67 (no. 2, 1997), 300–301. For a corroborating account, see Meyer Fortes, “Kinship and Marriage Among the Ashanti” in *African Systems of Kinship and Marriage*, ed. A. R. Radcliffe-Brown and Daryll Forde (New York, 1950), 266. For the Akan quote, see Philip F. W. Bartle, “The Universe Has Three Souls: Notes on Translating Akan Culture,” *Journal of Religion in Africa*, 14 (no. 2, 1983), 94. Similarly, “naming [wa]s done by the father” among the Bassa. See Miles Clifford, “Notes on the Bassa-Komo Tribe in the Igala

After holding up little Jane in 1701, Sebastian stood before the First Church congregation and offered his son, John, to the Lord in 1703. He repeated the ritual in 1706 with his third child, Mary. Despite the difficulties of raising an enslaved family divided between Euro-American households, Jane and Sebastian’s family continued to expand. Jane would give birth to three additional children over the coming years: Jane in 1708 (the first Jane died in 1703); Joseph in 1712; and Elizabeth in 1714. But while the “Basteen” family burgeoned, the Euro-American families that owned it began to crumble. Deborah Thayer died in 1701, just before Jane and Sebastian married, orphaning the five surviving Thayer children: Nathaniel, 19; Zechariah, 17; Cornelius, 16; Ebenezer, 10; and Deborah, 9. In early 1702, a few months after little Jane Basteen’s baptism, John Waite died, leaving Eunice alone with four children about the same age as the Thayers: Grace, 20; Lydia, 18; Elizabeth, 13; and John, 11.⁷⁶ John’s death left his family in precarious financial circumstances. His estate was declared insolvent, and the court ordered that it be distributed among his creditors. Eunice did what she could to hold the family together financially; less than three months after her husband’s passing, she petitioned Boston’s

Division,” *Man* 44 (Sept.–Oct. 1944), 111. And Igbo children were named by the “head of household” according to Daryll Forde and G. I. Jones, *The Ibo and Ibibio-Speaking Peoples of South-Eastern Nigeria* (London, 1950), 24. Apparently the wishes of fathers were “more or less respected” among the Igbo, though in elite families the parent from the “family with the greater social prestige” was given naming privileges. See and H. A. Wieschhoff, “The Social Significance of Names Among the Ibo of Nigeria,” *American Anthropologist*, 43 (no. 2, 1941), 213. Among the Tiv, names bestowed upon children by fathers were “generally retain[ed] throughout life,” as opposed to names given by the midwife, the mother, and the compound head, which do not appear to have had the same permanence. See Laura Bohannon and Paul Bohannon, *The Tiv of Central Nigeria* (London, 1953), 64. And Yoruba fathers had the privilege of naming their offspring first, though mothers and other relatives subsequently named children as well. See William Russell Bascom, *The Yoruba of Southwestern Nigeria* (New York, 1969), 56. As for the Ovimbundu in Angola, the father retained the right to choose the names of the first three children, while the mother selected the name of the fourth child. See Lorenzo Dow Turner, *Africanisms in the Gullah Dialect* (Chicago, 1949), 40.

⁷⁶ The oldest Waite child, Eunice, was 25 at the time of her father’s death. As I have not been able to find her marriage record, she may have been still living in the Waite household in 1702.

selectmen for permission to “sell strong drink as a retailer.”⁷⁷ When the selectmen approved her request, she joined a group of economically precarious women—mainly widows and wives of mariners—who eked out a living peddling food and alcohol from their homes to their neighbors and those passing through the city.⁷⁸

Sebastian and Jane continued to contribute to the welfare of the families that owned them, even as those families began to disintegrate. Sebastian went to work for the colonial government, constructing the fort that would come to be known as “Castle William” in the Boston Harbor.⁷⁹ Eunice may have hired Sebastian out to others as well, but records of such transactions do not survive. No evidence indicates that Jane worked outside the Thayer household, but she, too, contributed to the material welfare of the Euro-American family that owned her. Three years after Deborah Thayer passed away, her brother, Penn Townsend, filed an account with Suffolk County’s probate court amending the inventory of the Thayer estate that he had originally submitted to the court upon her death. The estate had earned interest in the interim: £12 from one Mr. Malyne and £6 from a Mr. Parris. In addition, Townsend wrote, the estate had received 17 shillings and six pence from Jane—proceeds from the sale of worsted and “black stockin[g]s” that the slave had presumably spun and knit.⁸⁰ Apparently Jane ran the Thayer household and cared for the orphaned children when she was not selling her wares; the

⁷⁷ William H. Whitmore and William S. Appleton, *Report of the Record Commissioners of the city of Boston containing the Records of Boston Selectmen, 1701-1715* (Boston: Rockwell and Churchill, City Printers, 1884), 22. The selectmen approved Eunice’s petition on May 25, 1702.

⁷⁸ Sharon Salinger, *Taverns and Drinking in Early America* (Baltimore, MD: Johns Hopkins University Press, 2004), 115, 170.

⁷⁹ In August of 1703, Eunice received a payment of 24 shillings from the colony. For payments to the Waite household in return for Sebastian’s labor, see the Massachusetts Archives Collection vol. 244, folio 13 docs. 21 and 22, and folio 19 doc. 39, Massachusetts Archives, Boston.

⁸⁰ Thayer’s Administrators’ Account, Suffolk County Probate vol. 15 p. 149, Massachusetts Archives, Boston.

report accounted for money from the estate that Townsend had “P[ai]d to Jane” to enable her to buy “Wood for her & the children.” Townsend also noted that some of the “Provisions” he had originally counted as assets in the 1700 inventory had been consumed by the family after Deborah passed away. Perhaps Jane prepared meals for the Thayer children using the cheese, pork, molasses, wheatmeal, and “pot of butter” that her owner had stockpiled before her death.⁸¹

It is unclear how Thayer’s death affected Jane’s slave status or her ownership. Jane is nearly invisible in the family’s probate; Thayer left no will, and when her brother inventoried her possessions after her passing, he did not include Jane as part of the estate. Apparently the slave had been freed, sold, or given away sometime between January 4th—the day of Deborah’s death—and February 27th, when Townsend filed the Thayer inventory with Suffolk County’s probate court. Jane probably was not emancipated upon Thayer’s death, because the records of the First Church never refer to her as a “free negro” as they do many of the other blacks in the congregation.⁸² If Jane’s ownership had been transferred, either through sale or gift, before Townsend inventoried Thayer’s possessions, no record of the transaction remains. Did Thayer give Jane to her eldest son, Nathaniel, a young man on the verge of his twentieth birthday when she passed away? Did she sell the young woman to Townsend, who noted in the Thayer inventory that he owed the estate £40? Extant sources do not yield answers.

Church and town records reveal only the barest contours of Sebastian and Jane’s family as it entered its second decade. Sebastian labored faithfully during this time for the town of Boston, which required free black men to maintain local streets and highways; the selectmen included some form of “Boston Waite” on every inventory of free black laborers taken between

⁸¹ Inventory of Jane Thayer, Suffolk County Probate vol 13, pp. 305-6, Massachusetts Archives, Boston.

⁸² These records list Jane five times between Deborah Thayer’s death and the birth of Jane’s last child in 1714.

1708 and 1725.⁸³ And Jane birthed her sixth and last child in 1714. But all references to Jane disappear after her final childbirth, and none of the couple’s children can be traced into the third decade of the eighteenth century. Their firstborn, Jane, who was born in 1701, died in 1703. Sewall noted on March 20 of that year that “Little Jane, Bastian’s daughter, died last night 2 hours after midnight.”⁸⁴ The elder Jane was pregnant at the time of her daughter’s passing and gave birth to a son, John, in August of 1703.⁸⁵ Mary was born next, in early 1706, but she died about a year later; Sewall mentioned going to her funeral on the fifth day of March, 1707.⁸⁶ Jane gave birth again in 1708, this time to another little Jane. But the couple lost a third child in 1709: either baby Jane, who would have been about a year old, or John, who would have been three and a half. Town records note simply that a “Negro ch[ild] of Bastian” was buried in March 1709.⁸⁷ Jane birthed Joseph in 1712 and, finally, Elizabeth in 1714.⁸⁸ Neither Joseph nor Elizabeth can be traced in the historical record at all. Perhaps they, like three of their siblings, died as young children. Rates of infant mortality were high for all races in turn-of-the-century New England, but the Basteens seem to have been hit particularly hard. Despite Jane’s continual childbearing, the family grew only modestly; at least three of the six young Basteens died in their

⁸³ Sebastian was referred to as “Bastian Waite” and “Bastion Waite” in 1708 and 1710 respectively, but after the year 1710 he was consistently listed as either “Boston Waite” or “Boston Wait.” In the 1725 list, he is simply called “Boston.” For whatever reason, the selectmen’s record-keeper that year failed to enter most of the African laborers’ last names: “Boston Waite” from the 1723 list became “Boston”; “Exeter foxcroft” became “Exeter Negro”; “Peter Millross” became “Peter m”; “Sebausten Levensworth” became “Sebastean”; and “Sambo Minzies” became “Sambo [at] Keats House.”

⁸⁴ *Diary of Samuel Sewall*, vol. 6, p. 75.

⁸⁵ *Records of the First Church in Boston*, vol. 2, p. 374.

⁸⁶ *Records of the First Church in Boston*, vol. 2, p. 375; *Diary of Samuel Sewall*, vol. 6, p. 183.

⁸⁷ Robert J. Dunkle and Ann S. Lainhart, *Deaths in Boston, 1700-1799*, vol. 2 (Boston: New England Historical Genealogical Society, 1999): 1033.

⁸⁸ *Records of the First Church in Boston*, vol. 2, pp. 382, 384.

early years, and the couple may well have lost more children, as Boston’s death records from the time are spotty at best.

Though all vestiges of his family life seem to have disappeared in the second decade of the eighteenth century, extant sources show that Sebastian was alive and active until 1729. He faithfully performed the labor that the town demanded of its free black men until at least 1725.⁸⁹ And he maintained a close relationship with the Sewall family. He continued doing errands for the judge, some of an increasingly intimate nature. In 1721, Sewall noted that his granddaughter, Jane Hirst, was “brought home from Mrs. Johnson’s (where she boarded) sick of the Small Pox.” Sebastian—now called “Boston” rather than “Bastion” or “Bastian”—went to get the girl, but he did not drive her home in Sewall’s “calash”; instead, he “carried her in his Arms.”⁹⁰ A few years later, Sewall’s daughter, Hannah, died in his home. She had sustained significant injuries to one of her legs, and a “noxious Humour” flowed from her lifeless body. Sewall tried to use “a Convenient quantity of Lime” to “suppress and absorb” the foul fluid, but apparently he was not successful. Hannah passed away in mid-August, so the stench must have been awful. Somebody apparently suggested that the corpse be placed in the cellar—the coolest and probably least-occupied room of the house. But Sebastian would not let it be so; “Boston will not have her put into the Cellar: so she is... remov’d into the best Room,” Sewall wrote.⁹¹ Because they would

⁸⁹ Whitmore and Appleton, *Report of the Record Commissioners of the city of Boston containing the Records of Boston Selectmen, 1701-1715*, pp. 73, 115, 138, 167, 210, 233; William H. Whitmore and William S. Appleton, *Report of the Record Commissioners of the city of Boston containing the Records of Boston Selectmen, 1716-1736* (Boston: Rockwell and Churchill, City Printers, 1885), 8, 42, 60, 82, 109. Note: there are no records of labor subscription between 1726 and 1729, so it is unclear if Sebastian may worked during those years.

⁹⁰ Diary of Samuel Sewall, vol. 7, p. 292.

⁹¹ Diary of Samuel Sewall, vol. 7, p. 342.

need to open the coffin’s casements “for Coolness” in the stifling room, custom required that the exposed body be watched. Sebastian, Sewall wrote, “would watch all night.”⁹²

As Sewall aged, he seemed to depend more and more on the free African man. Near the end of his life, he referred to Sebastian as “a considerable prop to my declining Cottage.” In the late 1720s, Sewall’s metaphorical “cottage”—his “earthly house,” his “outward man”—was fading, and he knew it. But Sebastian would die before Sewall would. On the twelfth of February in 1729, Sewall noted in his diary that the aged African “expired” at “half an hour after Six a-clock” in the evening. Had Sebastian lived a few hours longer, he would have breathed his last on the twenty-ninth anniversary of his long-ago marriage to Jane.⁹³

His wife and children had faded silently from the historical record over a decade before, but Sebastian’s death, ironically, was broadcast to the city of Boston. The *New England Weekly Journal*, one of the town’s newspapers, published a rare obituary for the man, mourning his “much lamented” passing and describing his “very decent” burial.⁹⁴ Over the course of his long life, Sebastian had apparently endeared himself to many; the paper reported that he had “acquir’d... the general Love and Esteem of his Neighbours by a Readiness to do any good Officers in his power for every one.” Sebastian had earned the respect of the “Magistrates, Ministers, [and] Gentleman” who accompanied his coffin to the grave—men, like Sewall, of

⁹² Diary of Samuel Sewall, vol .7, p. 342.

⁹³ Diary of Samuel Sewall, vol. 6, p. 264. According to the Oxford English Dictionary, *cottage* could be used figuratively to mean “the ‘earthly tabernacle’ of the body,” as it did in this mid-seventeenth century example: “We... may be turned out of these clay cottages at an hours warning.” *Oxford English Dictionary*, May 2016, s.v. “Cottage, n.,” available at OED Online. The Bible is filled with metaphors for mortal bodies, such as these two from 2 Corinthians, from 4:16 and 5:1

⁹⁴ *New England Weekly Journal*, Feb. 24, 1729. The obituary mourned the passing of “a Negro Freeman named Boston in an advanced Age.” Though many slaves were named Boston, Sebastian’s free status sets him apart from the other “Bostons” that walked the city’s streets. Over the past two decades, the papers of the town selectmen listed the city’s free black men 12 times, and not once did another Boston appear; “Boston Waite” was apparently the city’s only free black man by that name during his lifetime.

great wealth and influence—but he also had strong connections to the city’s most oppressed: approximately 150 people of African descent attended his burial, most of whom were enslaved.⁹⁵ About 50 Euro-Americans attended his funeral as well; he was, after all, a “sober” and “virtuous” man and a “very trusty[,] honest and faithful Servant to all that employ’d him.” But the newspaper yields no clues regarding his family. Did any kin join the throng, 200 strong, at Sebastian’s graveside? Was Jane still alive at the time? Were any of their children? Elizabeth would have been 15, Joseph 17, Jane 21, and John would have been 26—easily old enough to have started his own family. Did any grandchildren march in the “long Train” that “follow’d [Sebastian] to the Grave”? Or did the elderly African, one-time patriarch of an expanding family on New England soil, depart Boston kinless, as he had likely arrived many long decades before?

The story of Sebastian, Jane, and the six “Basteens” paints a fascinating picture of families in bondage—one that differs in striking ways from the bulk of scholarship on slave families, which examines slaves in the antebellum South. Sebastian, Jane, and the bound Africans who lived and labored alongside them were distributed in exceedingly small numbers throughout Euro-American households, a smallholding pattern of ownership which, combined with the maternal inheritability of slave status and ownership, ensured that enslaved children resided with their mothers far more often than with their fathers. But, despite the distinctly matrifocal living arrangements of slaves in the region, New England’s families in bondage did not adopt mother-centered power relations as scholars might expect. On the contrary, the

⁹⁵ Although the newspaper does not specify the slave status of those who attended Sebastian’s funeral, the majority of them must have been enslaved because there were nowhere near 150 freed blacks in Boston in 1729. The most recent inventory of freed black men, taken by the selectmen in 1725, listed 26 free men, so probably only about 50 of Sebastian’s 150 black mourners were free.

normative values of these families appear to have been strongly patriarchal in a variety of ways. Enslaved fathers like Sebastian were expected to provide materially for their offspring, for instance, and bound African men alone offered their families hope of liberty—a position that surely bolstered their authority among their enslaved family members and helped them, like Scipio, construct patriarchal families in freedom if the opportunity arose. Meanwhile, patterns of naming and religious ritual adopted from their Euro-American society both cemented the position of Sebastian and other enslaved fathers in their families and announced to the wider world the paternity of children born to enslaved mothers. The entire body of extant evidence—fragmented, certainly, but nonetheless consistent—indicates that the structure of slave families, at least in New England, did not routinely define their normative values.

But a problem remains, a problem intrinsic to any discussion of slave families or households in seventeenth- or eighteenth-century New England, and a problem, therefore, at the heart of this chapter. In the world in which Jane and Sebastian lived, worked, and raised their children, *family* was defined primarily by two elements: co-residence and subjugation to a common authority. As Jane and Sebastian’s Euro-American neighbors saw it, members of a family necessarily inhabited the same dwelling house, and—whether wives, children, servants or slaves—they all answered to the household head (who was usually a man but could be a widowed woman). Though ample evidence suggests that many Puritans and their eighteenth-century descendants developed loving relationships with their spouses and children, historians have rightly pointed out that the family was an economic unit more than an affective one, one in which kinship ties—so important to modern understandings of the family—were not central.⁹⁶

⁹⁶ Mary Beth Norton, *Founding Mothers and Fathers: Gendered Power and the Forming of American Society* (New York, 1996), 17. This definition of family seems to have emerged in the mid-fifteenth century. According to the

None of this sits well with the concept of “slave families” in early New England. Co-residence was impossible for enslaved couples to attain, except for those instances in which both partners lived in the same Euro-American household. Even then, though, according to conventional understandings of family, the couple and any children they bore would have been considered part of their *owner’s* family rather than a family unto themselves, as they resided in his home and were subject to his authority. Slaves, of course, were by definition accountable to those who owned them, which meant that enslaved wives and children could not submit to their husbands and fathers in a way Euro-Americans would have considered proper. And, although enslaved New Englanders often managed to acquire personal property, the families they built were by no means economic units. People like Jane and (for a time) Sebastian belonged to Euro-American households and contributed productively to those family economies rather than meeting the needs of their own spouses and children. According to this definition of family—based on co-residence, subjection to the same person’s authority, and shared economy—only in

Oxford English Dictionary, *family* was used to mean “a group of people living as a household, traditionally consisting of parents and their children, and also... any servants, boarders, etc.” as early as 1452. *Oxford English Dictionary*, Dec. 2013, s.v. “Family, n. and adj.,” available at OED Online. Historians have spilled much ink on the topic of Puritan family life, and, though not all are in agreement on the extent to which Puritan families displayed love and affection, most have found that the apparent sternness of these families was tempered by the genuine tenderness and care that family members harbored for one another. A recent interpretation uses Samuel Sewall’s extensive diaries to document the warmth and sympathy of the parent-child relationship. See Judith S. Graham, *Puritan Family Life: The Diary of Samuel Sewall* (Boston, 2000). For discussion of the power of men in their families, see Philip J. Greven’s work on demography and inheritance. Philip J. Greven Jr., *Four Generations: Population, Land, and Family in Colonial Andover, Massachusetts* (Ithaca, 1970). Scholars have long been in agreement that Puritan families included a host of non-kin workers, who were bound to the family unit not by affection but by obligation to contribute to the family economy. See Edmund S. Morgan, *The Puritan Family: Essays on Religion and Domestic Relations in Seventeenth-Century New England* (Boston, 1944); John Demos, *A Little Commonwealth: Family Life in Plymouth Colony* (New York, 1970); and Morris, *Under Household Government*. In his extensive compilation of early American census data, Robert Wells found that colonial census takers used the words “household” and “family” interchangeably to mean “an independent, economic unit, the members of which lived in... close proximity... under the control of the ‘master of the family.’” Robert V. Wells, *Population of the British Colonies in America Before 1776: A Survey of Census Data* (Princeton, 2015), 42. For the importance of property over emotion even in marriage settlements, see Steven Mintz and Susan Kellogg, *Domestic Revolutions: A Social History of American Family Life* (New York, 1988), 3, 10–11, 19–20. As for the relationship between blood ties and the meaning of *family* in early America, Mary Beth Norton affirms that “kinship ties were not essential to the definition of *family*” in early America. Norton, *Founding Mothers and Fathers*, 17.

freedom could an African man like Scipio build a family. By purchasing his wife, Scipio cemented himself as her authority, and, though records shed no light on where he lived after his marriage, he was entirely at liberty to set up his own household. His home may have been humble and his family may have lived simply, but the couple and any children they had could fulfill the cardinal requirements of a family: co-residence and submission to the household head.

A superficial reading of “family” and its meaning in eighteenth-century New England would thus lead one to conclude that while freed blacks could build families according to Euro-American conceptions of the term, slaves could not form families of their own. But closer analysis suggests that slaves’ efforts to build and maintain kin networks should not be so easily dismissed as extra-familial. Instead of using abstract Euro-American notions to remove slaves’ unions of blood and affection from under the “family” umbrella, scholars ought to pay heed to the ways in which slaves defied—perhaps even fractured—prevailing conceptions of “family” in eighteenth-century New England. Central to this process was slaves’ ability to marry, because marriage was crucial to instigating family life for the English and their descendants in the Americas. In the words of one historian of family and gender: “[T]he usual English criterion for initiating a family... [was] forming a marital union.” Since marriage was seen as creating a new family, only certain people in certain situations were allowed to marry; the access to marriage of household subordinates—whether children, apprentices, or servants—was regulated by law, or at least by custom, in order to preserve the order of the family to which they belonged. Children were allowed to contract marriage only if their head of household approved. Apprentices and servants, meanwhile, were often forbidden from marrying throughout the term of their indenture because marrying would be tantamount to deserting their master’s family: the resultant union would bring about a new family and transfer the laborer’s loyalties to a new household head.

Marriage severed household subordinates from their masters’ authority and therefore, in the case of laborers bound by contract, had to be prevented.⁹⁷

This system worked reasonably well for laborers whose time of service was limited to a number of years. Though it delayed family-building, it did not abolish it; former servants could marry and raise children once they completed their terms of indenture. But this system did not work well for laborers in New England who were bound for life, most of whom were African by the early eighteenth century. In order to preserve the integrity of the Euro-American families in New England, enslaved Africans like Sebastian and Jane had to be prohibited from marrying, for through marriage they would have initiated new families, separate from those of their owners. But prohibiting slave marriage would have rendered all of slaves’ sexual relationships extra-marital and therefore sinful—a proposition that did not sit well with the Puritan-descended ministers and magistrates at the helm of the Bay Colony. Short of outlawing sex between slaves entirely, the only way to deal with the problem of slave sexuality was to allow slaves to marry. Early laws, therefore, did not prohibit slaves from marrying. To the contrary, in 1705 the Bay Colony passed an act that chipped away at the authority of white household heads by giving

⁹⁷ Norton, *Founding Mothers and Fathers*, 18. By marrying, children necessarily left their families of origin and forged new families, hence the need for their household head’s consent. See, for instance, the stipulation in Plymouth Colony’s laws, codified in 1636, that “none be allowed to marry that are under the covert of parents but by their consent & approbacon. David Pulsifer, ed., *Records of the Colony of New Plymouth*, vol. XI: *Laws. 1623–1682* (Boston, 1861), 13. At the same time, lawmakers worked to restrain parents’ abuse of this power over their children. The Massachusetts Bay Colony forbade parents from “willfully and unreasonably deny[ing] any Child timely or convenient marriage.” William H. Whitmore, ed., *The Colonial Laws of Massachusetts* (Boston, 1890), 28. On legal prohibition of servant marriage, see Mintz and Kellogg, *Domestic Revolutions*, 8. These laws transferred from England to a variety of colonies. For instance, legislation in Virginia, North Carolina, Pennsylvania, and Delaware instituted harsh punishments for servants who married during their indentures, and most also punished the person solemnizing the marriage with hefty fines. See George Elliott Howard, *A History of Matrimonial Institutions* (3 vols., London, 1904), II, 235, 253, 320n6, 473. Bans on servant marriage also existed, at least in partial form, in New England’s legislation. For example, Plymouth Colony prohibited men who were “unfitt for marriage” due to their young age and “weake estate”—a group that would have included virtually all male servants—from making “any motion of marriage to any mans daughter or mayde servant” without consent from her parent, guardian, or master. Massachusetts passed similar legislation. See Pulsifer, ed., *Records of the Colony of New Plymouth*, XI, 29; Whitmore, ed., *Colonial Laws of Massachusetts*, 101.

slaves the right to marry one another, whether or not their owners approved of the match. Of course, the threat that slave marriages posed to slaveholding families was more symbolic than actual. Slaves did not have the right to leave their masters’ homes upon marriage in order to cohabit with their spouses and children; nor did they have the right to redirect the fruits of their labor from their masters’ families to their own families. However, they *did* have the right to initiate their own families against the will of their masters, and evidence indicates that they exercised this right, even, on occasion, appealing to the court for protection of it.⁹⁸

Hence, Jane and Sebastian and the enslaved Africans who lived alongside them were allowed to engage in the civil ritual that fractured established Euro-American families and built

⁹⁸ The 1705 act read: “no master shall unreasonably deny marriage to his negro with one of the same nation, any law, usage or custom to the contrary notwithstanding.” See “An Act for the Better Preventing of a Spurious and Mixt Issue,” in *The Acts and Resolves, Public and Private, of the Providence of the Massachusetts Bay*, vol. I (Boston, 1869), 578. According to his diary, Sewall himself was behind this provision. See the Sewall Diary, Dec. 1, 1705, in “Diary of Samuel Sewall. 1674–1729. Vol. II. 1699–1700–1714,” 143. The primary cause of the legislation passed at this time was to criminalize interracial sex and marriage, a trend that had already taken root in the Chesapeake and would later become widespread throughout the South. The marriage provision, however, set the Massachusetts act apart from its southern precedents, which did *not* provide slaves with the right to marry one another. See Charles Frank Robinson II, *Dangerous Liaisons: Sex and Love in the Segregated South* (Fayetteville, 2003), 3–4; and Peggy Pascoe, *What Comes Naturally: Miscegenation Law and the Making of Race in America* (New York, 2009), 21. Slaves’ right to marry threatened the integrity of Euro-American families because slaves were understood to be members of the families that held them in bondage (as were servants, apprentices, and certain other non-related persons), and, by marrying, they symbolically transferred their loyalty from slaveholder to spouse, as that is what marriage did in early New England: it released participants from their family of origin and created new families. As a result of slaves’ nuptials, then, slaveholders’ families lost dependent members, at least in a figurative sense. Of course, any transfer of loyalty was in reality very limited, as slaves had little power over where they lived, whether their family was well provided for, or who raised their children. Nonetheless, it is significant that slaves were the only members of the Bay Colony’s households who could marry against the will of their master, building new families even if their family of origin disapproved. Few sources shed light on the extent to which the Bay Colony’s legal sanction of slave marriage allowed slaves to contract marriages that would otherwise have been forbidden, but there is evidence that enslaved people managed with some success to appeal to the 1705 law. Chapter 3 discusses the case of Jack, an enslaved man belonging to a Boston butcher named Samuel Bill, who wished to marry Esther, an enslaved woman belonging to Robert Gutteridge, a Boston “Coffeeman.” According to Jack, his “Master and Mistress [we]re Consenting,” but “the said Mr. Gutteridge refuse[d] to give his Consent.” Citing the 1705 legislation, Jack insisted that the court intervene, which it did: Jack and Esther were married by the Reverend Benjamin Wadsworth, minister of Jane and Sebastian’s First Church, in November of 1710. For Jack’s petition, see “Petition Woman to be divorced & negro &c,” folder 1, box 6, Series VII: Legal Documents, 1709–1858, and undated, Slavery Collection, New-York Historical Society (New York). For the court’s judgment, see “Negro Jack’s Petition,” p. 203, vol. 1702–1712, court session beginning Jan. 30, 1709, Suffolk County General Sessions of the Peace. For Jack and Esther’s marriage record, see McGlenen, *Boston Marriages from 1700 to 1809*, vol. 1, p. 29.

new ones. And marry they did. Jane and Sebastian’s African neighbors posted banns and wed one another in large numbers, often in ceremonies led by prominent magistrates and ministers—men like Sewall, who married Jane and Sebastian. They had children—sometimes many—and some chose to baptize their offspring in the same churches that baptized the children of their owners. Enslaved fathers like Sebastian stood before their local congregations, claiming paternity of their children and, momentarily, authority over them, while their neighbors and fellow congregants took note. At least in certain circumstances, enslaved men provided for their family members, whether they paid neighbors to care for their pregnant lovers and children (as Cesar did for Mary Goslin and their infant) or received money from their owners to support their wives and children (as Sebastian did for Jane and their children). Though enslaved Africans frequently resided apart from their closest kin and responded to the authority of people to whom they were related by neither blood nor affection, the networks of kin and contract that they built and formalized before Euro-American ministers, congregations, justices of the peace, and town clerks—networks unique among New England’s bound laborers—indeed constituted families, though perhaps in a new way.⁹⁹ These families, often matrifocal in form but in many ways patriarchal in substance, confound accepted truisms concerning gender and slavery. Though long considered peripheral to the study of bondage in the Americas, enslaved New Englanders like

⁹⁹ It ought to be noted that slaves’ “marriages” in New England did not confer the same benefits that Euro-Americans’ marriages typically conferred, however official they may have seemed or widely recognized they were. Slaves were not allowed to relocate at will in order to cohabitate, for example, despite the fact that their Euro-American neighbors considered co-residence essential to their own marriages and families. Nor did they enjoy other conjugal or familial rights, such as the right to pass on property to heirs (through the courts, at least), or the right to protect their children from sale and forced relocation. These limitations to slaves’ marriages, however striking, were not entirely unique; poor whites did not typically utilize colonial courts to govern their inheritance practices, and they risked losing custody of their children if they were deemed too morally or materially impoverished to properly raise them. See Ruth Wallis Herndon and John E. Murray, eds., *Children Bound to Labor: The Pauper Apprentice System in Early America* (Ithaca, 2009).

Jane and Sebastian have much to teach historians of religion, gender, power, and slavery in the early modern Atlantic world.

Chapter Three

The Bedunahs: An Interracial Family on the Shore of the Massachusetts Bay

In the first days of October in 1703, a man and a woman trudged through Boston's snow-covered streets to the home of Samuel Sewall. The two had come some distance. They were not Sewall's neighbors; in fact, they did not even live in the town of Boston. Instead, they hailed from neighboring Roxbury, which was connected to the city by a narrow strip of land skirting Boston's harbor on one side and the Charles River on the other. An unseasonable storm had blown through earlier in the week and blanketed the region with snow, but the early appearance of the "sad face of Winter," as Sewall put it, had not deterred the couple from traveling to Boston on that October day.¹ The two had an important errand, one that they wished to accomplish sooner rather than later: they desired to marry, and they apparently had determined that Sewall, a justice of the peace, would be the right man to perform the nuptials.

Why Sewall? Both ministers and justices of the peace could legally join Bay colonists in marriage in the early eighteenth century, so the couple had a range of options. They could have asked someone closer to home to wed them, such as Reverend Nehemiah Walter, pastor of the Roxbury church, or a justice of the peace who resided in their town, like Paul Dudley or James

¹ Diary of Samuel Sewall, *Collections of the Massachusetts Historical Society*, vol. 6, 5th ser., (Boston: The Society, 1879), 89.

Bailey.² But Sewall was worth the walk. The man was not just any justice of the peace; he possessed an unusual intellect, a keen conscience inflected by Puritan sensibilities, and a voracious appetite for broad reading and deep reflection. He also held perspectives that were unusual in the world in which he lived—and growing more so with each passing decade. He believed, for instance, that slavery was wrong. In a tract written three years earlier, he had written, “It is most certain that all Men, as they are the Sons of *Adam*, are Coheirs; and have equal Right unto Liberty, and all other outward Comforts of Life.”³ And he worried about the obstacles faced by his black neighbors, both slave and free. One of the major challenges that Africans encountered in New England revolved around establishing and maintaining families, and Sewall had assisted some of them in this respect. Just two years earlier, he had wed Sebastian and Jane after helping them devise a marriage arrangement that was satisfactory for both of their masters. Soon after, he had joined in marriage a man named Sambo and a woman named Elinor, both described as “negroes” in the records of Boston’s town clerk. And shortly after that he had married two other blacks: one named Thomas Finnan and the other Maria.⁴

The man and woman who traversed the narrow corridor from Roxbury to Boston that wintry morning therefore had good reason to hope that the justice of the peace would grant their request. They were not asking him to do anything expressly prohibited by colonial decree or

² William H. Whitmore, *The Massachusetts Civil List for the Colonial and Provincial Periods, 1640-1774* (Albany: J. Munsell, 1870), 126. Paul Dudley became a justice of the peace for Suffolk County on June 30, 1702. See Augustine Jones, *The Life and Work of Thomas Dudley: The Second Governor of Massachusetts* (Boston and New York: Houghton, Mifflin and Company, 1900), 472. Jones stated that Paul Dudley was “born at Roxbury, Mass... and resided there throughout his life.” James Bailey was listed in Whitmore as a justice of the Peace for Suffolk County beginning June 30, 1702. It is unclear whether the James Bailey referred to here was the Reverend James Bailey or his son, Lieutenant James Bailey, a saddler. Regardless, both lived in Roxbury. See William Richard Cutter, *New England Families Genealogical and Memorial*, 3rd ser., vol. 1 (New York: Lewis Historical Publishing Company, 1915), 384.

³ Samuel Sewall, *The Selling of Joseph: A Memorial* (Boston: Bartholomew Green and John Allen, 1700), 1.

⁴ William H. Whitmore, ed., *A Report of the Record Commissioners of the City of Boston Containing the Boston Marriages from 1700 to 1751*. (Boston: Municipal Printing Office, 1898), 2, 5, and 4.

local ordinance, of course: as a judge and justice of the peace, Sewall was committed to enforcing rather than thwarting the law. But they *were* asking him to do something that turned against the tide of custom and popular sentiment. They were asking him to perform an interracial marriage: to join in law a “negro” man with an “English” woman.⁵ And that is precisely what Sewall did. According to the records kept by Boston’s town clerk, “Thomas Bedoona” and “Lydia Craft” were married by the justice of the peace on the fourth day of October, 1703.⁶

This chapter traces the history of the family forged by Thomas and Lydia’s union: the Bedunah family, whose African-origin surname was rendered with extraordinary creativity by the New England record-keepers who documented the family’s presence in the Bay Colony’s courts, churches, military regiments, towns, and neighborhoods. Historians have never bothered to piece together the story of what might seem to be an obscure cluster of interracial kin living on the shore of the Massachusetts Bay, but the Bedunahs’ often-surprising narrative is well worth reconstructing. It shows that Bay colonists understood race to be malleable at precisely the time that conceptions of race were hardening throughout the Anglo-Atlantic; male Bedunahs seem to have progressively whitened by marrying white women, until their offspring were considered “white” rather than “negro” or “molatto.” However pliable certain aspects of race may have been in the Bedunahs’ world, though, Thomas and Lydia’s story also shows that Bay colonists harbored deep misgivings about racial mixing. Indeed, at the very time the Bedunahs’ interracial

⁵ Extant records provide no evidence that marriages between whites and blacks had ever before been solemnized in Boston, which was the town in the Bay Colony with both the highest population and the largest concentration of African residents. This means that the couple at Sewall’s door was asking the justice of the peace to break with tradition. Of course, marriage records were not perfectly kept in this time and place; surely the vows of some Bay colonists who stood before ministers or justices of the peace were never recorded by local town clerks. And it is possible that racial identifiers in the records were occasionally misplaced or not included. Still, perusing the entire body of seventeenth and early eighteenth marriage records in Boston yielded only one interracial marriage: this one.

⁶ Whitmore, *Boston Marriages from 1700 to 1751*, 7.

family began to grow, the Bay Colony's highest court enacted legislation that banned liaisons between people of African descent and those of European descent.

In banning interracial marriages, Massachusetts marched in step with the broader Atlantic. However, the Bedunahs' story points to marked divergences between New England and the rest of the English colonies. For example, the Bay Colony included unprecedented legislation providing African slaves with the right to marry each other in the very same body of laws that prohibited interracial marriage. Legislation governing access to marriage was powerful in Massachusetts, but tracing the trajectory of the Bedunah family also points to the limitations of law for understanding social relations: though Thomas and Lydia lived and raised their children at a time when unions such as theirs were illegal, they appear to have eventually acquired a degree of respect and standing in their community. And their narrative serves as an important reminder that Afro-New Englanders did not just build families with other blacks in this time and place; bonds of contract, blood, and sentiment crossed bounds of race, and they probably did so with far greater frequency than historians can document today. A powerful story of kinship across the color line in early New England, the Bedunahs' tale sheds light on the entwined histories of family, gender, race, and the law in eighteenth-century Massachusetts and the broader Atlantic world.

When the town clerk recorded in his book of records the marriage that Sewall performed on that October day, he created the first piece of evidence documenting Thomas Bedunah's presence in the Bay Colony—at least, the earliest evidence of the man that survives. But, of course, Thomas's story did not begin in 1703 at Sewall's house on Marlborough Street in the

port of Boston. A long chain of events had brought the man to the judge's stoop: a history that today can be reconstructed in only the faintest of ways.

Thomas's story almost surely began in Africa. Though no record reveals this with certainty, the man's surname provides a crucial clue to his origins. *Bedunah* was not an English name; with the exception of the man's offspring, no seventeenth- or eighteenth-century Bay Colonist appears to have possessed the surname. But *Bedunah* has a strong phonetic progenitor in a common West African given name: Badu or Beduwa. Both English and Danish traders noted Africans on the Gold Coast (present-day Ghana) named Badu in the eighteenth century. For instance, Rhode Island merchant Samuel Vernon traded in that region with a man he called Baddoe, receiving "gold and captives in exchange for rum and sugar."⁷ And the records of the Danish West India and Guinea Company indicate that in 1736 the Company owned an enslaved child named Badu, who was born at Fort Christiansborg on the Gold Coast."⁸ *Badu* remained widespread in the region in the nineteenth century. In 1819, for example, an enslaved Wassaw sword-bearer on the Gold Coast named Badu Kwadwo regained his freedom by appealing to British imperial forces.⁹ And an English geographer exploring the region in the mid-nineteenth century noted that tenth-born children on the Gold Coast were commonly named Badu, regardless of gender.¹⁰

⁷ Kwasi Konadu, *The Akan Diaspora in the Americas* (New York: Oxford University Press, 2010), 192.

⁸ Ole Justesen, *Danish Sources for the History of Ghana 1657-1754*, vol. 2 (Denmark, Royal Danish Academy of Sciences and Letters, 2005), 514. In 1736, a "Specification of the Company's slaves and receivables [at] Christiansborg" was compiled, which included a child called Badu. He was listed with others and described thus: "These are small children and cannot yet be itemized at a price."

⁹ See Pierluigi Valsecchi, "How Kwadwo Regained His Freedom and Put the Slave-Traders in Big Trouble," in *African Voices on Slavery and the Slave Trade*, vol. 1, Alice Bellagamba, Sandra E. Greene, and Martin A. Klein eds., (New York: Cambridge University Press, 2013), 270.

¹⁰ See Richard F. Burton, *Wanderings in West Africa from Liverpool to Fernando Po* (London: Tinsley Brothers, 1863), 163-4. Burton discussed the naming of children on the Gold Coast as follows: "Here the first-born son is

But the link between *Bedunah* and *Badu* or *Baduwa* is more than just phonetic. Broad patterns of movement in the seventeenth-century Atlantic make Thomas Bedunah's Gold Coast origins plausible. Slaves from that part of the African littoral were shipped to New England in increasing numbers during the final decades of the seventeenth century, which is when Thomas likely arrived in the Bay Colony.¹¹ The Gold Coast was in the midst of rapid transformation at this time; once an importer of slaves and an exporter of gold, by the turn of the eighteenth century the region had become an exporter of slaves and an importer of gold.¹² Enslaved people from the area were taken to all parts of the Americas, but most were transported to English colonies—particularly, in the seventeenth century, to Barbados.¹³ Barbados in turn supplied much of New England's bound African labor force.¹⁴ So Thomas Bedunah may well have begun his life as *Badu* on the Gold Coast before being captured by slavers or reduced to bondage by

Tete; the corresponding daughter Dede; the second pair are Tete masculine, and Koko feminine; the third, Mesa and Mansa; fourth, Anan and Tsotso; fifth, Anum and Manum; sixth, Nsia and Sasa; seventh, Ason, masculine and feminine; eighth, Botfe; ninth, Akron; tenth, Badu. The three latter are common to both sexes. With few exceptions, they are taken from Oji numerals, as amongst the Romans, Quintus, Decimus, &c..." Other sources suggest that *Baduwa* or *Beduwaa* was used as the female version of *Badu*. See F. W. H. Migeod, "Personal Names among Some West African Tribes," *Journal of the Royal African Society*, vol. 17, no. 65 (Oct., 1917): 40 and Kofi Agyekum, "The Sociolinguistic of Akan Personal Names," *Nordic Journal of African Studies* 15(2): 220. It is interesting that *Bedunah's* name parallels the female version of *Badu* nearly identically—even more closely than it parallels *Badu*.

¹¹ Bedunah almost surely did not arrive in New England in the eighteenth century, as he was a free man by his 1703 marriage. He was also able to communicate in English with some proficiency, as he managed to woo and marry Lydia Crafts. Had he arrived in the mid-seventeenth century, he would have been a great deal older than his wife, who was born in 1681, and he would have been a fairly old man—over fifty—by the time of his marriage. He was most likely brought to New England as a young man in the late seventeenth century.

¹² See John Thornton, *Africa and Africans in the Making of the Atlantic World, 1400-1800* (New York: Cambridge University Press, 1998), 119. See also Walter Rodney, "Gold and Slaves on the Gold Coast," *Transactions of the Historical Society of Ghana*, vol. 10 (1969): 14-15.

¹³ Barbados was "the major seventeenth-century destination... of Gold Coast slaves," while "Jamaica dominat[ed] the eighteenth century." See David Eltis and David Richardson, "West Africa and the Transatlantic Slave Trade: New Evidence of Long-Run Trends" in David Eltis and David Richardson, eds., *Routes to Slavery: Direction, Ethnicity and Mortality in the Atlantic Slave Trade* (New York: Routledge, 1997), 20.

¹⁴ S. D. Smith, *Slavery, Family, and Gentry Capitalism in the British Atlantic: The World of the Lascelles, 1648-1834* (New York: Cambridge University Press, 2006), 18. Smith analyzed the accounts of a Boston merchant named Hugh Hall, who did business in Barbados and imported many slaves into the Bay Colony, concluding, "If [Hall's] accounts are representative, the enslaved arriving in New England were obtained primarily from merchants in Bridgetown: a port city similar in size to Boston and one of the largest centres of urban slavery in the Americas."

debt and herded onto a slave ship in the bustling ports of Beraku or Accra, where thousands of African bodies changed hands each year.¹⁵ From the Gold Coast's slave ports, he would have been shipped into the Atlantic, likely to Barbados. When the ship finally docked in Bridgetown, Thomas would have staggered off the reeking vessel onto the town wharf, aptly named New England Row in recognition of the constant trade between Barbados and New England. Perhaps he next paced the road alongside the landing place: New England Street.¹⁶ On the tiny island in the southern Caribbean, Thomas would have seen signs of his ultimate destination everywhere.

Merchants from Massachusetts traversed the Atlantic, supplying Barbados with slaves they purchased on the coast of Africa as well as with lumber and provisions they brought from New England. Vessels returning home hauled Barbadian sugar to feed New England's rum distilleries and bound Africans to sell in the region's slave market. One such ship doubtless carried Thomas on the final leg of his protracted journey, depositing him on the town dock of the area's principal port: Boston. It would have been a bewildering ordeal. Born Badu on the Gold Coast, reduced to slavery, shipped to Barbados, and from there taken to Boston, Thomas had survived tremendous and terrifying change. But this crossing, if indeed Thomas experienced what the historical record suggests, was hardly unique. Thousands of Africans were enslaved on the Gold Coast in the late seventeenth century; a significant proportion of these were forcibly transported to Barbados, where they labored on the island's booming sugar plantations; and a large number of slaves were brought from Barbados to New England. Thomas Bedunah, or

¹⁵ By the mid-seventeenth century, Accra supplied hundreds of slaves annually; a Dutch geographer, writing most likely about the 1640s, stated that Accra supplied about 300 slaves a year in addition to gold. At this time, the Dutch "sometimes" traded at Beraku." However, by the end of the century slave exports had increased markedly. See Thornton, 119 and Robin Law, "Ethnicities of Enslaved Africans in the Diaspora: On the Meanings of 'Mina' (Again)," *History in Africa*, vol. 32 (2005): 265. A Dutch post was established in Senya Beraku in 1667, followed by an English post in 1704 to capitalize on the tremendous growth of the slave trade. See "A New Check List on the Forts and Castles of Ghana," *Historical Society of Ghana*, vol. 4, no., 1 (1959): 63.

¹⁶ Smith 19.

Badu, was but one of countless swallowed into the vicious Atlantic trade during the seventeenth century. In some ways, the most unusual parts of the man's life—the particularly unique aspects of his experience—began in New England *after* he survived this harrowing turn of events. There the enslaved African man became free; he acquired an English name; he married an English woman; he gained a measure of wealth and standing in his community; and he presided as patriarch over a family that seems to have grown whiter with each passing decade.

How did Thomas, who was most likely enslaved when he first set foot in Massachusetts, acquire his freedom? The historical record yields no direct clues; Thomas is not mentioned in surviving sources until 1703, when he trekked to Sewall's home to marry Lydia, and by that time he was already a free man. But it is possible to reconstruct the experiences of other bound Africans in the region who were emancipated around the turn of the eighteenth century, and it is possible, therefore, to consider the options that would have presented themselves to Thomas.

There were two main avenues by which enslaved people in Thomas's time and place could become free: they could purchase their freedom, or they could willingly be released from bondage by their owners. In order to purchase their freedom, or, as they put it, to "buy their time," slaves needed to find a way to earn money, perhaps by working in evenings, by growing provisions for resale on their own tiny plots, or, if their master hired them out to neighbors, by pocketing (should their owner consent) a small fraction of their earnings. Slaves who were fortunate enough to earn substantial sums could then buy their liberty if—and only if—their masters were willing to release them. Unfortunately, there is no way to assess how common self-

purchase was in the Bay Colony; because it was a private transaction between slaves and their masters, evidence of slaves “buying their time” has largely been lost.¹⁷

However, a good deal of surviving evidence documents slaves who were freed by emancipation rather than by buying their freedom. Because owners sometimes chose to emancipate their slaves in wills, and those wills were registered in the probate court, many manumissions have been preserved in county court records. For instance, a hundred wills probated between 1690 and 1730 by residents who lived alongside Thomas and Lydia in Suffolk County provide specific instructions directing the fates of the decedents’ slaves.¹⁸ More than a hundred Bostonians owned slaves at this time, of course—312 estates inventoried during these forty years listed slaves as property—but many of the Bedunahs’ Euro-American neighbors died intestate, and many of those who *did* leave wills failed to reference their slaves in those documents.¹⁹ Of the hundred wills directing the dispersal of slaves filed in Suffolk County between 1690 and 1730, nearly a third called for emancipations: 29 specified that one or more of the decedent’s bound Africans ought to be freed. This proportion is surprising, as historians have long supposed that relatively broad-scale emancipation in the region commenced during the era of the Revolution. And it suggests that emancipation in New England pre-dates that in the South even more than scholars have believed.

¹⁷ Evidence of self-purchase is occasionally found in probate records, which have survived much more regularly than the other types of sources that would document self-purchase: diaries, receipts, and account books. For an example of self-purchase appearing in probate records, see the inventory of Anthony Haywood. Almost as an afterthought, Haywood’s executor mentioned that the estate received five pounds from Savage “towards his & his Wives freedom, agreeable to a promise made by [Haywood].” Anthony Haywood Inventory, Suffolk County Probate, First Series, Reel 34, Vol. 14, p. 281-2, Massachusetts Archives, Boston.

¹⁸ Since writing this portion of the dissertation, I have obtained additional data related to wills in eighteenth-century probate, and I will be able to update these numbers to reflect more comprehensively the wills written during the century when I publish this dissertation as a book.

¹⁹ Again, newly obtained probate evidence will enable me to update these numbers when this dissertation becomes a book.

Of course, the nature of these manumissions varied a great deal from owner to owner and slave to slave. Some testators freed their slaves immediately upon their passing. Boston minister Increase Mather stipulated that his “Negro Servant Called Spaniard shall not be Sold after my decease.” Instead, his will instructed, Spaniard was to be released from servitude. “Let him then be Esteemed a free Negro,” Mather declared.²⁰ Pheeba, a slave belonging to a Hingham woman named Ruth Beate, was also emancipated without delay. Beate’s will proclaimed: “I give my Servant Maid Pheeba her Freedom at my Decease.”²¹ A number of slaveowners did not stipulate precisely when their slaves ought to be freed but seemed to assume that the manumissions would proceed as a matter of course when the estate was processed by probate court. The will of Boston widow Elizabeth Pierce stated simply: “I give to my negro woman Peg her time... I give to my Negro rose her time... [and] I give to my Negro Boy Wolson his time.”²² Another widow, Ruth Willys, used similar language to emancipate her slave, Susanna. “I Give my Negro Susanna her time or freedom,” her will declared.²³

Other slaves received their “time” only after a period of delay. Occasionally this interval was quite short. Brill, the “Negro Servant” of Roxbury widow Rebecca Dudley, would be freed “within a year” after Dudley’s death. In the meantime, the widow instructed, he was to “continue

²⁰ Increase Mather Will, Suffolk County Probate # 4791, New Series, Vol. 12, p. 180, Massachusetts Archives, Boston.

²¹ Ruth Beate Will, Probate # 4240, Suffolk County Probate, First Series, Reel 38, Vol. 21, p. 538, Massachusetts Archives, Boston.

²² Elizabeth Pierce Will, Probate #4726, Suffolk County Probate, New Series, Vol. 10, p. 292, Massachusetts Archives, Boston.

²³ Ruth Willys Will, Probate #5647, Suffolk County Probate, First Series, Reel 35, Vol. 16, p. 598-9, Massachusetts Archives, Boston.

in the Service of my Eldest Son.”²⁴ Sometimes the wait was longer, though. Richard, a slave belonging to Rumney Marsh yeoman Hugh Floyd, was required to serve each of Floyd’s three sons for a year before he would be “made a free Man.”²⁵ A slave named Jack, meanwhile, had to serve Sarah Beard’s daughter for five years before he tasted freedom, while an unnamed African man had to serve Joseph Simpson’s wife for eight years after Simpson’s death.²⁶ And a slave named Sambo was required to serve the wife of Boston butcher Henry Brightman for a full decade after Brightman passed away.²⁷ Other manumissions were predicated upon the death of masters’ heirs. According to the will of Boston widow Elizabeth Mason, Primus was to “have his freedom” only “after my sons Decease.”²⁸ Similarly, slaves like William Holbrook’s Prince, John Pim’s Jenney, and Jonathan Bill’s “Negro woman” could not enjoy their promised liberty until the wives of their late owners had been laid to rest in area burial grounds.²⁹

Occasionally masters delayed the manumission of their slaves until those slaves reached a certain age. Some owners may have believed that such a requirement existed for their slaves’ benefit. To be sure, Sapphina, a child belonging to John Frizell, would not have survived on her own had the wealthy Boston merchant emancipated her immediately upon his death—unless a

²⁴ Rebecca Dudley Will, Probate # 4653, Suffolk County Probate, First Series, Reel 39, Vol. 22, p. 701, Massachusetts Archives, Boston.

²⁵ Hugh Floyd Will, Probate #6033, Suffolk County Probate, First Series, Reel 41, Vol. 28, p. 347, Massachusetts Archives, Boston.

²⁶ Sarah Beard Will, Probate #4316, Suffolk County Probate, First Series, Reel 38, Vol. 21, p. 724-5, Massachusetts Archives, Boston, and Joseph Simpson Will, Probate #3179, Suffolk County Probate, First Series, Reel 35, Vol. 16, p. 593-4, Massachusetts Archives, Boston.

²⁷ Henry Brightman Will, Probate #4339, Suffolk County Probate, First Series, Reel 35, Vol. 16, p. 56-7.

²⁸ Elizabeth Mason Will, Probate #5134; Suffolk County Probate, First Series, Reel 40, Vol. 24, p. 191.

²⁹ William Holbrook Will, Probate #3637, Suffolk County Probate, First Series, Reel 36, Vol. 18, p. 410; John Pim Will, Probate #5278, Suffolk County Probate, First Series, Reel 40, Vol. 25, p. 7; Jonathan Bill Will, Probate #5790, Suffolk County Probate, First Series, Reel 41, Vol. 27, p. 163, all of the Massachusetts Archives, Boston.

friend or family member could care for her, that is. Frizell's will stipulated that the four-year-old should "go out free forever," but not before "attain[ing] the age of twenty four years." Sapphina could have been self-supporting before she reached the age of 24, so the provision may have reflected elements of self-interest, but Frizell likely considered himself beneficent for liberating a grown woman who could make her way in the world.³⁰ Boston merchant Nicholas Paige seems to have had similar intentions. He bequeathed his slave, Jethro, to his cousin, John Gerrish, instructing Gerrish to "teach the Boy his Trade perfectly" until Jethro turned thirty. Jethro was in his early twenties when Paige died, and he ended up working with Gerrish for about eight years before becoming "Free for himself" and receiving £5 from the Paige estate.³¹ Jethro's marketable skills must have eased his transition from slavery to freedom, as Paige had probably anticipated, but it is hard to imagine that Jethro would have wished to prolong his servitude for eight years. In nearby Dorchester, an enslaved seventeen-year-old boy named Toby was promised his freedom by Samuel Wales, but Wales stipulated that he would have to wait until he turned 28 before the promise would be fulfilled. Wales made no effort to mask the delay in benevolent garb; the Dorchester farmer simply wanted his heirs to benefit from 11 additional years of Toby's toil.³² Moses and Miriam, Mary White's slaves, faced similar requirements; their widowed owner ordered that they be "Discharged and made free," but each had to wait until the

³⁰ John Frizell Will, Probate #4733, Suffolk County Probate, New Series, Vol. 10, p. 296, Massachusetts Archives, Boston.

³¹ Nicholas Paige Will, Probate # 3917, Suffolk County Probate, First Series, Reel 37, Vol. 20, p. 168, Massachusetts Archives, Boston.

³² See Samuel Wales Will, Probate #3445, Suffolk County Probate, First Series, Reel 36, Vol. 18, p. 56-8, Massachusetts Archives, Boston.

age of 32.³³ Moses, Miriam, and the other blacks who received delayed emancipation provisions resembled in status the European indentured servants who proliferated in the Bay Colony more than they did their enslaved African neighbors.

Thomas Bedunah may have obtained his freedom this way: by a master guilty enough for holding human property, or grateful enough for years of faithful service, to release his slaves. If he was extraordinarily fortunate, he might have been given, in addition to his “time,” a bequest to help him make his way as a free man in a world hostile to people with dark skin. Occasionally, liberated Africans received legacies from their former masters. Some, like Joseph West’s slave named Will, obtained clothing from their former masters. West deeded Will “such cloathing and Apparell of mine as my Executor shall think fit.”³⁴ Others received household items like bedding or cookware. For instance, Peg was given Elizabeth Pierce’s “bed and ye old green Curtins about my Bed, and a Kettle & a pott.”³⁵ A number of freed slaves were given sums of money, some modest—Susanna received £5 pounds from Ruth Willys—and some more substantial: Ceesar received two parcels of land and a heifer from Samuel Read.³⁶ Like Ceesar, other former slaves received land or livestock, and occasionally they enjoyed legacies of great value.³⁷ Ruth Beate granted Pheeba “the use and Improvement of my House and ground where I now Dwell” as well

³³ Mary White Will, Probate #3794, Suffolk County Probate, New Series, Vol. 19, p.221, Massachusetts Archives, Boston.

³⁴ Joseph West Will, Probate unnumbered, Suffolk County Probate, New Series, Vol. 8, p. 61, Massachusetts Archives, Boston.

³⁵ Elizabeth Pierce Will, Probate #4726, Suffolk County Probate, New Series, Vol. 10, p. 292, Massachusetts Archives, Boston.

³⁶ Ruth Willys Will, Probate #5647, Suffolk County Probate, First Series, Reel 35, Vol. 16, p. 598-9, and Samuel Read Will, Probate #5044, Suffolk County Probate, First Series, Reel 39, Vol. 23, p. 542, Massachusetts Archives, Boston.

³⁷ For another example of land and livestock inheritance, see Samuel Thayer Will, Probate #4499, Suffolk County Probate, First Series, Reel 39, Vol. 22, p. 338, Massachusetts Archives, Boston.

as “the use and improvement of my Household Goods during the term of her Natural Life.”³⁸

Meanwhile, Primus received George Raisin’s feather bed with curtains and furniture, as well as a sizable bequest: Raisin ordered the executors of his estate to invest £100 and pay Primus the interest each year. Primus benefitted from financial security that eluded most blacks—indeed, most New Englanders of any race—in the early eighteenth century; should the former slave become sick or disabled, Raisin ordered that his executors “call in” the £100 and use it “for the support of the said Primus.”³⁹

The owners of the few blacks who received bequests as well as manumissions recognized an important reality for freed people of African descent making their way in the world at the turn of the eighteenth century: freedom was no panacea for Africans in New England. Nonetheless, freedom was significant. Free blacks like Thomas had the ability to move about with much more autonomy than the enslaved Africans who lived alongside them. They did not have to creep down from their garrets and slip out the door to rendezvous with their spouses or partners in hidden places. Nor did they need to keep off the road after dark when Boston’s constables or nightwatch ambled by, as free blacks were not subject to the legal codes that limited the nighttime movements of slaves.⁴⁰ They had more control over where they lived, where they traveled, and where they worked, and they could finally enjoy the fruits of their labor. Whether

³⁸ Ruth Beate Will, Probate # 4240, Suffolk County Probate, First Series, Reel 38, Vol. 21, p. 538, Massachusetts Archives, Boston.

³⁹ George Raisin Will, Probate #5724, Suffolk County Probate, First Series, Reel 41, Vol. 27, p. 53. George Raisin’s Primus is the same Primus who was referenced by Elizabeth Mason in her 1725 will. Mason stipulated that Primus should be freed upon the death of her son, George Reason (showing the period’s characteristically variable spelling). Primus was fortunate; Raisin lived only three years after his mother’s death, he heeded her wishes, and he left this unusual will in 1728.

⁴⁰ Slaves were not allowed outside their masters’ homes after 9 pm, but no legislation limited the movement of free blacks. The provision limiting the mobility of slaves was passed in 1703, and it empowered both local officers (constables, watchmen) and all householders to seize offenders and bring them before a justice of the peace, who would take them to the nearest house of correction. See *An Act to Prevent Disorders in the Night*, December 1, 1703, *Massachusetts Acts & Resolves*, vol. 1, p. 535-6.

they hauled barrels on Boston's wharves, planted corn on Roxbury's farms, or pieced together garments for their neighbors in Charlestown, liberated Africans at last received compensation for their labor. And earning even a small income increased a former slave's ability to support a family. Slaves, freed blacks, and Euro-American colonists like Lydia Crafts all knew the same thing: one's chances of building a family with any stability were much better in freedom than they were in slavery.

Indeed, it is hard to imagine that Thomas's freedom did not play a role in Lydia's decision to marry him. Lydia was the youngest child in a large Roxbury family, and her mother, who had been widowed when Lydia was only four, probably struggled to make ends meet. Still, the family was not wholly destitute: her father had left behind him a home, an orchard, and a variety of possessions, as well as an expansive network of well-established kin.⁴¹ Twenty-two when she made the trek to Sewall's home, Lydia was a young woman of small means, but she was not entirely without options. Marrying a slave would have consigned her to poverty forever. Marrying Thomas, though, might offer something better.

⁴¹ See John Crafts Inventory, Suffolk County Probate, First Series, Reel 32, Vol. 9, p. 249-50. John Crafts died intestate, but the Massachusetts General Court ordered that Mary Crafts should "have and enjoy the whole movable Estate for her own support and education of her Children," and that John's land would be allocated to the "the payment of debts, the widow enjoying her thirds thereof for life according to Law." The "remaining" estate would be "divided amongst the Seven Children of ye deced being one Son and Six daughters." A torn notation indicated that the one son, Ephraim, was to have a "double share." See "Crafts Estate Setled," *Records of the Suffolk County Court, 1680-1692*, p. 247. The settlement of John's estate occupied the attention of the justices a few months later, when Mary appeared before Samuel Sewall and Joseph Dudley to acknowledge that her husband's estate was indebted to several parties. See "Crafts to Gary," *Records of the Suffolk County Court, 1680-1692*, p. 255. Some of these debts were to his near relations. John had a number of well-off kin. Taking just his siblings into account: Hannah Craft, John's sister, lived with her family on a comfortable estate in Cambridge; Joseph Griggs, John's brother-in-law (the spouse of his sister, Mary), became a Roxbury property owner of some standing; Abigail Craft, John's sister, married a man named John Ruggles, who inherited a large estate from his father; and John's brother, Samuel, occupied a variety of offices in Roxbury, from selectman to lieutenant in the town's militia. See James M. Crafts and William F. Crafts, *The Crafts Family: A Genealogical and Biographical History of the Descendants of Griffin and Alice Craft, of Roxbury, Mass., 1630-1890* (Northampton, Mass.: Gazette Printing Company, 1893), 27, 33, 34, and 35-6.

Lydia's gamble, it turned out, was a good one. Thomas would bring stability to her life for over three decades. The two would reside with one another on his farm in Roxbury until he died in 1734, and together they would build a large family: a family that, with time, would become as white as its matriarch.

Lydia Crafts's journey to Sewall's home on that unseasonable October day was doubtless difficult, but not merely because of the snow piled along the isthmus connecting Roxbury to Boston: the woman who picked her way through the icy streets was pregnant. She may have wished to hide this fact from the judge and justice of the peace who met her at his door, but she would have been hard-pressed to do so; nearly eight months along, her state was probably evident to all, despite the fact that this was her first pregnancy and she was bundled in heavy garments to protect against the cold.⁴² Lydia's pregnancy posed a problem for the couple. In Puritan-inflected New England, sexual activity outside of marriage was not simply frowned upon by neighbors and reprimanded by churches; it was punished aggressively by the colony's judicial system. Couples were routinely tried for fornication in the colony's lower-level criminal court, where they were disciplined according to their marital status at the time of their child's birth. Unmarried offenders—male as well as female—generally had to pay fines of £2 to £3 each or consent to be whipped: usually ten stripes at the public whipping post. And the men in these liaisons typically were required to provide large sums of money to the town in which they lived in order to ensure that their extramarital children would not become a burden on the town's poor funds. The requisite payments could reach as high as £50: a sizable sum for most men in the region during the early years of the eighteenth century. Couples who conceived prior to marriage

⁴² No references in court, town, or church records indicate that Lydia Crafts bore children or was ever visibly pregnant before this time.

but had wed by the time of their child's birth faced reduced sentences. They still were required to pay a small fine or suffer a whipping, but the fathers in these liaisons were not expected to give their towns large sums of money in order to provide for their children, because the offspring in question, shielded within an intact household headed by their father, was at much lower risk of landing on the poor dole.

Lydia and Thomas may have had this in mind as they trudged to Boston. Marrying on that October day would ensure that they faced a lesser punishment for fornication, and it would also enable their child to avoid the stigma of bastardy: the baby had been conceived out of wedlock, and nothing could be done about that now, but she would be born within the bounds of a lawful marriage. Sewall was sympathetic to Lydia and Thomas's desire to form a household prior to their child's birth; he married the couple, and apparently he was unconcerned about Thomas's race, as he did not bother reporting to the town clerk that the man was a "negro."⁴³ Sewall may have made a mental note, though, that the Bedunahs ought to be held responsible for their sexual misconduct by the court in the months to come; Sewall not only acted as a local justice of the peace, after all, but he served as a justice of the colony's highest court as well.

Indeed, somebody—perhaps Sewall, perhaps a neighbor, perhaps a worshipper at the church in Roxbury—pointed out the couple's transgression to the authorities, and the Bedunahs were called to court to answer for their fornication the following spring. On the fourth day of April, Thomas stood before the justices of the General Sessions of the Peace, the lower-level criminal court, with Lydia by his side. The court's clerk described Thomas as "a Negroman

⁴³ Whitmore, *Boston Marriages from 1700 to 1751*, 7. The town clerk regularly recorded the race of the blacks who married in Boston, so the fact that Thomas was not entered as a "Negro" suggests that Sewall neglected to include the descriptor. For instance, John Grandy and Susanna, "negroes," were married in 1700; Richard Boreman and Ann Dee, "negros," were married in 1701; and Joseph "a Negro" and Marea "a Negro" were married in 1702; and "Negro-Ceasar & Phillis" were married in 1703. Phillis's lack of a surname suggests that she was a person of color; whites in the colony without exception had both first and last names, even servants. See Whitmore, *Boston Marriages from 1700 to 1751*, pp. 2, 3, 5, and 8.

belonging to Roxbury” and he described Lydia as Thomas’s “wife,” taking care to add that she was “an English woman... formerly [known as] Lydia Crafts.”⁴⁴ Thomas and Lydia were accused of fornication, and they admitted their guilt, or, in the language of the court, they “owned the same.”⁴⁵ There was no denying the charge: Lydia had birthed their daughter, Elizabeth, less than six weeks after Sewall had married the couple.⁴⁶ The two received the standard sentence: they were ordered to pay a fine of £3 each or to be whipped “ten Stripes a piece at the Publick Whipping post.”⁴⁷ Though the clerk made note of the couple’s unusual racial makeup—Thomas was a “negroman” and Lydia an “English woman”—the interracial nature of the union did not appear to influence the justices’ ruling. The couple had committed one crime and one crime only—fornication—and they deserved the same punishment as white fornicators who stood before the bar.

The evenhandedness with which the court treated Thomas and Lydia was typical; other cases registered in the record book of Suffolk County’s General Sessions of the Peace show that interracial fornication was punished just like fornication between people of English descent in the early years of the eighteenth century. For example, in July of 1702, Essex, a “Negro man Servant,” and Mary Goslin, a “servant,” who was presumably white due to her English name and lack of racial identifier, appeared before the justices of Suffolk County’s General Sessions of the Peace. Confessing to fornication, they received a standard sentence: “Ten Stripes a piece at the

⁴⁴ “Bedonah & his wife’s Sentence,” Suffolk County General Sessions of the Peace, vol. 1702-1712, p. 32, Massachusetts Archives, Boston.

⁴⁵ “Bedonah & his wife’s Sentence,” Suffolk County General Sessions of the Peace, vol. 1702-1712, p. 32, Massachusetts Archives, Boston.

⁴⁶ *Vital records of Roxbury, Massachusetts to the end of the year 1849*, vol. 1 (Salem, Mass.: Essex Institute, 1925), 31. The couple married on October 4, and Elizabeth was born on November 12.

⁴⁷ “Bedonah & his wife’s Sentence,” Suffolk County General Sessions of the Peace, vol. 1702-1712, p. 32, Massachusetts Archives, Boston.

Publick Whipping Post” or a fine of two and a half pounds sterling.⁴⁸ Three years later, Goslin appeared before the court again, having committed fornication with another African slave. This time, though, the act resulted in “a Molatto Bastard Child lately born of her Body.”⁴⁹ She reported that Caesar, a “Negro Man servant or slave,” was the father, and he readily confessed. Goslin was again sentenced to ten stripes at the whipping post, as was Caesar. In addition, because their extramarital sex resulted in the birth of an infant outside the bounds of marriage, Caesar, as the male responsible for maintaining the child, was assessed a fine of £20 in order to relieve the town of having to care for his offspring—a penalty that was typical if somewhat moderate. Goslin’s infractions show that the court punished extramarital sex similarly, whether or not the offenders crossed racial bounds.

But the court’s comparative lack of concern about interracial sexual and marital liaisons was about to change. In 1704, when Thomas and Lydia were prosecuted for fornication, the General Sessions of the Peace did not punish them for engaging in sex across the color line; it merely disciplined the two for engaging in sex outside of marriage. Nor had the court showed any interest in penalizing the couple’s ultimate marital union: marriage between blacks and whites was entirely permissible according to the Bay Colony’s legal codes at the time.⁵⁰ The very

⁴⁸ “Essex and Mary Goslin,” Suffolk County General Sessions of the Peace, vol. 1702-12, p. 6, Massachusetts Archives, Boston.

⁴⁹ “Goslin and Cesar Negros Sentence,” Suffolk County General Sessions of the Peace, vol. 1702-12, p. 116, Massachusetts Archives, Boston. Cesar’s original sentence was to be whipped ten stripes and to pay the court’s costs as well as to give £20 security for his child. However, when Cesar was “carried down to the Whipping Post... to be Whipt,” he “behaved himself very Impudently, and swore that he would be again Guilty of the same Crime with the sd Goslin or words to that purpose.” When the court learned of this, Cesar was brought once again before the bar, and after “being Convict by plentifull Evidence,” was sentenced to 20 stripes more.

⁵⁰ It is important to note that though interracial marriage was legal at this time, it was extraordinarily rare; I do not have any documentation that it occurred in Boston prior to Thomas and Lydia. And it does not appear to have been looked upon with favor. For instance, in his anti-slavery tract, Samuel Sewall himself said of Africans: “there is such a disparity in their Conditions, Color & Hair, that they can never embody with us, and grow up into orderly Families, to the Peopling of the Land: but still remain in our Body Politick as a kind of extra-vasat Blood. As many

next year, though, Massachusetts passed legislation to prevent the procreation of blacks and whites—or, as the law put it, to keep “negro[es] or molatto[es]” and “English... or [those from] any other Christian nation” from producing “Mixt Issue.”⁵¹ This act, titled “An Act for the Better Preventing of a Spurious and Mixt Issue,” made the penalty for interracial fornication harsher; Africans who engaged in extra-marital sex across the color line were now to be “sold out of the province.” The legislation also made the corporal punishment faced by most interracial fornicators more brutal; white offenders of both genders as well as black male offenders were now ordered to be “severely whipped” rather than simply pay a fine or suffer ten stripes at the whipping post.⁵² And the law strictly prohibited marriage between blacks and whites. Whoever presumed to “joyne any such [persons] in marriage” would face a fine of £50. Sewall’s answer to Lydia and Thomas may well have been different if the couple had appeared on his doorstep after the act passed in 1705.

The members of the Massachusetts General Court were not the only legislators in the Anglo-Atlantic who feared procreation across the color line, and they did not invent anti-

Negro men as there are among us, so many empty places there are in our Train Bands, and the places taken up of Men that might make Husbands for our Daughters.” See Samuel Sewall, *The Selling of Joseph: A Memorial* (Boston: Bartholomew Green and John Allen, 1700), 2.

⁵¹ Chapter 10 (5 December 1705), “An Act for the Better Preventing of a Spurious and Mixt Issue,” in *Massachusetts Acts and Resolves*, vol. 1, 578.

⁵² Curiously, the act’s provisions regarding whippings were both racialized and gendered; black men and their white female partners were to be “severely whipped,” as were the white male partners of black women, but black women were spared physical retribution. The act provides no clues as to why black women who engaged in sex with white men outside of marriage were to be spared punishment, but the uneven punishments called for by this act raise provocative questions about the extent to which legislators recognized the victimization of black women (most of whom were enslaved) by white men (perhaps their masters). Had the lawmakers recognized that black women were frequently coerced into sexual activity across the color line, they may well have been disposed to excuse those women from corporal punishment as a result of that activity. Nonetheless, black women, like black men, were ordered to be shipped out of the colony if they engaged in interracial sex.

The new punishment placed on whites the burden of supporting the offspring that resulted from interracial sex, which makes sense, as the blacks were to be sent away and could not work off debts for child maintenance. White men were maintain the child (as well as pay a £5 fee), and white women were to maintain the child or, if they could not afford to do so, they were to “be disposed of in service to some of her majesty’s subjects within the province.”

miscegenation legislation out of thin air. Lawmakers in the Bay Colony were working from a template: legislation penalizing interracial sex had been reverberating throughout the Anglo-Atlantic world for decades. In 1662, Virginia had singled out interracial fornication for harsh punishments, penalizing offenders who had sex across the color line with double the fine reserved for whites who committed the crime with other whites.⁵³ The next year, Bermuda prohibited both marriage and extramarital sexual relations between “free borne subjects” and “Negroes, Mulattoes, or Mustees.” Violators could be banished from the colony.⁵⁴ And in 1664, Maryland sought to prevent marriage and sexual relations between “freeborn English women” and “Negro[es] and other slave[s]” by condemning to slavery for life both the children of those liaisons and their formerly free mothers.⁵⁵ In the last decade of the seventeenth century, Virginia legislators expanded the colony’s anti-miscegenation legislation, which previously pertained only to fornication, to prohibit interracial marriage; any free “English or other white man or woman” who married “a negro, mulatto or Indian man or woman bond or free” would be removed from the colony within three months of the marriage.⁵⁶ Lawmakers in Massachusetts clearly drew inspiration from this Virginia act when they crafted the Bay Colony’s 1705 legislation, with its allusion to “Spurious and Mixt Issue,” a reference that paralleled the Virginia

⁵³ Nadine Ehlers, *Racial Imperatives: Discipline, Performativity, and Struggles against Subjection* (Bloomington: Indiana University Press, 2012), 150, n. 21. The act stated that “if any Christian shall commit fornication with a negro man or woman,” the “offending [Christian] shall pay double the fines imposed by the former act.”

⁵⁴ Virginia Bernhard, *Slaves and Slaveholders in Bermuda, 1616-1782* (Columbia, the University of Missouri Press, 1999), 92.

⁵⁵ Eric Nellis, *Shaping the New World: African Slavery in the Americas, 1500-1888* (Toronto: the University of Toronto Press, 2013), 90-1. The “other slaves” referenced here were doubtless Indians.

⁵⁶ Werner Sollers, ed., *Interracialism: Black-White Inter marriage in American History, Literature, and Law* (New York: Oxford University Press, 2000), 47.

law’s mention of “abominable mixture and spurious issue.”⁵⁷ And just two months before the passage of the Bay Colony’s act, Virginia ratified a legal code that punished ministers who married whites and blacks with a hefty fine, parts of which appeared nearly verbatim in the Massachusetts legislation that followed it.⁵⁸

Why did Massachusetts legislators enact a law to stop interracial procreation at this juncture—over four decades after similar legislation was adopted in the Chesapeake? The answer lies in the colony’s demography: Massachusetts was in the midst of its first major influx of Africans when its colonial legislature passed the act to prevent “mixt issue” in 1705. Samuel Sewall had composed his anti-slavery tract, *The Selling of Joseph* in 1700, partly because of “the Numerousness of Slaves at this day in the Province.” This was not just rhetorical flair; other Bostonians noted the rapid influx of Africans at the time and attempted to stem it. In 1701, Boston’s selectmen asked the “Representatives” of the colony to “promote the bringing of white serv[an]ts and to put a Period to negros being Slaves.”⁵⁹ Five years later, a prominent piece in the *Boston News-Letter* argued that “the Importing of Negroes into this or the Neighboring

⁵⁷ Sollers, 47.

⁵⁸ The Virginia act, passed in October 1705, stipulated that “no minister of the church of England, or other minister, or person whatsoever, within this colony and dominion, shall hereafter wittingly presume to marry a white man with a negro or mulatto woman; or to marry a white woman with a negro or mulatto man, upon pain of forfeiting and paying, for every such marriage the sum of ten thousand pounds of tobacco; one half to our sovereign lady the Queen, her heirs and successors, for and towards the support of the government, and... the other half to the informer....” The Massachusetts act, passed in December 1705, stipulated that no person shall “presume to joyn... [English subjects with negroes or mulattoes] in marriage, on pain of forfeiting the sum of fifty pounds, one moiety thereof to her majesty for and towards the support of the government within this province, and the other moiety to [the informer].” See William Waller Hening, ed., *The Statutes at Large; Being a Collection of All the Laws of Virginia from the First Session of the Legislature, in the Year 1619*, vol. 3 (Philadelphia: R. & W. & G. Bartow, 1823), 454 and *An Act for the Better Preventing of a Spurious and Mixt Issue*, in *Massachusetts Acts and Resolves*, vol. 1, ch. 10 (5 December 1705), 578.

⁵⁹ William H. Whitmore and William S. Appleton, *A Report of the Record Commissioners of the City of Boston, Containing the Records of the Boston Selectmen, 1701 to 1715*, vol. 11 (Boston: Rockwell and Churchill, 1884), 5

Provinces is not so beneficial either to the Crown or Country, as white Servants would be.”⁶⁰ In 1708, Governor Joseph Dudley reported to the English Board of Trade that 200 Africans had arrived in Massachusetts between 1698 and 1707.⁶¹ This was an extraordinarily large number considering that the entire population of slaves in Boston totaled just 400 that year.⁶² In fact, only 550 slaves lived in the entire colony. According to Dudley’s 1708 estimation, then, over a third of the colony’s total slave population had arrived in the last ten years. And if most of the new arrivals had stayed in Boston, which is likely, as it was the Massachusetts town with by far the greatest demand for slave labor, close to half of Boston’s African population might have disembarked over the course of the prior decade.

As Africans spread throughout the greater Boston region, opportunities for interracial sex—and interracial procreation—increased. Not only did black slaves and white servants rendezvous under cover of darkness, but Lydia and Thomas—and perhaps others like them—produced racially ambiguous offspring in an entirely legal, even respectable, way: they were married, they were free, and they were economically self-sufficient members of their community. After Lydia had wed Thomas in October of 1703 and given birth to Elizabeth in November of 1703, she had borne the couple’s second child, Benjamin, in January of 1705. The Bedunahs’ neighbors would have come to know the “molatto” boy, as they had his older sister. Those who attended the Roxbury meeting house would have watched the English woman care for her mixed-race children during Sabbath meetings. And, as the weather thawed and little Benjamin grew sturdier, whites and blacks throughout the region no doubt encountered the

⁶⁰ *Boston News-Letter*: June 10, 1706.

⁶¹ Charles Deane, *The Connection of Massachusetts with Slavery and the Slave-Trade: A Paper Read Before the American Antiquarian Society at Worcester, October 21, 1886* (Worcester, Mass.: Charles Hamilton, 1886), 19.

⁶² George H. Moore, *Notes on the History of Slavery in Massachusetts* (New York: D. Appleton & Co., 1866), 50.

growing family on the street, at markets, and among the crowds that thronged the common during open-air sermons or public executions. In all these places and more, the presence of the African patriarch, his English wife, and their “mixt” children had the potential to normalize cross-racial unions in a way that was terribly unsettling to those who believed that Africans like Thomas Bedunah should form a separate and racially-distinguishable servant class.

The Massachusetts legislators’ approach to preventing “Mixt Issue” was two-pronged. Not only did they criminalize interracial sex, but they enacted measures to reduce the black population in the colony. This, they hoped, could be achieved through a new system of imposts. Imported African slaves had never been taxed in the past, but now, every person bringing an African into the colony, “male or female, of what age soever,” was required to pay a duty of “four pounds per head.” The objective was not to stymie commerce. Merchants and shipmasters could freely import black slaves, avoiding the £4 fee, provided they exported them again within twelve months. Importers were also spared the tax if their human property died within six weeks of entering the colony. According to the new legislation, then, as long as the Africans died or passed out of the province, merchants could conduct their business without intervention from the colonial government. The problem was with the Africans who stayed. They were the people who had the potential to produce interracial offspring who blurred boundaries in perplexing ways. Not exactly “negro” in appearance, these “issue” were not English either, and they were free nearly as often as they were enslaved. What is more, they seemed to increase with every passing year. By the end of the seventeenth century, there were enough people who did not fit any of the conventional racial categories that they had become a legal problem in Massachusetts. Starting in

1693, the Bay Colony began to classify “mullatoes” separately in legislation governing slaves.⁶³

In 1705, amidst enormous importation of Africans, there was no sign that this mixing would stop or even slow; instead, the evidence indicated that it would escalate rapidly.

Indeed, even with the punitive legislation, the Massachusetts General Court was unable to put a stop to sexual relationships between whites and blacks. Before long, a number of Africans had been shipped out of the colony as punishment for defying the law—probably to Barbados or other Caribbean colonies, where they perished from the brutality of life on sugar plantations. An enslaved woman called “Negro Bess,” who belonged to a Boston shopkeeper named Jonathan Waldo, was one of those who faced these penalties—penalties that Sewall mourned as “extraordinary” in his journal.⁶⁴ In 1710, she stood before the Suffolk County General Sessions of the Peace, accused of fornication. She had birthed a child out of wedlock six months before, and she now claimed that Andrew Walker, a Boston laborer described in court records as a “Whiteman,” was the father. Walker successfully defended himself, producing witnesses who testified that “Bess did not Accuse him to be the father of the s[ai]d Child in the time of her Extremity,” which was necessary in order to establish paternity. Bess had no defense, and was summarily “Ordered... [to] be Sold out of this Province.”⁶⁵ Three years later, Coffee, an enslaved man belonging to Peter Boylston of Brookline, was also deported, but not before being “Whipped Thirty Stripes at the publick Whipping post.” He had committed fornication with one Katharine Horton, a “Singlewoman,” who could not deny the charge because she had a bastard

⁶³ Massachusetts first distinguished between “mulattoes” and those of other races in 1693. Other New England colonies followed suit: Connecticut adopted similar legislation in 1704; and both Rhode Island and New Hampshire incorporated language to deal with mixed-race individuals starting in 1714. See Lorenzo Johnston Greene, *Negro in Colonial New England* (New York: Atheneum, 1969), 207.

⁶⁴ *Diary of Samuel Sewall*, vol. 6, p. 143.

⁶⁵ “Negro Bess Sentenced,” Suffolk County General Sessions of the Peace, vol. 1702-1712, p. 206, Massachusetts Archives, Boston.

child to prove it. Horton received twenty stripes and was given the responsibility of maintaining her child.⁶⁶ Another enslaved African was shipped away in 1716. This woman, also called Bess, had given birth to twins six months earlier. John Barnard, the Boston merchant she accused of fathering them, managed to fend off the charge, but not before the case went to the colony's high court.⁶⁷

As these cases show, the courts were clearly aware of the 1705 act and legislated accordingly. However, they also seem to have moderated the harshness of the law by hesitating to find Africans guilty of the crimes for which they stood trial. In 1721, Sewall and the other justices of the colony's Superior Court decided that John Humphers, a "Free Negro man," was innocent of "wickedly Committ[ing] Fornication with an English Woman against the... Law." The case had landed in the high court because the said "English woman," Jemima Colefix of Boston, was married. Colfix's "Molatto" baby was proof therefore not just of illicit interracial sex but also of adultery, which was a capital crime. After a "full hearing of the Case," however, the jury summarily discharged Humphers.⁶⁸ In another case adjudicating interracial adultery, the Superior Court declined to prosecute the individuals involved, declaring the evidence insufficient to support a verdict. A white woman named Mary Cuthbert, wife of a tailor from Little Compton, faced the charge of adultery. She had given birth to a mixed-race bastard child fathered by an

⁶⁶ "Horton's Sentence," Suffolk County General Sessions of the Peace, vol. 1712-1719, p. 43, Massachusetts Archives, Boston.

⁶⁷ For Bess's sentence, see "Negro Bess Sentenced," Suffolk County General Sessions of the Peace, vol. 1712-1719, p. 133, Massachusetts Archives, Boston. For John's acquittal, see "Barnard Presented," Massachusetts Superior Court of Judicature, vol. 1714-1721, p. 157, Massachusetts Archives, Boston.

⁶⁸ "Negro Humphers," Massachusetts Superior Court of Judicature, vol. 1715-21, p. 356, Massachusetts Archives, Boston.

African man named Jeffery: a slave who belonged to her mother. When the jury returned “ignoramus,” the parties in the convoluted family crisis were discharged.⁶⁹

The court cited lack of evidence on still other occasions, allowing interracial sexual offenders to go free. In 1713, for example, a white servant woman named Ann Staples was “found in Bed” with an African slave named Alexander. But the jury declined to convict both defendants because there was “not sufficient evidence” of fornication.⁷⁰ In yet another instance, a “Single Woman Servant” named Ann Hardgrove accused a black slave named Chester of fathering her mulatto child. The year was 1707, and Chester, perhaps afraid of the consequences of the 1705 legislation, had “absconded” when Hardgrove went to court. The jury ordered Hardgrove to be “severely Whipped Twenty Stripes at the publick Whipping post” and to serve her master, a Boston cordwainer named Savil Simpson, for an additional two years beyond her original term.⁷¹ By 1708, Chester had either been found or returned on his own accord, for he was hauled into court to answer Hardgrove’s accusation. But the jury apparently could not find evidence suitable to convict the man of fornication: it declared him not guilty.⁷²

When the Massachusetts General Court chose to criminalize interracial sex, it was working from models that were becoming familiar in the Anglo-Atlantic world. Yet its legislation introduced an important innovation, one that was entirely unprecedented in the

⁶⁹ “Cuthbert her discharge,” Massachusetts Superior Court of Judicature, vol. 1715-21, p. 36, Massachusetts Archives, Boston.

⁷⁰ “Ann Staples and Alexander Negro of Simon Ramce,” Suffolk County General Sessions of the Peace, vol. 1712-1719, p. 14, Massachusetts Archives, Boston.

⁷¹ “Hardgrove’s Sentence,” Suffolk County General Sessions of the Peace, vol. 1702-1712, p. 152-3, Massachusetts Archives, Boston. Simpson paid for the child’s maintenance in return for two additional years of Hardgrove’s labor.

⁷² “Chester Negros Presentment,” Suffolk County General Sessions of the Peace, vol. 1702-1712, p. 169, Massachusetts Archives, Boston.

English-speaking Atlantic. The act did not simply underwrite white hegemony in Massachusetts by keeping (or attempting to keep) racial bloodlines pure, as did the legislative models it imitated from other Anglo-American colonies. The statute did something quite extraordinary for the blacks in the colony: it established in law that slaves had a right to marriage. “No master,” the act read, “shall unreasonably deny marriage to his negro with one of the same nation[,] any law usage or custom to the contrary notwithstanding.” According to his diary, Sewall himself was behind this provision. The jurist recorded that he “got... some mitigation” for the “Negroes” in the act, namely, “the clause about their Masters not denying their Marriage.” And so, the same bill that criminalized interracial sex and marriage in Massachusetts provided slaves with a crucial right: they could marry, and they could do so, the language of the law indicates, even if their masters preferred they did not.⁷³

To Sewall, this legislation made perfect sense. How could people who considered themselves Christians justly deny marriage to their slaves, thereby condemning those slaves to sexual sin? After all, as Sewall had explained five years before, slaves were “Men and Women,” and “they [were] the Offspring of GOD” as much as whites were.⁷⁴ What is more, denying marriage to slaves not only damaged slaves spiritually, but it also led their masters into wrongdoing. “It is too well known,” Sewall had written, “what Temptations Masters are under, to connive at the Fornication of their Slaves; lest they be obliged to find them Wives, or pay their Fines [for fornication].”⁷⁵ Prohibiting slaves from marrying, then, resulted in the sexual sin of slaves, which all too easily led masters to conceal their slaves’ offenses. All of this polluted

⁷³ This set the Massachusetts act apart from its southern antecedents, which did *not* provide slaves with the right to marry each other.

⁷⁴ Sewall, *The Selling of Joseph*, 1.

⁷⁵ Sewall, *The Selling of Joseph*, 2.

slave-holding Puritan households—indeed, imperiled them. Puritans and many of their eighteenth-century descendants believed that they were responsible for rooting out the evil in their households, and, if they failed to do so, God’s punishment might come upon their entire family.⁷⁶ By allowing slaves to choose their partners and by safeguarding slave marriage through legislation, Sewall and the rest of the Massachusetts General Court could stop this dangerous progression of sin.

Few sources shed light on the extent to which this legal sanction of slave marriage influenced the lives of blacks in the Bay Colony. Shards of evidence, however, suggest that the ruling provided at least *some* recourse to slaves savvy enough to appeal to it. For instance, in 1709, the colony’s lower criminal court considered the petition of Jack, a slave belonging to a Boston butcher named Samuel Bill. Jack wished to marry Esther, the slave of Robert Gutteridge, a Boston “Coffeeman.” According to Jack, his “Master and Mistress [we]re Consenting,” but “the said Mr. Gutteridge refuse[d] to give his Consent.”⁷⁷ Citing the 1705 legislation, Jack insisted that the court intervene. “[B]y one Clause in [an] Act of the General Court of this Province Entitled An Act for the better preventing of a spurious and mixt Issue,” the petition read, “It is provided That no Master shall unreasonably deny Marriage to his Negro with one of

⁷⁶ See, for instance, Thomas Shepard’s seventeenth-century writings, where he put forth the idea that God would “impute” the sins of “children, servants, [and] strangers who are within our gates” to the father/master/host “who had the power... to restrain them and did not.” As he put it, “Our families and consciences [can] be stained with their guilt and blood.” Quoted in Edmund S. Morgan’s *The Puritan Family: Religion and Domestic Relations in Seventeenth-Century New England* (New York: Harper & Row, 1966), 7. This way of thinking is ubiquitous in the writings of the Bay Colony’s early religious authorities. For instance, in 1711, Cotton Mather noted his need to bring his slave, Onesimus, “into Repentance, for some Actions of a thievish Aspect. Herein I must endeavour that there be no Theft of his unrepented of, and left without Restitution.” He went on: “But then, upon every observable miscarriage of any Person in my Family, I must make my Flight unto the Blood of my Saviour, as a Family-Sacrifice; that so the Wrath of God may be turned away from my Family.” See Mather, *Diary of Cotton Mather*, vol. 2 (Higginson Book Company, 1995), 139.

⁷⁷ Jack’s petition does not survive at the Massachusetts Archives, but a copy of it somehow made its way to the New York Historical Society. (On the back is another petition: this one from a woman asking in 1780 to be divorced from her husband.) See “Petition Woman to be divorced & negro &c,” folder 1, box 6, Series VII: Legal Documents, 1709–1858, and undated, Slavery Collection, New-York Historical Society (New York).

the same Nation.” Stating that Jack “deserve[d] the Benefit” of this act, the petition asked the court to interrogate his master. If Gutteridge had “no reasonable objection against” the match, Jack requested that he “& sd Esther may be Married together.” The justices ruled in Jack’s favor, ordering, with an unmistakable reference to the 1705 legislation, “that the said Jack Negro be not denied marriage provided he attend the Directions of the Law; for the Regulation of marriages.”⁷⁸ Gutteridge had no choice but to capitulate, and Jack and Esther were married by the Reverend Benjamin Wadsworth, minister of Jane and Sebastian’s First Church, in November of 1710.⁷⁹

Other clues suggest that slaves appealed to the 1705 legislation when it was in their favor to do so. The diary of Henry Flynt, a longtime tutor at Harvard, contains several passages about an enslaved man named Toby, whom Flynt inherited from his mother in the 1730s. The perpetually cash-poor Flynt hoped to sell Tony after his mother’s death, and he very nearly had an agreement with one Thomas Crosbey, who was planning to purchase the man for £90. But Crosbey backed out at the last minute, insisting that he “would not be Obligated to Marry [Tony] to his Brothers Negro woeman.” Crosbey would only buy Tony if “he could dispose of [his brother’s slave] at some distance” beforehand. The deal fell through. But who would have “obliged” Crosbey to marry Tony to his brother’s slave? Certainly not Flynt, who just wanted to complete the sale, or Crosbey’s brother, whose own slave seemed to be at Crosbey’s disposal, or Crosbey himself. Crosbey was clearly worried about contact between the two slaves; they needed to be separated by “some distance” before he would buy Tony. Could it be that Tony himself—or the “Negro woeman”—had the power to “oblige” Crosbey to consent to their union? Could it

⁷⁸ “Negro Jack’s Petition,” Suffolk County General Sessions of the Peace, vol. 1702-1712, p. 203, Massachusetts Archives, Boston.

⁷⁹ McGlenen, *Boston Marriages from 1700 to 1809*, vol. 1, p. 29.

be that the Bay Colony's 1705 protection of slave marriage still had legal clout more than three decades after Sewall insisted on providing "mitigation" for blacks on that December day?⁸⁰

The world in which the Bedunahs pieced together their lives was a complicated one. Thomas and Lydia's marriage clearly ran against the tide of popular opinion—at least that of the elite lawmakers who governed the colony. It is impossible to discern with certainty whether or not the Massachusetts legislators who passed the 1705 act were motivated by the presence of the Bedunah family in their community, but they obviously wished to stop such families from proliferating in the region. The act, after all, explicitly outlawed marriage between blacks and whites. And other evidence suggests that the Bedunahs were viewed with at least some suspicion by Bay colonists in the early years of the eighteenth century. This is apparent in court records from the fall of 1707, when witnesses reported that a woman named Margaret Lattimore ought to be brought before the bar with the charge of fornication. The offender, they reported, had birthed a bastard child at the home of a Frenchman named Lacorne, who lived in Cambridge. Now, apparently, Lattimore was in Roxbury: "tis said" the witnesses reported, that she "is at Nurse at the house of Tom a Negro that Married an English woman."⁸¹

This brief and indirect reference to the Bedunahs provides several clues to the nature of the family's relationship with its broader community. It shows that Thomas and Lydia were associated with behavior many Bay Colonists considered questionable—harboring a sexual offender in their home—and it indicates that accounts of their apparent complicity in Lattimore's

⁸⁰ Flynt, Henry. *Diary. 1723-1747*. Entry for Nov. 24. 1737. HUG 1399.18. Courtesy of Harvard University Archives, Cambridge, Massachusetts.

⁸¹ Document labeled "1707-OCT-001," folder 1-4, Box 1 of 3 (1707-49), Suffolk County General Sessions of the Peace Additional Papers, Massachusetts Archives, Boston.

transgression circulated widely: the witnesses who brought the report to court, after all, were Bostonians rather than the Bedunahs' Roxbury neighbors. The statement also reveals that people in the region considered the Bedunahs' interracial marriage extraordinarily unusual. In their testimony in court, the witnesses relied upon that union to identify the couple: Lattimore was nursed at the home of "Tom a Negro that Married an English woman." Tom, or Thomas, was a common name, so nobody would have known which household was taking care of Lattimore without the witnesses' references to Thomas and Lydia's racial identities and marital status. Of course, the witnesses who reported to court—and the purveyors of local gossip who supplied them with information—could have chosen to identify the couple by using their surname; there were no other Bedunahs in the region, so that would have effectively singled out the family responsible for housing Lattimore. But they chose not to. And that choice is significant. By reducing Thomas Bedunah to "Tom" and by failing to name Lydia Crafts altogether, the rumors that circulated Boston, Roxbury, and other nearby towns reveal a certain lack of respect for the couple. Even the Frenchman who harbored Lattimore at the time of her childbirth was identified in reports by his last name, but Thomas and Lydia were identified by *what* they were—"a Negro that Married an Englishwoman"—rather than *who* they were.

But Thomas and Lydia's racial differences would not always loom so large. Though the local rumor mill may have been acutely aware of their interracial marriage in the first decade of the eighteenth century, as time went on, Thomas's status as a "negro" did not define his relationships with his neighbors or circumscribe his children's life chances. Records kept by Roxbury's town clerk show that the family grew rapidly during the two decades following Thomas and Lydia's marriage. After Elizabeth was born in 1703 and Benjamin in 1705, Joseph arrived in 1708. Then, in 1711, Abigail. And Lydia in 1715, Ebenezer in 1719, and Moses in

1722.⁸² The sources that provide evidence of the family's growth give no inkling that there was anything unusual about the family. They do not indicate that it failed to conform to the racial norms of the Euro-American families around it, that it was headed by an African man. They record nothing whatsoever about the Bedunah family's race or color.

Perhaps Thomas's neighbors simply began to accept the family as one of themselves. Thomas worked hard, after all, to support his wife and seven children. He farmed five acres of land, plowing half to plant crops to feed his family—corn, wheat, and an array of vegetables, no doubt—and reserving the rest for pasture to feed his swine and small herd of cattle. On the two acres adjacent to his home and barn he cultivated an orchard, and when the apples swelled red and ripe each fall, he sold cider to Bay colonists near and far.⁸³ The man did well for himself. He owned a cart with which to transport barrels of cider or surplus produce to market; he possessed a collection of pans, kettles, skillets, and other cookware, which Lydia used to prepare meals for the family; and he acquired a variety of furniture, allowing the Bedunah children to sleep each night in real wooden beds rather than the crude pads that their poorer neighbors rolled out on their floors in the evenings.⁸⁴ And Thomas owned more than land, farming instruments, and

⁸² For Elizabeth and Benjamin “Bodoona,” see *Vital records of Roxbury, Massachusetts*, vol. 1, p 31. For Joseph, Abigail, Lydia, and Moses “Bedoona,” see *Vital records of Roxbury, Massachusetts*, vol. 1, p 24. And for Ebenezer “Bedoonah,” see *Vital records of Roxbury, Massachusetts*, vol. 1, p 24.

⁸³ For Thomas Bedunah's landholdings and livestock, see his 1733 inventory, Probate #6428, Suffolk County Probate First Series, reel 42, vol. 30, p. 230-1, Massachusetts Archives, Boston. Of course, most of the evidence of these transactions—neighbors exchanging cider for shillings or saddles or new pairs of breeches—has been lost. But a scrap of paper preserved in the records of the Suffolk County Court of Common Pleas shows that Thomas provided a Boston innkeeper named Elisha Odlin with one to four barrels of cider each week throughout much of the fall of 1719. For Thomas Bedunah's cider-making endeavors, see Suffolk Files Case # 13297, Massachusetts Archives, Boston.

⁸⁴ His inventory records three beds: one in the room identified as the “South Lower Room,” and two in the room called the “South Chamber.” Of course, it is possible that Lydia was responsible for acquiring some of these items; they could have come with her to the marriage, or she could have purchased them with money she earned on her own, or she could have bartered for them. But, since they are included on Thomas's inventory, the family and the court considered them part of Thomas's estate. Lydia's possessions were never inventoried; nor did the woman leave a will (or, if she did, it was not probated).

household goods. He also owned *books*. His books could have come with Lydia to the marriage, but that is not likely, as Lydia apparently was unable to read.⁸⁵ Was Thomas literate? The fragmented historical record makes it impossible to answer that question. If the man wrote a will, it was lost prior to his death. If he recorded financial transactions in an account book, or penned letters to family members, or petitioned the Roxbury church for prayer, these slivers of the past have long since vanished. But he kept in his home, and perhaps encouraged his children to read, what the appraisers of his estate recorded with maddeningly little detail: “Books.”⁸⁶

Thomas’s 1733 inventory shows that he never became wealthy, but it also shows that he acquired the trappings of a middling New England farmer. According to his “near neighbours,” who were “well acquainted w[i]th” his “Real Estate,” Thomas was a “husbandman.”⁸⁷ That is, he owned the land he cultivated, and he produced, through the fruit of his labor, enough to support his family. As a husbandman, he stood beneath yeomen on the social ladder of the Bay Colony, but he garnered more respect, and he had significantly greater access to material resources, than the common laborers who thronged the streets of Boston and its neighboring towns. Thomas’s status as a husbandman was sure; records filed in Suffolk County’s probate court refer to him that way not once in passing, but nine times in nine different documents.⁸⁸ Yet these documents,

⁸⁵ Lydia was not able to write; she signed an agreement with her eldest son, Benjamin, with a mark in 1734. (Benjamin signed his name with his own hand.) Had she been able to read, it seems likely she would have been able to at least form the letters of her name, but, as reading and writing were different skills in early America, it is possible that she could have been capable of reading. For Lydia’s mark, see “Articles of Agreement,” Suffolk County Probate First Series, vol. 30, p. 263, Massachusetts Archives, Boston.

⁸⁶ His books were valued at 20 shillings and inscribed alongside “a Meal Trough 1 s[hilling] 6 [pence]” and “Swine 65 s[hillings].” See Thomas Beduna’s Inventory, Probate #6428, Suffolk County Probate First Series, reel 42, vol. 30, p. 231, Massachusetts Archives, Boston.

⁸⁷ See “Beduna Real Estate,” Probate #6428, Suffolk County Probate First Series, reel 42, vol. 30, p. 260, Massachusetts Archives, Boston.

⁸⁸ Thomas was called a “husbandman” once in the inventory of his estate, see Suffolk County Probate, First Series, vol. 30, p. 231; four times in four different documents related to the division of his estate among his heirs, see

which so clearly spell out Thomas's occupation and rank in the community, say nothing about the man's racial status.

The men who oversaw the division of Thomas's estate among his children apparently did not consider the African man a "negro." Whites at this time regularly referenced blacks—even free blacks—using racialized language. They did this in all types of documents: court, church, town, print, and private records. People of African descent were "negro laborers," "negro servants," "negro slaves." They were "negro men," "negro fellows," "negro boys." Or "negro women," "negro wenches," "negro girls." The label haunted them from first breath: "negro infants." And it followed them to the end of life: "old negroes." Racialized language clung to Africans like a shadow in the region's historical record during Thomas's life, but it did not cling to Thomas. The man, of course, was every bit as black the day he died as he had been in 1704, when he was hauled into court as "Negroman" on charges of fornication, or in 1707, when he—the "Negro that Married an English Woman"—was rumored to be harboring an unmarried nursing mother. Somehow, though, according to the report of the Euro-American farmers who lived near him, Thomas had ceased to be a "negro" by the time he passed away in 1734. He was, instead, a *husbandman*, a neighbor, a hard-working man married to an English woman, just like they were. Roxbury's farmers were not the only people to overlook the man's dark skin; others in Thomas's community did as well. A slew of documents mention Thomas during the last 25 years of his life; the man surfaces in town records, criminal court records (he sued a neighbor for nonpayment of debt), and in probate records. But not one of these sources describes Thomas as a

Suffolk County Probate First Series, vol. 30, p. 260-1; once in the guardianship agreement of his 14-year-old son, Ebenezer, who appointed John Ruggles, a Roxbury yeoman, to be his guardian, see Suffolk County Probate First series, vol. 30, p. 245; once in the guardianship agreement of his 11-year-old son, Moses, who appointed James Shed, also a Roxbury yeoman, as his guardian, see Suffolk County Probate, First Series, vol. 30, p. 254; once in the bond John Ruggles posted to perform the duties of a guardian to Ebenezer, see Suffolk County Probate, New Series, vol. 18, p. 507; and once in the bond James Shed entered into perform trustworthily the duties of a guardian to Moses, see Suffolk County Probate New Series, vol. 18, p. 227.

“negro.” He was, simply, “Thomas Bedona of Roxbury in the County of Suffolk Husbandman.”⁸⁹ The man’s status as a propertied member of Roxbury’s community seems to have trumped his status as an African. Racial categories appear to have been more flexible in the Bay Colony than they were just about anywhere else in the eighteenth-century English Atlantic world.⁹⁰

If Thomas’s neighbors came to care little about the color of the man’s skin, they came to care little about that of his children, too. The Bedunah children were not racialized in any of the documents related to the settling of the black patriarch’s estate. Benjamin, the oldest, was referred to as a “Labourer... of Roxbury,” while Ebenezer and Moses, the youngest, were described as “minor... son[s] of Thomas Beduna, late of Roxbury in the County of Suffolk[,]
Husbandman.”⁹¹ The others were simply named, with no descriptors attached: Joseph Beduna, Elizabeth Bilboa, Abigail Robinson, Lydia Beduna. Nobody called the Bedunah children

⁸⁹ This is the way he was described in his suit for nonpayment of debt. It is a variation of the way he was described in all of the sources that refer to him. See “Bedona v. Odlin,” Suffolk County Court of Common Pleas, vol. 1718-1719, p. 356. Thomas sued Elisha Odlin, a Boston innholder, for not paying him five pounds and ten shillings. Elisha countered that the note he had given to Thomas “[wa]s not Yet due.” Thomas lost, and had to pay costs of suit.

⁹⁰ Examining the Chesapeake, T. H. Breen and Stephen Innes have shown that opportunities for people of African descent to obtain freedom and compete with their white neighbors economically had all but closed by the dawn of the eighteenth century; the seventeenth-century model of social relations based in large part on property had given way to a rigid racial hierarchy. See *“Myne Owne Ground”: Race and Freedom on Virginia’s Eastern Shore, 1640-1676* (New York: Oxford, 1980). Kathleen Brown and Rebecca Goetz have sketched out similar timelines regarding the erosion of status for blacks in Virginia, Brown paying close attention to how gender shaped the process, and Goetz emphasizing the role of religion. See Kathleen M. Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: UNC Press, 1996) and Rebecca Goetz, *The Baptism of Early Virginia: How Christianity Created Race* (Baltimore: JHU Press, 2012). For the classic study on race and freedom in Barbados, see Jerome S. Handler, *The Unappropriated People: Freedmen in the Slave Society of Barbados* (Baltimore: JHU Press, 1974).

⁹¹ For the reference to Benjamin, see “Articles of Agreement,” Suffolk County Probate First Series, vol. 30, p. 262, Massachusetts Archives, Boston. An error in the beginning of the document listed Lydia’s son, Benjamin, as “her Son Thomas Beduna Labourer... of Roxbury,” but the rest of the document named Benjamin appropriately. The wording in Ebenezer and Moses’s guardianships is identical. For Ebenezer’s, see Suffolk County Probate First series, vol. 30, p. 245, and for Moses’s, see Suffolk County Probate, First Series, vol. 30, p. 254.

“molattoes,” a common term for mixed-raced Bay colonists at the time, nor were they “negroes,” nor “blacks.” Thomas’s heirs are altogether indistinguishable from their white neighbors in the historical record.

Perhaps their father would have been pleased that his community made so little of his children’s African descent. He had done what he could to make them more English, after all, first by marrying a Euro-American woman, and then by making sure to give them—every one—Anglo names.⁹² The patriarch may have passed on to his children his African-derived surname, but there were no Bedunahs named Juba, Quaco, or Cuffy. Instead, Thomas chose Elizabeth, Benjamin, Joseph, Abigail, Lydia, Ebenezer, Moses. And these were not just any English names. They were names that repeated themselves over and over in the Crafts family. Thomas named his children for his wife’s kin.

Besides baby Lydia, whom Thomas named for his wife, all of the names Thomas chose for his children were the names of Lydia’s close kin. Thomas used almost exclusively the pool of names that Lydia’s uncle, Samuel Crafts, had used for his own children. *Elizabeth. Benjamin. Joseph. Abigail. Ebenezer.*⁹³ All were Lydia’s cousins, children of her uncle Samuel. These names were repeated elsewhere in the family, as well. Elizabeth, for example, was the name of Lydia’s aunt and two of Lydia’s cousins by marriage as well as the name of two of Lydia’s

⁹² For African fathers’ role in naming their children in early New England, see chapter 2, note 75.

⁹³ The expansion of the various branches of the Crafts family in the seventeenth century can be traced in Roxbury’s church records as well as the vital records that were compiled for the town in the early twentieth century. For example, the baptisms of Elizabeth, Benjamin, Joseph, Abigail, and Ebenezer, all children of Samuel Crafts, can be found on pages 126, 138, 128, 132, and 135 of William H. Whitmore and William S. Appleton, *A Report of the Record Commissioners, Containing the Roxbury Land and Church Records* (Boston, Rockwell and Churchill, 1884). Many members of the Craft family are also found in the *Vital Records of Roxbury Massachusetts to the End of the Year 1849*, vol. 1 (Salem, Mass.: the Essex Institute, 1925). The single most valuable secondary source on the Craft family is James M. Crafts and William P. Crafts, *The Crafts Family: A Genealogical and Biographical History of the Descendants of Griffin and Alice Craft, of Roxbury, Mass. 1630-1890* (Northampton, Mass.: Gazette Printing Company, 1893). Particularly useful are the sections dealing with the first, second, and third Craft generations, found on pages 18-64.

nieces.⁹⁴ It was also the name that Lydia's cousin, Ebenezer, chose for *his* daughter, whose birth came the very year before that of Thomas and Lydia's Elizabeth.⁹⁵ Joseph was the name of Lydia's half brother, the name of her uncle by marriage, and the name of yet another cousin.⁹⁶ And Abigail was not only the name of Lydia's aunt and Lydia's sister, but it was the name of four of Lydia's cousins as well; with the exception of Lydia's childless aunt, all of the children of Lydia's grandfather birthed an Abigail.⁹⁷ As for Thomas and Lydia Bedunah's final child, Moses, born 19 years after his parents trekked through the snow to Samuel Sewall's home, he appears to have been named for Lydia's uncle and for his two sons, both of whom died young.⁹⁸ All together, in the three generations tracing their lineage to Lydia's paternal grandfather, close to 50 of Lydia's relatives had the names that Thomas chose for his offspring.⁹⁹ Thomas's

⁹⁴ Elizabeth (Seaver) Craft was married to Lydia's uncle, Samuel Craft, and two of the couple's children, Samuel Craft and Ebenezer Craft (Lydia's cousins), married women named Elizabeth: Elizabeth Sharp and Elizabeth Weld. Lydia's half-siblings, Thomas Crafts and Rebecca (Crafts) Turner, both had children named Elizabeth.

⁹⁵ Ebenezer and his wife, Elizabeth, birthed their Elizabeth on March 7, 1702, while Thomas and Lydia's Elizabeth was born on November 12, 1703. For the birth of Elizabeth Crafts, see *Vital Records of Roxbury*, vol. 1, p.78. For the birth of "Elizabeth Bodoona," see *Vital Records of Roxbury*, vol. 1, p. 31.

⁹⁶ Lydia's father, John Crafts, selected Joseph as the name of his final son by his first marriage (to Rebecca Wheelock). Lydia's aunt, Mary (Crafts) Griggs, her father's sister, married a man named Joseph Griggs. And Lydia's aunt, Hannah (Crafts) Wilson, had a son named Joseph.

⁹⁷ Lydia's aunt, Abigail (Crafts) Ruggles, was her father's sister. Lydia's sister, Abigail, was the first child born to Lydia's mother, Mary (Hudson) Crafts and her father, John Crafts, after the death of John's prior wife, Rebecca (Wheelock) Craft. Hannah (Crafts) Wilson, John Crafts, Abigail (Crafts) Ruggles, Samuel Craft, and Moses Craft all named daughters Abigail. The only child of Griffin Crafts who did not name a daughter Abigail was Mary (Craft) Griggs, who died childless soon after her marriage.

⁹⁸ Lydia's uncle, Moses Craft, named his two successive, and apparently sickly, sons Moses.

⁹⁹ These three generations are composed of, first, Lydia's father, aunts, and uncles (the children of Griffin Craft and their spouses); second, Lydia's siblings and cousins (the children of the first generation and their spouses); and, third, the children of Lydia's siblings and cousins (the children of the second generation). The seven Bedunah children belong to that third generation, but I did not include them in the count of the number of descendants of Griffin Crafts sharing their names. For the third generation, I only considered children born prior to the Bedunahs' children, as those born after would not have influenced Thomas's decision-making with regard to naming. Among these three generations, I tabulated ten descendants named Elizabeth, three named Benjamin, six named Joseph, seventeen named Abigail, four named Ebenezer, and four named Moses. These counts are doubtless low due to

children may have been the only Bedunahs in the colony, but their father made sure to signal that they nonetheless were embedded within a rich network of kin.

Thomas's embrace of the Crafts family, so clear in the naming of his children, appears to have been reciprocated by Lydia's relatives. The Bedunahs' racial status did not, apparently, erode the sense of mutual obligation that bound Lydia's extended family to her darker-skinned children; Lydia's relatives cared for their mixed-race family members in time of need much like they would have supported white family members in duress. This can be seen most plainly in the aftermath of Thomas's death. As the administratrix of her husband's estate, Lydia was charged with recruiting men to appraise her husband's possessions according to law. To accomplish this, she turned to her extended family. Three men drew up the inventory of Thomas's estate, all of whom were Lydia's relatives: James Shed (or Shield), Edward Ruggles, and Joseph Ruggles. James Shed was Lydia's kin through marriage; he had wed the widow of Lydia's cousin, Samuel Craft.¹⁰⁰ And Joseph and Edward Ruggles came from a family that had been intimately connected with the Craft family for generations. Griffin Craft, the progenitor of the Craft lineage in Massachusetts (he had arrived with Winthrop's Fleet in 1630) had married Dorcas Ruggles, the daughter of the earliest Ruggles to come to Roxbury.¹⁰¹ The union of Griffin Craft and Dorcas Ruggles was only the first of many ties between the families. For instance, Joseph

births that were never registered and records that have been lost. As for the name Lydia, Thomas's wife Lydia is the only Lydia I found among these three generations, with the exception, of course, of the couple's child by that name.

¹⁰⁰ This Samuel Craft was the son of Lydia's uncle, Samuel Craft. He died in 1709, and his widow, Elizabeth (Sharp) Craft, married James Shed in 1718.

¹⁰¹ Griffin Crafts had arrived in the Bay Colony with Winthrop's Fleet in the summer of 1630. A short biography of Griffin Crafts can be found in Robert E. Wall, *The Membership of the Massachusetts Bay General Court, 1630-1686* (New York: Garland Publishing, Inc., 1990), 223-4. Dorcas Ruggles's father was John Ruggles, who originally set foot in the town of Roxbury in 1635. For more on John Ruggles and the Ruggles family in the early Bay Colony, see James Savage, John Farmer, Orlando Perry, 586. Dorcas Ruggles was Griffin Craft's third wife, and the two did not bear children together.

Ruggles's grandmother was Lydia's aunt, Abigail (Craft) Ruggles.¹⁰² Edward Ruggles's grandmother was Lydia's aunt as well, and Edward's wife, Hannah (Craft) Ruggles, was the daughter of Lydia's cousin.¹⁰³

James Shed, Edward Ruggles, and Joseph Ruggles did more than assess Thomas's estate for the probate court. They determined that Thomas's property holdings were not large enough to be effectively divided among his seven heirs, and they worked out an arrangement that would allow Thomas's oldest son, Benjamin, to inherit the land and homestead intact, provided he pay each of his six siblings a sum equal to their share of the real estate.¹⁰⁴ Then Edward Ruggles and his brother, John, helped Lydia and Benjamin come to an agreement as to which part of Thomas's estate would remain accessible to Lydia while she was a widow, and which part of the estate would pass immediately to her oldest son. Lydia's male relatives did not abandon the Bedunahs once they had ensured that the value of Thomas's holdings would be fairly divided among his mixed-race children and that his widow would be adequately cared for until her death or remarriage. More work remained to be done: two of Thomas's children were underage, and

¹⁰² Lydia's aunt, Abigail Craft (the sister of her father, John Craft), married John Ruggles in 1651. Their second son, John Ruggles, was born in 1654 and fathered Edward Ruggles in 1691. Their fourth son, Samuel, was born in 1657 and fathered Joseph Ruggles in 1696, making Joseph Ruggles and Edward Ruggles cousins as well as grandsons of Abigail Craft. See *The Crafts Family*, 35 and *Vital Records of Roxbury*, vol. 1, p. 301. See also James Savage, *A Genealogical Dictionary of the First Settlers of New England, Showing Three Generations of Those Who Came Before May, 1692*, Volume III (Boston: Little, Brown and Company, 1861), 587-8.

¹⁰³ Edward Ruggles married Hannah Craft in 1716. Hannah Craft was the daughter of Lydia's cousin Samuel Craft, who was the son of Lydia's uncle, Samuel Craft, who was the son of Lydia's grandfather, Griffin Craft. Hannah died in 1732. The following year, Edward married Abigail Williams. Abigail Williams was a widow herself: her first husband, Joseph Williams, had died in 1720. Abigail's oldest son, also named Joseph Williams, became Edward Ruggles's stepson with his mother's remarriage, and in 1734 he posted bond on behalf of Edward's brother, John, when he became guardian to Ebenezer Bedunah. He also posted bond on behalf of James Shed, Edward's step-father-in-law, (the stepfather of Edward's wife, Hannah [Craft] Ruggles) when Shed became guardian to Moses Bedunah. For information on Edward Ruggles, Hannah Craft, Abigail Williams, and the two Joseph Williamses, see John William Linzee, *The History of Peter Parker and Sarah Ruggles of Roxbury, Mass. and their Ancestors and Descendants* (Boston: The Fort Hill Press, 1918), 216-218. For more on James Shed and Hannah Craft, see *The Crafts Family*, 49, 80.

¹⁰⁴ Such arrangements were fairly common among middling farmers with large families, as their farms, adequate to support one family, were not large enough to support, say, seven families.

they needed male guardians to protect, provide for, and educate them.¹⁰⁵ James Shed and John Ruggles agreed to take on this responsibility. Each had to post bond to ensure that they would be faithful in discharging their duties as guardian, and each needed to obtain two others to post bond of their behalf. For this task, they recruited other members of the Craft-Ruggles family. In all, five Roxbury men were involved in the settling of Thomas's estate and the adoption of his minor children.¹⁰⁶ All five were Lydia's relatives. The woman may have married outside her Euro-American kinship networks in Roxbury, but her family did not abandon her for choosing an African husband. Nor did it reject her mixed-race offspring. Indeed, Thomas's race appears to have been of little consequence to Lydia's family members by the time of his death. And as Lydia's children and their descendants intermarried with their white neighbors in the decades to come, Roxbury's farmers appear to have cared less and less that the family's patriarch had been born with dark skin on the Gold Coast of Africa.

Thomas and Lydia's son Joseph left more evidence in the historical record than any of his brothers or sisters. As the second son, he received no land from his father; according to the agreement Lydia's kin helped work out in the aftermath of Thomas's death, the real estate went to Benjamin, the oldest. Hence, Joseph was a laborer rather than a husbandman: he toiled for his neighbors when they had need, rather than working for himself on his own soil. His life was not an easy one. Fragments of evidence indicate that the man worked hard for uncertain reward. Neighbors, even well-meaning ones, could be unreliable employers. In 1739, Joseph sued

¹⁰⁵ Minor children in eighteenth-century New England routinely entered such relationships with local men when their fathers died. These men were surrogate fathers of a sort, and they played an important role in the education and training of the children they took into their households.

¹⁰⁶ These men were John, Edward, and Joseph Ruggles; James Shed; and Joseph Williams.

Hezekiah Turner, a Roxbury miller and member of the meeting house that Joseph had attended since he was a child. As Joseph explained to the court, Hezekiah had asked Joseph to work for him, promising to pay Joseph “as much as he should reasonably Deserve” for his labor. Joseph consequently “served” Hezekiah for over a year, but he received only paltry compensation in return: he deserved £50, he claimed, but the salary Hezekiah had paid him just barely exceeded £26. The case went to the colony’s superior court, where Joseph won the balance he insisted Hezekiah owed him, but this accomplished little for the laborer: Hezekiah apparently had neither goods nor real estate with which to pay Joseph. The Roxbury miller was jailed, and Joseph lost months of wages.

While Joseph worked at scratching out survival from his Roxbury neighbors, he also worked at building a family. In May of 1747, he married a woman named Mary Ducee in Boston’s King’s Chapel. Though they wed in an Anglican church in Boston, Joseph did not move to the port city or change his church affiliation; instead, he brought Mary home to Roxbury, where together they attended the local meeting house. Joseph had a long history at the Roxbury church, but he had never completed the requirements to actually join the congregation. He had remained outside the circle of saints who had made professions of faith, affirmed the church’s beliefs, and been baptized. Just after he passed his fortieth birthday, though, the man formalized his commitment to both the congregation and the Christian faith. “Joseph Bodoono,” the Reverend Nehemiah Walter wrote in the congregation’s annals on the 11th of November, 1748, was “baptized.”¹⁰⁷

¹⁰⁷ William H. Whitmore and William S. Appleton, *A Report of the Record Commissioners, Containing the Roxbury Land and Church Records* (Boston: Rockwell and Churchill, 1884), 146. Joseph was the third person in his immediate family to formalize his commitment to the Roxbury church. In 1708 Lydia “Buddoono,” then pregnant with Joseph, had “owned the covenant.” See page 143. And in 1745, Joseph’s younger brother, Ebenezer, had done the same. See page 146.

Why then? Why did Joseph wait so long and then choose to be baptized at this particular juncture? Perhaps Joseph's timing can be attributed to his spiritual convictions; he may have become convinced in the fall of 1748 that he needed to be baptized for the sake of his soul. But other considerations may have influenced Joseph's decision-making as well. Mary was at this point very pregnant with the couple's first child, and Joseph would have known that infants in the congregational churches of the Bay Colony could be baptized only if one of their parents had been. Did Joseph seek baptism so that his children, too, could be covenanted to the church? So that they could be true members of the community? Likely. It was a common strategy for families in the church.¹⁰⁸ In fact, Joseph's brother, Ebenezer, had done precisely the same thing three years before: he had "owned the covenant" in the Roxbury church less than three weeks before the birth of his first child, a son named Benjamin.¹⁰⁹

Joseph's wife, Mary, gave birth to their daughter, Lydia, just over two weeks after Joseph's baptism.¹¹⁰ Curiously, there is no indication in the church's records that baby Lydia was baptized. Perhaps the minister forgot to note the event. Or perhaps, for whatever reason, Lydia was not baptized after all. Regardless, less than two years later, Joseph and Mary's next child was baptized. The couple seems to have gone to great lengths to ensure that little Mary's baptism took place. According to the church's book of records: "Mary, [the] daughter of [Joseph] Beduna... [was] baptised by ye Rev[eren]d Mr. Walter at his own house, during his confinement

¹⁰⁸ Anne A. Brown and David D. Hall, "Family Strategies and Religious Practice: Baptism and the Lord's Supper in Early New England," in David D. Hall, ed., *Lived Religion in America: Toward a History of Practice* (Princeton: Princeton University Press, 1997).

¹⁰⁹ For Ebenezer Bedunah's baptism, see *Roxbury Land and Church Records*, 146. For Benjamin Bedunah's birth, see *Vital Records of Roxbury*, vol. 1, p. 24.

¹¹⁰ For Lydia's birth see *Vital Records of Roxbury*, vol. 1, p. 24.

before his death.”¹¹¹ Joseph and Mary took their infant to the home of their dying minister. They brought her to the man who had long ago received Joseph’s mother into the congregation; to the man who had watched Joseph grow up in the First Church pews; to the man who preached for decades to the African patriarch, his English wife, and his mixed-race offspring. And, as one of his final acts of ministry, Roxbury’s ailing pastor initiated Mary Bedunah into the community of saints.

Little Mary was born to a man who was half black and a woman described as “white.”¹¹² She was exactly one quarter African. How did her neighbors perceive her? Was she a “Negro”? “White”? “Molatto”? Despite her ancestry, no records indicate that anyone ever considered her a person of color. Apparently, her sister was never perceived as a person of color, either. The same is nearly true of their half-African father. Joseph was not racialized in his legal squabble with the miller Hezekiah Turner: he was referred to simply as “Joseph Bedunah of Roxbury in the County of Suffolk Labourer.”¹¹³ Nor did his marriage record indicate that he was not white, as marriage records at the time often did. And, when Nehemiah Walter baptized Joseph in Roxbury’s First Church, the minister apparently did not consider the man black. This is not because Walter was colorblind; the woman listed just three names above Joseph in the church’s baptismal records was described as a “negro,” so the church was certainly capable of documenting racial distinctions among its congregants. But Joseph’s African descent was either unnoticeable or

¹¹¹ *Roxbury Land and Church Records*, 146. The Reverend Oliver Peabody inscribed this notation. Though he did not include Joseph’s name in the baptismal record—he rendered Mary simply the “daughter of Beduna”—the birth records collected by the town of Roxbury make it possible to determine with certainty that this Mary is in fact Joseph’s daughter. According to these records, “Mary Beduna,” daughter of Joseph and Mary, was born in Roxbury on July 4, 1750. *Vital Records of Roxbury*, vol. 1, p. 24.

¹¹² Mary (Ducee) Bedunah is called a “white woman” in a petition of Francis Brinley and Increase Sumner to the colony’s governor and House of Representatives. See Massachusetts Archives Collection, Volume 73, p 414.

¹¹³ “Joseph Bedunah v. Hezekiah Turner,” Suffolk County Court of Common Pleas, reel 12, p. 264, Massachusetts Archives, Boston.

irrelevant. The records documenting the births and baptisms of Joseph's offspring failed to racialize the man as well. Just as Roxbury's farmers apparently disregarded the dark skin of Joseph's father, Thomas, they seemed likewise to overlook Joseph's African descent.

Joseph, after all, lived quite like a white man. He married a white woman. He was baptized in the church. His children, apparently, were considered white as well; at least, no surviving records indicate that they regarded as were anything else. And, though he stood a step down from where his father had stood on the economic hierarchy of the town, Joseph apparently possessed civil rights that eluded most blacks in New England. Neighbors and co-religionists in the Roxbury church called the man a "Constant Voter."¹¹⁴ The description is surprising. "Negro" men—even free ones—did not have political rights in eighteenth-century Massachusetts: "voters" were white men with property. But Joseph evidently frequented the polls with his white neighbors, using his ballot to elect the leadership of both Roxbury and the Bay colony more broadly. In a small but powerful way, Joseph played a part in molding the legislation that governed his life and shaped his family's prospects.

Being white brought untold advantages in eighteenth-century Roxbury. However, it came with one responsibility that Joseph was not eager to accept: military service. From the early decades of the Bay Colony's history, blacks and whites in Massachusetts appear to have played divergent roles in the local militia. Beginning in 1656, legislation had prohibited blacks and Indians from training with the military.¹¹⁵ Though prohibited from *training*, blacks were not

¹¹⁴ Francis Brinley and Increase Sumner, both of Roxbury, referred to Joseph this way. See Petition of Francis Brinley and Increase Sumner, Massachusetts Archives Collection, vol. 73, p. 414, Massachusetts Archives, Boston. Increase and his sister, Mary had both "owned the covenant" at the Roxbury meeting house on Dec 11, 1737, just over a decade before Joseph was baptized in the same church. See *Roxbury Land and Church Records*, 145, 146.

¹¹⁵ The 1656 legislation stipulated that "henceforth no Negroes or Indians... shall be armed or permitted to train. See Edgar J. McManus, *Black Bondage in the North* (New York: Syracuse University Press, 1973), 69. This reversed a

prohibited from military *service*; people of African descent can be found on regiments dating from the seventeenth century.¹¹⁶ But men of color do not seem to have been obligated by law to fight, as white men were.¹¹⁷ Joseph's racial status, then, had the power to determine his military obligations. If Joseph was a white man, he would have been *required* to serve in the militia in normal war-time circumstances, while if he was a man of color he would have had the *option* of serving in the military on such occasions.

Joseph did serve willingly, for a time. In 1747, he belonged to Roxbury's infantry regiment, or, as it was called, Roxbury's "Regim[en]t of ffoot." In September of that year, Francis Brinley, the wealthy Roxbury farmer appointed colonel of the regiment, was ordered to

1652 law, which provided that "Negroes and Indians inhabiting with or servants to the English" could serve in the military.

¹¹⁶ See, for instance, Michael Lee Lanning, *The African American Soldier: From Crispus Attucks to Colin Powell* (New York: Citadel Press, 2004), which states that "Blacks fought and died in the colonial militia in King William's War (1689), Queen Anne's War (1702-13), and in numerous campaigns against the Indians of various magnitude" (7).

¹¹⁷ An "Act for Regulating the Militia" in the colony was passed in 1693 in order that "due care [would] be taken that the inhabitants" of the colony "be armed [and] trained." See *Acts & Resolves*, vol. 1, p. 128. This act reinforced the 1656 exclusion of blacks from training with the military: "indians and negro's" were listed with "the persons... exempted from all trainings." See p. 130. Despite this exemption, the act stated that "all persons exempted by this law from trainings shall, notwithstanding, be provided with arms and ammunition compleat." So free blacks were not allowed to train, but they *were* required to have arms and ammunition. A 1707 law provides insight into the way the 1693 legislation was interpreted and enforced. The 1707 "Act for the Regulating of Free Negro's" sought to rectify what white Bay Colonists saw as an injustice: that "free negro's and molatto's, able of body and fit for labor... are not charged with trainings, watchings, and other services required of her majesty's subjects... [but] have share in the benefit." *Acts and Resolves*, vol. 1, p. 606. Curiously, free blacks had not been excused from military "watchings" or "other services" in the 1693 act—just trainings. (Indeed, certain people had been excused from "watchings," and blacks were not included on the list.) Apparently, though, by 1707, blacks were not participating in "trainings," "watchings," or "other services" that protected the colony; they do not seem to have been playing a military role at all—at least, the 1707 act does not suggest they had been. Rather than rectify the problem of blacks' nonparticipation by requiring free blacks to begin sharing these military duties, the colony chose to come up with a substitute responsibility for able-bodied people of color: "repairing the highways, cleansing the streets, or other service, for the common benefit of the place." The 1707 act sheds light on why the 1693 act demanded that everybody—even those prohibited from training—have arms. It was not so that any man could be conscripted at any time for military service; it was to protect the colony in case of emergency. In situations of crisis—and these situations only—blacks were supposed to join military efforts: "in case of alarm," the 1707 act read, "all free male negro's or molatto's, of the age of sixteen years and upward... shall make their appearance at the parade of the military company of the precinct wherein they dwell, and attend such service, as the first commission officer of such company shall direct." If they did not report for duty "in case of alarm," they would be fined "twenty shillings to the use of the company," or "perform eight day's labor" for their town. See *Acts and Resolves*, vol. 1, p. 607.

impress “four able Body’d men” from his troop to “goe Easte in Service.”¹¹⁸ The New England and Mid-Atlantic colonies were immersed at the time in King George’s War, a conflict between the French and the English that played out in America, and, as summer turned to fall, they were assembling troops to counter the French threat in Canada.¹¹⁹ William Shirley, the governor of Massachusetts, had just directed New England forces to Nova Scotia, where an enormous French fleet was purportedly heading.¹²⁰ Colonel Brinley ordered Joseph to join the effort: he was, after all, “on [th]e List in s[ai]d Regim[en]t,” and Brinley had been directed to “press out of s[ai]d Regim[en]t” men for the mission. But Joseph would not go.

Why? Joseph no doubt knew men who marched from Roxbury in the colony’s service, never to return; Massachusetts had been fighting King George’s War since 1744, and it had suffered heavy losses. But the timing of Brinley’s request suggests that fear of death may not have been what motivated Joseph to spurn the colonel’s order. In September of 1747, Joseph’s family life had just begun to blossom: he had wed Mary only four months before. Now was not the time to combat the French in Nova Scotia, and Joseph wished to recuse himself from the expedition. It was well within his rights to do so: as a “molatto” man, he was required by law to report for duty to his local military company only “in case of alarm.”¹²¹ This was no urgent threat, no local emergency; Brinley simply needed to drum up four participants for a distant offensive. Joseph therefore ought to have been excused from involvement altogether. Even if this

¹¹⁸ Petition from Francis Brinley and Increase Sumner, Massachusetts Archives Collection, vol. 73, p. 414, Massachusetts Archives, Boston.

¹¹⁹ Massachusetts, New York, New Hampshire, and Nova Scotia were the primary sites of conflict.

¹²⁰ For a detailed account of New England’s participation in King George’s War at the time Brinley tried to impress Joseph Bedunah, see Michael G. Laramie, *The European Invasion of North America: Colonial Conflict Along the Hudson-Champlain Corridor, 1609-1760* (Santa Barbara, CA: ABC-CLIO, 2012), 163-4. According to Laramie, “the strength of the fleet had been greatly exaggerated.” 164.

¹²¹ Free blacks were required by the 1707 “Act for the Regulating of Free Negro’s” only to serve in the military “in case of alarm.” See *Acts & Resolves*, vol. 1, p. 606.

had been a “case of alarm,” though—if Joseph had refused to bear arms in the face of invasion—the “molatto” laborer could only have been levied a fine of 20 shillings or eight days’ labor.¹²² But Joseph was not treated according to the laws governing “negroes” and “molattoes.” Rather than 20 shillings, Joseph was fined £10: the sum of money that white men in the colony were forced to pay if they evaded impressment.¹²³ It was a large figure for the Roxbury laborer, and the man must have been livid at having to make the outlay. But Joseph calculated that staying was worth the cost.¹²⁴ He handed over the requisite funds; he remained in Roxbury with his wife while others fought; and then he sued Brinley and Sumner for attempting to impress him.

The surviving evidence related to Joseph’s suit indicates that the case revolved around the “molatto” man’s racial status. Joseph’s race was the point on which the case pivoted: if Joseph was a Euro-American citizen, Brinley and Sumner’s actions were legal, but, if Joseph was a man of African descent, Brinley and Sumner’s actions were criminal. So Thomas’s mixed-race son was in the unusual position of trying to convince white judges and a white jury that his white neighbors had wronged him by treating him as they would a white man. He was not white,

¹²² See *Acts and Resolves*, vol. 1, p. 606.

¹²³ The £40 fine was levied in “Old Tenor” currency. As Joseph put it, he was forced to “pay [Brinley and Sumner] the sum of Forty pounds in bills of publick credit of the old tenor.” Old Tenor was only one fourth the value of “New Tenor” currency. Hence, the fine was £10 in the new currency. This was the fine that those who resisted impressment were required by law to pay: a 1721 act punished those who failed to fight when impressed with “six months imprisonment, without bail” unless the impressed individual could “within the space of six hours next after his being impressed... pay to the captain or chief officer, by whose warrant he shall be impressed, the sum of ten pounds.” See “An Act for the More Easy Levying and Regulating of Souldiers,” *Massachusetts Acts and Resolves*, vol. 2, p. 226. A similar act, assigning the same punishment to those who evaded service, was passed in 1724. See vol. 2, p. 334. Brinley and Sumner had these laws in mind when they impressed Joseph; they noted that the man “paid his fine of fourty pounds [Old Tenor] as ye Law directs.” See Petition from Francis Brinley and Increase Sumner, Massachusetts Archives Collection, vol. 73, p. 414, Massachusetts Archives, Boston. For the relation of “Old Tenor” and “New Tenor” in the late 1740s, see Alvin Rabushka, *Taxation in Colonial America* (Princeton, NJ: Princeton University Press, 2008), 578 and Andrew McFarland Davis, *Currency and Banking in the Province of the Massachusetts Bay* (New York: MacMillan Company, 1901), 166.

¹²⁴ This was the standard fee required to recuse oneself of military service in Massachusetts at the time. As Brinley and Sumner put it in the petition they presented to the Massachusetts Governor and House of Representatives: Joseph “paid his fine of fourty pounds as ye Law directs” when he refused to join the effort in the East. See Petition from Francis Brinley and Increase Sumner, Massachusetts Archives Collection, vol. 73, p. 414.

he insisted; he was of African descent, and to prove his point he presented evidence to the court showing that he had, in the past, been subject to regulations governing blacks in the colony— regulations that, according to the law, should have excused him from marching with the Roxbury regiment.¹²⁵ Joseph’s evidence came from Roxbury’s town selectmen, who wrote to “Certify all whom it may Concern” that they had “for more than Seven Years Past Have from time to time Ordered Joseph Bedunah and Every other free Negro or Molatto man able of Body Dwelling within the said Town to Labour four Days Yearly in repairing the high ways as an Equivalent for Trainings.” This document was clearly written with Joseph in mind, as it references him by name but does not reference any of Roxbury’s other men of color. And it confirmed two things that would have been very helpful for Joseph as he sought to prove that Brinley and Sumner had wrongly impressed him: first, Joseph belonged to the category of “free Negro or Molatto man”; and, second, Joseph had served his town by maintaining its roads *in lieu of* obligatory military training since before King George’s War began in 1744. All free black and mulatto men in the colony were required to perform hard labor in place of drilling with the local militia, and so, while whites cocked their muskets on the local training fields, blacks repaired highways, cleaned streets, or performed “other service” for the towns in which they lived. By obtaining this document from Roxbury’s selectmen, then, Joseph was gathering evidence that he was, in fact, a “molatto” man, and that he had been faithfully performing the duties that the legislature had assigned men of his station.¹²⁶

¹²⁵ For the law related to black men’s obligatory labor, see “An Act for the Regulating of Free Negro’s &c,” *Massachusetts Acts & Resolves*, vol. 1, p. 606.

¹²⁶ No testimony or legal reasoning for this case survives, and the document produced by the Roxbury selectmen does not actually state who requested it or why. That it is associated with this case is undeniable, as it was produced just over a month before Joseph’s first case against Brinley, and it mentions Joseph (but no other persons of color) by name. Careful assessment of the case leads to the conclusion that it was produced on Joseph’s behalf, as it confirms that he had been performing faithfully the duties assigned by law to him and the other people of African

Brinley and Sumner, meanwhile, sought to show that Joseph in fact played the role of a white man in his community, even if his complexion was somewhat darker than his neighbors'. They admitted that he was a "Mollatto," but quickly added that he was a "freeman," he was a "Voter in s[ai]d Town of Roxbury," he was "on [th]e List in s[ai]d Regim[en]t," and he was "a Man Married to a White Woman." In Brinley and Sumner's view, Joseph assumed the position—and the responsibilities—of a white man by obtaining free status and by doing things Euro-Americans did, such as voting, participating in military activities, and—perhaps especially—marrying white women. It is worth remembering here that the 1705 prohibition of black-white unions in the Bay Colony, which followed on the heels of Joseph's parents' marriage, expressly prohibited "molattoes" from marrying whites. So the fact that Joseph was "a Man Married to a White Woman" indicated that his community—the people who saw the public announcement of his impending marriage, the minister who performed the nuptials, those who attended the wedding festivities—all saw Joseph as sufficiently white (in character and behavior if not in color) to wed a white woman. Brinley and Sumner made their case powerfully: Joseph had free status like whites; he played a civic role in his town by voting like whites; he contributed to the local militia by volunteering for military service like whites, and he acted like a white man when

descent in the town since before the war commenced. It would not have been in Brinley and Sumner's interest to request the document, as by verifying Joseph's non-white status they would have been aiding his case. The only plausible reason why they might have wanted such a statement would have been to verify that Joseph was "able-bodied," and thus (had he been white) eligible for impressment. But the surviving documentary record produced by the lawsuits indicates that the cases did not hinge on whether or not Joseph was able-bodied. For instance, the best summary of the dispute (Brinley and Sumner's petition to the Massachusetts legislature) makes it clear that the conflict was not over Joseph's capacity to march with the militia or fire a gun. Brinley and Sumner described Joseph as a "Molatto freeman," a "Constant Voter," and a "Man Married to a White Woman." Were this dispute merely over physical ability, the two men would surely have written something more appropriate to address the crucial issue at hand. Perhaps the description would have read, "Joseph Bedunah of sd Roxbury, a laborer, able of body" rather than what it actually said: "Joseph Bedunah of sd Roxbury a Mollatto freeman and a Constant Voter in sd Town of Roxbury & a Man Married to a White Woman." As it turns out, the three descriptive phrases Brinley and Sumner used to characterize Bedunah when they first mentioned him have little, at first blush, to do with whether the man was fit for military action. What this seemingly off-target description of Joseph *did* establish, though, is that the man was essentially playing the role of a white man in the community: he was free, he was voting in local/provincial elections, and he was married to a white woman. The case clearly hinged on Joseph's racial status rather than his bodily capacity.

it came to building a family by marrying (like whites) a white woman. The pigment of Joseph's skin may not have been as light as that of his neighbors, but the way Joseph lived and the people with whom he associated had led Roxbury residents to reassess the man's racial status; the community began to consider him neither a "Negro" man, nor even, really, a "Molatto" one, but instead a white man like themselves.

With Joseph insisting that he was a man of color, subject to the requirements of "negroes" and "molattoes," and his adversaries maintaining that he played the role of a white one, the lawsuit went all the way to the colony's Superior Court. Finally, nearly two years after Brinley had ordered Joseph east, the mixed-race laborer won his case. As a person of African descent, he had been wrongfully impressed into military service by the colonel and sergeant of the Roxbury regiment.¹²⁷ Curiously, while the outcome of the suit hinged on Joseph's ability to prove his non-white status, the language used by the court's clerk did not racialize the Roxbury laborer as one might expect: he was merely "Joseph Bedunah of Roxbury in our County of Suffolk Labourer." The second son of an African man brought from the Gold Coast to the Massachusetts Bay, Joseph teetered on the brink of whiteness.

The Bedunahs were not the only Bay colonists who lightened through interracial liaisons. Other fragments of evidence point to the ease with which the offspring of black-white relationships in eighteenth-century Massachusetts could slip from the category of mixed-race or "molatto" to the category of white. In 1716, for instance, an enslaved African woman named

¹²⁷ In 1749, Joseph won "Nine pounds ten Shilings Lawful Money or Ten pounds in Bills of Credit on the Province of the Massachusetts-Bay... of the new Tenor," and he received "three pounds fifteen Shillings & six pence in said bills" to compensate him for his "Costs of Suit." In other words, he was compensated for the exact amount of money that he had lost in the whole debacle: £10 New Tenor (which Brinley had fined him) plus the costs that he had accrued in the process of suing for damages. The modest monetary settlement he received no doubt helped his little family at that juncture: Mary had birthed their first child, Lydia, the year before. See "Bedunah & Brinley &c," Suffolk Files # 65615, Massachusetts Archives, Boston.

Bess gave birth to two children out of wedlock, claiming that a Euro-American man fathered them. The “negro” woman’s children were apparently half African and half English. But the court did not describe them as “molatto.” No: Bess’s children were “white.”¹²⁸

Likewise, on various instances, Massachusetts courts chose not to prosecute “molatto” people who formed sexual liaisons with whites, even though the 1705 legislation prohibited such liaisons between whites and all people of African descent—both “negroes” *and* “molattoes.”¹²⁹ For instance, when Elinor Waters, a “molatto” woman, confessed to fornication with an “English man” named John Perkins in 1707, she was given the punishment reserved for whites who fornicated with other whites: ten stripes at the whipping post. The court did not even record a punishment for Perkins.¹³⁰ According to the letter of the law, Waters should have been sold out of the colony, while Perkins should have been “severely whip’d” and fined £5. But Waters’s racial background—already mixed—seems to have made her “mixt issue” with a white man less troubling to the justices. She was, according to their verdict, white rather than “molatto.”

The court made exception to the law on another instance while adjudicating a case involving a liaison between a “molatto” and a person of European descent. In 1724, Samuel Miles, Boston’s clerk and the pastor of one of the town’s Anglican congregations, was called before the bar to answer for acting “contrary to the Peace and the Law.” His crime: “marry[ing] Simon Meers (or Seers),” a man described as “Molatto,” with a “Whitewoman” named Jane

¹²⁸ Bess’s sentence states that she had “two white Children contrary to law.” See “Negro Bess Sentenced,” Suffolk County General Sessions of the Peace, vol. 1712-1719, p. 133, Massachusetts Archives, Boston. Curiously, when Bess’s supposed white partner was tried (and ultimately acquitted) by the Massachusetts Superior Court, the children were referred to as “negro.” So in this case, it is possible that the court strategically chose to emphasize whichever race was more egregious in each of the trials. It would be fascinating to track these children’s lives—one a boy, the other a girl—but no clues of their identities or their fates survive. For the “negro” children, see “Barnard Presented,” Massachusetts Superior Court of Judicature, vol. 1714-1721, p. 157, Massachusetts Archives, Boston.

¹²⁹ “An Act for the Better Preventing of a Spurious and Mixt Issue,” *Massachusetts Acts and Resolves*, vol. 1, 578.

¹³⁰ “Elinor Waters’s Sentence,” Suffolk County General Sessions of the Peace, vol. 1702-1712, p. 153, Massachusetts Archives, Boston.

Osborne, and “knowing them to be so [“Molatto” and “White”] at the time of their Marriage.” Though Miles should have been subjected to a £50 fine according to the stipulations of the 1705 act, the court declared that the “s[ai]d Presentment is Quashed” and permitted the minister to go on his way.¹³¹ Apparently, mixed-race Bay colonists like Bess’s children, Elinor Waters, Simon Meers, and the Bedunahs’ offspring were commonly considered “white” rather than “molatto.”

This racial flexibility is surprising. At the time Joseph’s father, Thomas, had married his mother, Lydia, liberated Africans in the colony had formed a social underclass that was on its way to becoming a legal underclass. After the Massachusetts General Court in 1705 singled out people of African descent as unfit to marry whites, establishing harsh penalties for blacks who engaged in sex across the color line, it moved to hedge in and separate Africans from their neighbors still further. A 1707 act “For the Regulating of Free Negro’s” required each free able-bodied “negro or mollato” man to repair highways, clean streets, or perform “other service” to the town in which they lived.¹³² Legislation passed in the early eighteenth century also restricted the social interaction of both free and enslaved Africans; any free person of African descent who invited a slave into his or her home without consent of the master would be fined. In addition, blacks in the Bay Colony faced special penalties for “smit[ing] or strik[ing]” whites; they were

¹³¹ See Suffolk County General Sessions of the Peace, vol. 1719-1725, p. 322, Massachusetts Archives, Boston.

¹³² “An Act for the Regulating of Free Negro’s,” *Massachusetts Acts & Resolves*, vol. 1, p. 606. The reasoning behind this particular responsibility was that blacks could not safely bear arms and join the militia, so they ought to work instead on maintaining the roadways. See note 117 for a more detailed explanation. Boston’s selectmen compiled many lists of the town’s free blacks in their attempt to secure the labor required of these people by law. Roxbury enforced this stipulation intermittently, and Joseph apparently had to work on the town’s roads on occasion. It is worth noting that, although Joseph did not want to perform military service in this particular instance, by excluding people of color from military service and consigning them instead to menial labor, the Massachusetts legislature characterized them as incapable of protecting Massachusetts citizens. It was another manifestation of the racialization of the Massachusetts legal code.

punished more harshly than either Indians or whites who perpetrated the same violence.¹³³ And Africans in nearby Boston—which is where a significant proportion of the colony’s Africans lived—encountered special discrimination. In the aftermath of an alleged “negro plot” to burn the town in 1723, Boston’s selectmen passed a series of provisions to “Better Regulat[e]” people of color, which banned their weapons, restricted their ability to sell food and drink, prohibited them from receiving goods of any kind from a slave, regulated their funerary practices, and forbade them from carrying canes unless they were truly “Decrepid.”¹³⁴

These changes in the law suggest that Bay colonists were becoming more and more conscious of racial differences while Thomas and Lydia raised their mixed-race children on the Roxbury farm. Blacks, even free ones, faced a barrage of discriminatory legislation in the first quarter of the eighteenth century, legislation that set them apart from their white neighbors. And the colony’s lawmakers did all they could to legally separate people of African descent from Euro-Americans, to prevent the production of “spurious” offspring, of “mixt issue.” But the story of the Bedunahs points to ways in which the law failed to describe reality. Factors besides color and descent appear to have shaped notions of whiteness and blackness. Thomas obtained his freedom and became economically self-sufficient, which certainly set him apart from most

¹³³ “An Act for the Better Preventing of a Spurious and Mixt Issue,” *Massachusetts Acts and Resolves*, vol. 1, p. 578.

¹³⁴ This group to whom these regulations applied included Indians as well as “Negros and Molattos.” William H. Whitmore and William S. Appleton, *A Report of the Record Commissioners of the City of Boston, Containing the Boston Records from 1700 to 1728*, vol. 8 (Boston: Rockwell and Churchill, 1883), 106. Boston’s selectmen voted to request that the Bay Colony’s House of Representatives adopt these provisions colony-wide, and Elisha Cooke presented them to the General Court *thirteen times*, but the legislature never adopted them. See Jared Hardesty, “Slavery, Freedom, and Dependence in Pre-Revolutionary Boston, 1700-1775,” Ph.D. dissertation, Boston College, 2014, p. 5. It is unclear how well these provisions were enforced in Boston. One provision approved by the selectmen stipulated that people of color must bind out their children to “Some English master . . . to the age of Twenty one years,” but this does not appear to have been what happened by default to free children of color. While certain non-white children were indeed bound out, they seem to have been bound out for the same reason that white children were: because their parents were impoverished. They do not appear to have been bound out as a matter of course simply due to their race.

blacks in the colony, who were bound to white households and enjoyed no measure of personal wealth. But Thomas did other things as well, which seem to have made his race unimportant, perhaps irrelevant, to his neighbors: he married a white woman; he evidently gained the acceptance of her family; and he raised light-skinned children. Though Thomas and Lydia's community appears to have had misgivings about their marriage early on, the fragmented historical record suggests that, as time went on, the couple became nearly indistinguishable from others in the region. Observers, clerks, and record-keepers stopped noting that Thomas was a "negro" when they mentioned the man. In an era when race was apparently becoming increasingly salient to society, Thomas, through his family, apparently managed to transcend the line separating "negroes" from whites that lawmakers drew so starkly in their legislation.

If the African patriarch managed to lighten through the years, so too did his descendants. His son, Joseph, apparently played the role of a white man in the Roxbury community. He was free; he was a "Constant Voter" in the town; he joined the local militia; he wed a white woman (which would have been illegal had he been considered black or "molatto"); and he fathered children who were merely one-quarter African. In fact, he so resembled a Euro-American household head that he was conscripted by local officials for a duty normally required only of white men: military service. In order to gain compensation for being wrongfully impressed into service, Joseph was obliged to go to court and establish his blackness. The son of the African man had to stand before white judges and white jurymen and convince them that he was neither white nor rightfully responsible to perform the obligations of a white man. He was, instead, a "Molatto man," and that came with its own set of obligations.

In a time of seeming racial rigidity, first Thomas, and then his son, appear to have functionally moved from "negro" or "molatto" to white. Thomas's interracial union provides a

lens through which it is possible to view the surprising racial malleability that characterized the eighteenth-century Bay Colony. Intermarriage with whites had the power to shape the degree to which people of African descent were considered “negro,” regardless of color or complexion. By exchanging vows with white women, joining white kin networks, and birthing mixed-race children, Thomas and his children could lighten in the eyes of their neighbors, regardless of the color of their skin. And their descendants could meld quite easily into their broader white society, if they so chose. Not one of Thomas and Lydia’s grandchildren was ever characterized in the historical record as “negro,” “black,” or “molatto.”¹³⁵ Perhaps the descendants of Thomas Bedunah were a tad darker than their neighbors; Thomas’s grandchild, Moses, for instance, was

¹³⁵ Of the grandchildren I have been able to place, all have been labeled “white” in the records or simply not racialized. None have been identified as people of color. Below I provide a sampling of the evidence I have uncovered from census, military, birth, baptism, court, and death records. In 1800, Ebenezer and Benjamin Bedunah (sons of Thomas’s son Ebenezer) were both described in census records as white males aged 45 or over. See “Moses Budona,” United States Census, 1800, New York, Rensselaer County, Stephentown, p. 105, and “Benjamin Bedunah,” United States Census, 1800, Massachusetts, Norfolk County, Roxbury, p. 106. In 1780, John Waters Bedunah, son of Thomas’s son Ebenezer, was described as “light” complected in military records. See “John Waters,” *Massachusetts Soldiers and Sailors*, vol. 16, p. 695. (John Waters Bedunah was sometimes called John Waters, and at least once called John Walriss Bedunah. That the John Waters described in *Massachusetts Soldiers and Sailors* as “light” was the same person as the John Waters Bedunah born to Ebenezer Bedunah in Roxbury in 1761 is evident from his age—19 in 1780—and from the town from which he hailed in 1780—Northfield—which is the town that John Waters Bedunah / John Walriss Bedunah seems to have lived in at the time.) Like the rest of the records pertaining to Thomas Bedunah’s grandchildren, birth records do not indicate non-white status. Take, for instance, the children of just one branch of Thomas and Lydia’s offspring, those of Ebenezer and Elizabeth Bedunah: Benjamin, Ebenezer, Mary (or Mercy), Moses, Lydia, Elizabeth, and John Waters. Birth records for most of them are found in *Roxbury Vital Records*, vol. 1, p. 24, and baptism records for the majority are found in *Roxbury Land and Church Records*, 147, 149, 151, and 155. In none of these records are Thomas’s grandchildren noted as non-white, though other “negroes” were baptized in the Roxbury meeting house during that era. Court records also suggest that the Bedunah grandchildren were considered white. In 1781, Moses Bedunah (son of Ebenezer and Elizabeth), who then lived in Albany, New York, sued a Sturbridge “gentleman” named Asa Coburn for nonpayment of debt. A series of records generated by the Worcester County court refer to Moses not as a “molatto,” but, simply, as “Moses Bedunah of Albany, in the County of Albany, in the state of New York, Husbandman.” See Suffolk Files Case #153197. Death records of Thomas and Lydia’s grandchildren also suggest that they were considered white by their broader community—or at least that their race was not worth noting. In 1799, a 40-year-old woman named “Elizabeth Beduner” died in Roxbury, almost certainly the “Elizabeth Bedunah” who was born in Roxbury 42 years earlier to Ebenezer and Elizabeth Bedunah. She was not labeled a “molatto,” “negro,” or “black.” See *Roxbury Vital Records*, vol. 2, p. 464. And in 1830, an 80-year-old woman named Mary Bedunah died in Roxbury, almost surely the Mary Bedunah born to Joseph and Mary Bedunah in Roxbury in the year 1750. This Mary’s death record did not suggest that she was “colored,” as the record-keepers of the time would have put it, but it did specify that she died a “pauper.” See *Roxbury Vital Records*, vol. 2, p. 464.

described variably as “dark” and “light” in complexion, as if onlookers couldn’t quite decide which he was.¹³⁶ But Moses nonetheless fit squarely under the umbrella of “white.”

In 1800, a census taker stood on Moses’s stoop and carefully inscribed the name “Moses Budona.” Moses had been born 47 years before, so the man marked “1” in the column reserved for free white men of 45 years and older.¹³⁷ He drew another “1” in the column reserved for free white women between the ages of 26 and 45, presumably for Moses’s wife. And he scratched out a “2” in the column for free white boys under the age of 10. Then another “2” for free white girls the same age. Moses, a husbandman like his grandfather before him, had, also like Thomas, married a white woman. Then he had fathered four “white” children.

One wonders if the man, described by his contemporaries as brown-haired and blue-eyed, passed on to his sons and daughters the stories he had heard growing up of his African grandfather.¹³⁸

Or whether he simply chose to forget.

¹³⁶ *Massachusetts Soldiers and Sailors of the Revolutionary War: A Compilation from the Archives*, vol. 1 (Boston: Secretary of the Commonwealth, 1899), 884. The “complexion” of “Moses Beduner” in “Descriptive lists” produced by military regiments was both “dark” and “light.” Moses, the son of Thomas and Lydia’s son, Ebenezer, had extensive military service in the Revolutionary War under a variety of related names. See records for “Moses Badoonah,” “Moses Badooner,” “Moses Badumah,” “Moses Baduner,” “Moses Bdeunah,” “Moses Beduna,” and “Moses Bedunah,” *Massachusetts Soldiers and Sailors*, vol. 1, pp. 438, 439, 837, and 884.

¹³⁷ Moses Bedunah, son of Ebenezer and Elizabeth, was born June, 6, 1753. See *Roxbury Vital Records*, vol. 1, p. 24. For the “Budona” family’s census record, see “Moses Budona,” United States Census, 1800, New York, Rensselaer County, Stephentown, p. 105. The census taker’s decision to record Moses as a white man was intentional. Though Stephentown was a town very much dominated by whites, the census taker did not automatically place each person’s record into a column reserved for whites; he counted 19 slaves, and he noted the presence of a free black man. The free man, indeed, was a bit of an anomaly; in addition to placing a mark for him in the column for free people of African descent, the census taker recorded his name as “John Godfree (free Negro).” Perhaps the man tabulating Stephentown’s residents wished to be sure Godfree was not mistaken for one of the four slaves who lived next door, at the house of one Winthrop Root. See United States Census, 1800, New York, Rensselaer County, Stephentown, p. 110.

¹³⁸ *Massachusetts Soldiers and Sailors*, vol. 1, p. 884. “Moses Beduner,” was described in 1781 as 25 years old, five feet and five inches tall, with brown hair and blue eyes. He was a farmer by occupation and had by that time moved from Roxbury in eastern Massachusetts to Sturbridge in central Massachusetts. By the time of the 1800 census, he would have moved about 100 miles farther west, to Stephentown, New York.

Chapter Four

Mark, Phillis, and Phoebe: Slavery, Family, and the Problem of Proximity in Eighteenth-Century Massachusetts

Mark and Phillis must have gazed in wonder at the masses that milled about them. They had probably never seen so many people in one place: just a handful of slaves populated their master's Charlestown estate, and the present commotion on Creek Lane in Cambridge made even the bustle of Boston seem sleepy.¹ A newspaper as far as Maryland would later report that the "greatest Number of Spectators ever known on such an Occasion" had packed the streets of Cambridge on that autumn afternoon in 1755.² And the crowds were there to watch them.

To the ogling throng, Mark and Phillis were a pitiful pair. Harvard professor John Winthrop, who observed the procession as it wended its way past his home, called the enslaved woman an "old creature."³ A pamphleteer described the two as "poor unhappy Souls." The citizens who crowded Cambridge's cobblestone streets shuddered at fate of the "poor

¹ The 1755 inventory for Captain John Codman of Charlestown listed five slaves ranging in value from £200 to £500. For Codman's inventory, see Middlesex County Probate, File Papers of John Codman, #4727. John Wood Sweet stated that "huge crowds" gathered in Cambridge that day, "the likes of which had not been seen in almost a century." See John Wood Sweet, *Bodies Politic: Negotiating Race in the American North, 1730-1830* (Baltimore: JHU Press, 2003), 148.

² The Maryland Gazette, October 9, 1755.

³ Winthrop, John, 1714-1779. *Interleaved Almanac* (annotated) for 1755. Entry for September 18. HUM 9, Box 4, Vol. 14. Papers of John and Hannah Winthrop. Courtesy of the Harvard University Archives.

Creatures.”⁴ Yet they did not consider Mark and Phillis hapless victims of misfortune. The colony’s highest court had ruled that the slaves had acted “felloniously” and “traiterously.”⁵ A broadside circulating the region declared that the pair had carried out a “Cursed” and “Hellish” plot; “Their Crimes appear as black as Hell.”⁶ The black slaves, perpetrators of “black Crimes,” were murderers, and the masses had gathered to mete out justice in the Cambridge Common. For Mark and Phillis, the journey from the jail house to the gallows would be their last.

The sled bearing the condemned slaves rattled past Cambridge’s Blue Anchor Tavern, its tannery, and then the Middlesex County Courthouse, where Phillis had described the murder just over a month before, perspiring, perhaps, in the August heat and under the pressure of her interrogators.⁷ There she confessed that they had killed Codman, little by little. Mark had acquired arsenic from the slave of a local doctor, which Phillis had poured into Codman’s “barly Drink.”⁸ A third slave, named Phoebe, had given her owner additional doses of arsenic in his “Infusion,” his “Chocolate,” his “Watergruel,” and his “Sagoe.”⁹ Seated at a little round table in his kitchen, Codman had feasted to his death.

What had driven Mark, Phillis, and Phoebe to murder? Though the testimonies recorded in the Bay Colony’s court and print records differ on some of the particulars, they make one

⁴ See anonymous pamphlet entitled *A few Lines On Occasion of the untimely End of Mark and Phillis, Who were executed at Cambridge, September 18th for Poysoning their Master, Capt. John Codman of Charlestown* (Boston, 1755).

⁵ Abner C. Goodell, “The Murder of Captain Codman,” *Proceedings of the Massachusetts Historical Society*, Vol. 20 (1882-1883), 143.

⁶ *A few Lines On Occasion of the untimely End of Mark and Phillis*.

⁷ Some of Phillis’s interrogation was completed on the 26th of July, and some on the 2nd of August. See Goodell 125.

⁸ Goodell 126-8, 132.

⁹ Goodell 127. Sagoe, or sago, is a starchy pudding-like food.

thing clear: the slaves were motivated to destroy their master—and thereby fracture the Codman family—by grievances related to their *own* family lives. Mark and Phoebe both had spouses in Boston, and they were convinced that they could obtain owners in Boston, and therefore live closer to their families, if they could only get Codman out of the way. According to Mark, Phoebe’s husband had been “contriving all he could to get her over to *Boston* to live with him.”¹⁰ And Phillis had affirmed that Mark “wanted to get to Boston” as well.¹¹ He was so upset by the distance separating him from his family, in fact, that he told the slave who supplied him with poison that the plot to poison Codman was “about his Child.”¹²

Codman’s slaves were frustrated by a problem that shaped the family lives of most slaves with spouses and children in the Bay Colony: the problem of proximity. Only a small fraction of enslaved people had spouses who belonged to the same owner they did; most could not marry within their master’s household, even if they wished to, because the preponderance of slaveholders owned only one or two bondspeople. The majority of enslaved families therefore spanned multiple Euro-American homes. This problem was not as acute for some slaves as it was for others: bound laborers like Jane and Sebastian, who lived in the same neighborhood and appear to have had the advantage of masters who supported their marriage, chafed less at the limitations imposed by geography than slaves like Mark and Phoebe, who had to take a ferry from Charlestown to Boston in order to see their families and were owned by a particularly vicious and unbending master. Nonetheless, the intimate relationships of most slaves in

¹⁰ *The Last & Dying words of MARK, Aged about 30 Years, A Negro Man who belonged to the late Captain John Codman, of Charlestown, Who was executed at Cambridge, the 18th of September, 1755, for Poysoning his abovesaid Master* (Boston: 1755) Massachusetts Historical Society Broadside Collection, Massachusetts Historical Society, Boston.

¹¹ Goodell 131.

¹² Goodell 129.

eighteenth-century New England were shaped in some way by the problem of distance. The dispersal of blacks in relatively small numbers across the landscape meant that Afro-New Englanders faced challenges that differed from those faced by many of their counterparts throughout Anglo-America. Though few followed in the footsteps of Codman's slaves, the story of Mark, Phillis, and Phoebe lays bare the difficulties wrought by separation from one's kin and provides a vivid window into the creative ways that enslaved Afro-New Englanders worked to gain proximity to their family members.

What passed through Phillis's mind as she was drawn upon a sled to the place of her execution?¹³ Perhaps she remembered the day, long ago, when a scrap of paper deeded her life to Captain John Codman. She was young at the time. "He my said Master bought me when I was a little girl," she told the two gentlemen who had interrogated her after her arrest. From whom did Codman buy her? And how did that purchase affect her intimate relationships? Was she taken from her mother? Her father? Her siblings? The people, whoever they were, who had cared for her since she was a baby? Was she purchased on the town dock, weakened by a long journey on a slave ship? Or pawned in one of the warehouses that dotted the Boston harbor, by a merchant who did business in Jamaica or Barbados? No extant sources answer these questions. The gentlemen who interrogated her did not press further; Phillis's origins were not the issue at hand. The single sentence they recorded is the only remaining clue to Phillis's early life: "my said Master bought me when I was a little girl."

Mark, too, was taken from his kin at a young age. A bit more remains of his early life than of Phillis's, as he narrated his story from prison prior to his execution (undoubtedly with

¹³ Winthrop, *Interleaved Almanac*

some intervention from the men who served as witnesses). “I was Born in *Barbados* some-time in the Year 1725, in a reputable family,” he began. But, “leaving my native Place very Young,” he continued, “[I] came to *Boston*.” The narration opens by positioning Mark as a free actor moving through the Atlantic: he was born in an elite family; he left Barbados; he came to Boston. But the tone of the piece is misleading. Being “Born... in a reputable family” meant merely that Mark was born to an African woman who belonged to a white family that had grown fat off the proceeds of Barbadian sugar. And Mark did not set out to explore the world, and thereby elect to leave Barbados for Boston; rather, his “reputable” owners decided to sell him, apparently to a New England merchant, and that merchant brought the boy to Boston for re-sale. Decades after Thomas Bedunah seems to have sailed, bound, from Bridgetown to Boston, Mark followed in his wake.

How old was Mark when he was sent away from his “native Place,” from the only world that he knew? He described himself as “very Young.” But he was no toddling child. The boy was old enough to have formed memories: bits of Barbados stayed with him in Boston. For example, when asked during his interrogation if he knew about a plan to poison Codman using cashew nuts, he denied any knowledge of it. “I have not seen a Cushoe nut since I have been in this country,” he stated.¹⁴ And some of Mark’s memories required sophisticated reasoning, which suggests that the boy had developed the ability to analyze and interpret before he was sold from the tiny Caribbean island. For instance, it is doubtful that Mark would have been able to make a judgment on the social standing of the family that owned him if he had been younger than seven or eight. This age makes sense in light of the market for slaves in the New England. Infants,

¹⁴ Goodell 137. There is toxic resin within the shells of cashew nuts, so cashews that have not been processed with heat can be poisonous.

toddlers, and children too young to engage in productive labor were not attractive slaves; they *required* labor rather than provided it. The man who ultimately bought Mark in Boston, a merchant named Henry Caswell, no doubt wanted a boy who could stock his warehouse with and run errands in the busy port.¹⁵ Apparently Mark fit the bill.

A “little girl,” she said; “very Young,” said he. Phillis and Mark were sold from their kin at an early age. And in this they suffered a fate common to enslaved children in eighteenth-century New England: the separation of children from their bound families was rampant in the region. Of course, New England was not the only Atlantic locale where children of African descent were taken from their parents. Young slaves were taken from their families everywhere in the British-Atlantic world; in no colony did mechanisms exist to prevent the dissolution of black families. But New England slaveholders had more reason than those in most of the rest of the Atlantic to separate enslaved children from their parents. Without a cash crop, New Englanders—even very wealthy ones—had limited need for slaves; few could use more than three or four bound laborers. Large enslaved families, rather than an asset, could become a burden: bodies that owners had trouble putting to work during the short growing season; mouths that owners had trouble feeding through long northern winters. Though slavery was an important part of the New England economy, and most slaveowners seem to have thought it crucial to hold *some* human property, the peculiar form that slavery assumed in the region—particularly in its

¹⁵ Henry Caswell arrived in Boston in 1716 on a ship named *Eliza*, which hailed from London. He was described in records kept by Boston’s Impost Office as a “Merch[an]t.” See Edward W. McGlenen, *Records Relating to the Early History of Boston, Containing Miscellaneous Papers* (Boston: Municipal Printing Office, 1900), 234. He is mentioned in William Richard Cutter, *Genealogical and Personal Memoirs Relating to the Families of Boston and Eastern Massachusetts* vol. IV (New York: Lewis Historical Publishing Company, 1908), 2100-1. Caswell’s place of business was so well-recognized in the town that it was used as a landmark by neighbors. For instance, one Thomas Perkins advertised the goods available at his “Warehouse,” which was “near Mr. Henry Caswell’s in Kingstreet, Boston.” For this reference see Lynne Z. Bassett, *Massachusetts Quilts: Our Common Wealth* (Hanover and London, N.H.: University Press of New England, 2009), 3.

urban areas—called for diffuse rather than concentrated ownership of slaves. And the effect on enslaved families could be devastating.

Enslaved children were often given away or sold when they were very young. The region's court records provide evidence of this practice. In 1737, for instance, a free black woman named Fedeller Soco testified that she had known a “moloter” girl named Moll in Boston. They had lived together in the household of Henry and Margaret Franklin: Moll as a slave, and Fedeller, apparently, as a servant. During that time, Moll was “Brought to Bed with a male Child” at the home of Jemima Lane, and Fedeller mentioned that she “saw said moll and hur Child several times.” But soon the boy was “given a ways,” she said. He was taken several towns from Boston, to the home of “one Thomas Kendall” in Lexington. According to the testimony of Jemima Lane, Moll's son was conveyed to Kendall's home just a “few Dayes after It[s] Bearth.”¹⁶

The separation of enslaved infants from their parents is evident in other court records from the period as well. The case of Sue Black, mentioned in chapter two, revolved around the removal of slave children from their families. Sue gave birth to three boys, who were given away or sold, and who became the basis of a series of lawsuits when Sue's purported owner, Mary West, sought to re-claim them.¹⁷ Like her children, Sue had been severed from her mother at a young age: witnesses testified that she had been no more than six weeks old when Mary bought

¹⁶ Testimonies of Fedeller Soco and Jemima Lane, Suffolk Files case # 44242, Massachusetts Archives, Boston.

¹⁷ Mary sought to reclaim Sue as well, who appears to have been living with Shadrack Norton in Manchester along with one of her sons, Matthew. See “Norton v. West Admx,” Superior Court of Judicature, vol. 1727-30, p. 117, Massachusetts Archives, Boston.

her for six shillings from one Mr. Holyoke of Boston and brought her some thirty miles north to Manchester.¹⁸

Court records reveal that a slave named Cezar had similar experiences as an infant. At eight months of age, Cezar was sold from one Elijah Stutson to a man named Solomon Lincoln. According to Nathaniel Stutson, Elijah's son, Solomon Lincoln had "bought the Child for his son Joshua." Just "a few dayes after" the bargain was sealed, Nathaniel recalled, "Lincolns wife & Boy Came & Carryed away ye Child."¹⁹ Joshua, still just a "Boy" himself, would benefit from the financial security that came with owning human property once Cezar grew and matured into a hardy worker.²⁰ Or so Solomon no doubt hoped. Cezar, taken from his mother while still a nursing infant, had radically different prospects for security and survival.

Newspapers provide even more evidence than court records of the practice of separating enslaved children from their parents. The reason is simple: because enslaved children were not highly valued in eighteenth-century New England, relatively few Euro-Americans squabbled in court over their ownership, while many whites used print to divest themselves of bound youngsters. Scores of advertisements offering enslaved children "to be given away" were published over the course of the eighteenth century. The first such notice was placed in the *Boston News-Letter* in 1706, just two years after the *News-Letter* inaugurated the practice of selling New England slaves through print: "A Negro Infant Girl about Six Weeks Old, to be

¹⁸ At the time of the lawsuits, Sue lived with Mary West in Beverly; Habijah lived with Richard Dodge in Wenham; Jethro lived with Aaron Bennet in Manchester; and Matthew lived with Shadrack Norton in Manchester. For Mary's purchase of the infant Sue Black, see case #22148

¹⁹ Suffolk Files case #21049.

²⁰ The sale of Cezar took place in February 1727. Joshua Lincoln was 15 years old at the time, or nearly so; he was born on February 8, 1712. See Suffolk Files Case #21049.

Given for the bringing up,” it read.²¹ Nearly eight decades later, Boston’s *Independent Ledger* would advertise “A likely Negro Child to be given away.”²² In the interim, the Bay Colony’s newspapers would help hordes of whites rid their households of unwanted black infants.²³ As it happens, just days after the Codman slaves breathed their last on the Cambridge Common, the printer of the *Boston Evening Post* would facilitate the dissolution of yet another bound black family: “*A Negro Child to be given away,*” the paper broadcast, “*and the Mother to be sold.*”²⁴

Enslaved children were “dispos’d of,” as one advertisement put it, from the youngest of ages.²⁵ Though most notices offering “negro” children did not specify how old they were, a number of advertisements were detailed enough to provide a sense of how very young—and how vulnerable—these children were. The *Boston Gazette* offered in 1739 “A Negro Child a few Days old, to be given away,” and the *Boston Evening-Post* printed a notice for “*A Likely, healthy Negro Child, a Week old, to be given away*” in 1760.²⁶ In 1764, a man named Stephen Hall, who styled himself an esquire, asked readers who were interested in “a likely Negro Child about a

²¹ *Boston News-Letter*: Sept. 30, 1706.

²² *Independent Ledger*: July 31, 1780, p 4.

²³ Examining the records of the *Boston Gazette*, Robert E. Desrochers saw a significant uptick in advertisements offering slave children for free during the 1740s. He found only two such advertisements in all the previous decades. But taking into account other newspapers in the region, it is clear that this practice was more common early on than Desrochers had observed; numerous such advertisements were posted in the first third of the eighteenth century. See Robert E. Desrochers, “Slave for Sale Advertisements and Slavery in Massachusetts, 1704-1781,” *William and Mary Quarterly* 59 (3) (2002).

²⁴ *Boston Evening Post*: Sept. 15, 1755, page supplement 2. This particular advertisement has a date of September 12 next to it, just six days after Mark and Phillis’s execution.

²⁵ *Boston Weekly News-Letter*: April 5, 1753, p. 2.

²⁶ *Boston Gazette*: June 11 1739, p. 3. The child was not quickly spoken for; the *Gazette* published this advertisement through July 2 1739 (see p. 4). *Boston Evening-Post*: Dec. 1, 1760, p. 4.

Week old” to “Enquire” at his Medford home: the infant was “to be given away.”²⁷ The *Boston Weekly News-Letter* advertised in 1750 “A Likely Female Negro child about 10 Days old, to be given away,” and in 1746 the *Boston Evening-Post* circulated an offer to “give away” a “*Fine Female Negro Child, about 3 Weeks old.*”²⁸ The advertisement for this three-week-old infant emphasized that she was “*well cloathed.*” What, one wonders, were most of these newborns wearing?

Over the course of the eighteenth century, multiple newspapers posted notices offering enslaved children “about a Month old,” and more than one tried to find takers for children who were six weeks old.²⁹ At mid-century, Boston readers learned that a “*Very healthy Female Negro Child*” of seven weeks was “*to be given away,*” as were a number of children old enough for their owners to reckon their age in months: the *Boston Post-Boy* marketed “Negro” children of both three and nine months of age “to be given away.”³⁰ The child of nine months—“*A Strong Healthy female Negro Child*”—was advertised alongside “*a Negro Woman who is a very good Cook.*” The baby was “*to be given away*” and the woman “*to be hired out.*” Wherever the two slaves ended up, they no doubt ended apart. Their owner, likely hesitant to discourage readers from hiring his “*Negro Woman,*” made no effort to ensure that the woman and child went to the same household.

²⁷ *Boston Gazette*: June 18, 1764, p. 3.

²⁸ *Boston Weekly News-Letter*: Jan. 18, 1750, p. 2; *Boston Evening-Post*, Mar. 31, 1746, p. 2.

²⁹ For advertisements offering children a month old, see *Boston Evening-Post*: Dec. 31, 1759, p. 4 and *Boston Gazette*, July 13, 1761, p. 3. For those offering children of six weeks, see *Boston Evening-Post*, Oct. 5, 1741, p. 2 and *Boston Post-Boy*: Jan. 21, 1760, p. 1.

³⁰ *Boston Evening-Post*: Mar. 24, 1740, p. 2; *Boston Post-Boy*: Apr. 22, 1765, p. 2; *Boston Post-Boy*: Mar. 5, 1744, p. 4.

In most of the Anglo-Atlantic, enslaved children were prized, but in New England, particularly semi-urban New England, it could be difficult to find people willing to receive young slaves into their households.³¹ One notice offering a “Female Negro Child” beseeched “Whoever” would be “willing to take it” to “enquire at the Printer’s Shop.”³² Advertisements such as these often ran for multiple weeks, indicating that takers were in short supply. Owners turned to a host of adjectives in attempt to make the children they wished to dispose of more attractive. Some children were “likely,” others were “Very likely,” and one was “Extraordinary likely.”³³ A number were “of a very good Breed,” while several were “of an excellent breed.”³⁴ Some were “well,” several were “in good Health” and a number were “hearty.”³⁵ Multiple slaveholders made sure to state that the children were at no risk for smallpox; as one notice declared, a “Negro Child to be given away” was “lately *Born in a Family where the Small-Pox hath not been, nor is at present in the Neighbourhood.*”³⁶

But glowing descriptions of enslaved children were not always enough to convince anyone to take them, so some owners offered more than infants free of charge. One posted “A young Negro Child to be given away,” furnishing 40 shillings as an incentive to whoever would

³¹ For instance, Jennifer Morgan’s influential *Laboring Women* argued that enslaved women’s reproductive labor was essential to the growth and endurance of slavery in Anglo-America, using Barbados and South Carolina as case studies. See Jennifer L. Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania Press, 2004).

³² *Boston Evening-Post*: Feb. 23, 1747, p. 2.

³³ See, for example: *Boston News-Letter*: Feb 27, 1721, p. 2; *Boston Evening-Post*: Mar. 22, 1736, p. 2; *Boston Post-Boy*: Dec. 28, 1761, p. 2.

³⁴ See, for example: *Boston Evening-Post*: Jan. 23, 1749, p. 2 and *The Boston Chronicle*: Apr. 25, 1768, p. 167.

³⁵ See, for example: *Boston Weekly News-Letter*: July 21, 1748, p 2; *Boston Post-Boy*: Feb. 2, 1763, p. supplement 2; and *Boston News-Letter*: June 24, 1773, p. 2.

³⁶ *Boston Gazette*: June 15, 1730, p. 2.

accept the youngster.³⁷ Another offered “a Likely, Healthy Female Negro Child, of an excellent Breed,” promising “Money and Cloaths to be given away” along with her.³⁸ And one slaveholder advertised “a Male Negro Child of an excellent Breed,” assuring those who might have interest in him that he was not just to be given away, but “To be given away upon good Terms to the Receiver.”³⁹ It was a sly move; readers hesitant to commit to raising an enslaved infant may well have wondered what those terms were and how those terms might be shaped to their advantage.

Because it could be so difficult to find people willing to take in the babies born to enslaved black women in the region, few slaveholders appear to have been selective about who could claim their unwanted “Negro” children. But some were. One requested a “careful Person” to raise the “Young Negro Child” advertised.⁴⁰ Another suggested that a “Person In Town” would be the “most agreeable” recipient of the “likely Negro Female Child” who needed a home.⁴¹ This could have been a bid to place the child somewhere near her mother or other kin. Indeed, slaveholders occasionally stated that the children they wished to discard must remain with their mothers. One offered “A healthy Negro Woman” for sale, noting that “A healthy Negro Male Child” would “be given to the Person who may buy her.”⁴² Another advertised “A fine healthy Negro Girl of a good Temper, faithful and honest.” She “can do all sorts of

³⁷ *New-England Courant*: May 18, 1724, p. 2.

³⁸ *Boston Gazette*: Mar. 18, 1771, supplement, p. 2

³⁹ *Boston News-Letter*: July 8, 1773, p. 3.

⁴⁰ *New England Weekly Journal*: July 6, 1737, p. 2.

⁴¹ *Boston Gazette*: Feb. 17, 1772, p. 4.

⁴² *Boston Evening-Post*: Jan. 25, 1773, p. 4.

Household Work,” the notice stated, including, almost as an afterthought, that she “has a Male Negro Child.”⁴³ The child, the advertisement implied, would go wherever his mother went.

It is important to remember that even in situations like these, when slaveholders tried to pawn infant slaves and their mothers in pairs, the transfer was not benign: black families were still dissolved in order to convenience white ones. What of the woman’s partner? The child’s father? The older children, if there were any? The other slaves who, though perhaps not related by blood, nonetheless played meaningful roles in the lives of the mother and child? Some owners, recognizing the devastation wreaked by the frequent sale and gifting of enslaved children in the region, tried to retain all the infants born in their households. Deborah Thayer had apparently planned to raise all of Jane and Sebastian’s children in her home, even though that decision was financially unfavorable. And others made similar decisions.

But threats to enslaved families were everywhere. Even when Euro-American slaveowners opted not to sell black children one by one as they were born, the little kin units they preserved in their homes could well be divided upon their death. This was the case for the household of the Reverend Peter Thatcher, a minister south of Boston in a town called Milton. Thatcher was more benevolent than most; he retained during his lifetime three young slaves, who appear to have been the children of his “Negro Woman Hagar,” and he stipulated in his will that Hagar should be freed after a period of service to his wife.⁴⁴ But the man also provided instructions for the dispersal of Hagar’s children among his heirs. Thatcher’s son, Peter, would

⁴³ *Boston News-Letter*: June 26, 1766, p. 3. The demand for this pair was not high; the advertisement was still posted nearly a month later. See *Boston News-Letter*: July 25, 1766, p. 2.

⁴⁴ Thatcher described one child, “Little Sambo,” as “born in my House,” which means he was almost surely born to Hagar, as she was the reverend’s sole slave woman. The connection to Hagar of another child, “Little Hagar,” is unmistakable. The third child, a boy named Jemmy, is not clearly linked in Thatcher’s will to Hagar, but, seeing as the other two children were born to Hagar, it would not be surprising if Jemmy was as well.

receive “Little Sambo”; Thatcher’s daughter, Theodora, would inherit Jemmy, and another of Thatcher’s sons, Oxenbridge, would receive “Little Hagar.”⁴⁵ For the “Negro Woman Hagar,” then, liberty brought with it the difficult task of parenting children who were dispersed in three separate Euro-American households, subject to three different masters.

Hagar was not alone; other masters inclined toward freedom split up groups of Africans who may well have been tied by blood or affection, emancipating some in their wills but not others.⁴⁶ And even when Euro-Americans sought to preserve slaves’ families through the process of estate settlement, they sometimes managed to sever bound Africans from their kin nonetheless. For instance, in the process of divvying up the property of John Floyd, a well-to-do yeoman living north of Boston in Rumney Marsh, the man’s sons distributed eight slaves among the five Floyd heirs. They apparently took care to preserve a family unit; John Floyd, Jr. received “Ceesar & Sarah and their youngest Child called James.”⁴⁷ But they did not preserve it fully; if James was Ceesar and Sarah’s *youngest* child, then the couple must have had older children as well. Perhaps Floyd’s “negro girl called Lydia” was James’s older sister. Maybe some of Floyd’s male slaves—Jack, Tom, Dick and Harry—were James’s older brothers. All of these slaves were distributed to different heirs, so, while part of the family survived the settlement of John Floyd’s estate intact, part of it was torn apart. To have a child in eighteenth-century New England was, for many enslaved parents, a perilous thing. To be a child was no better.

⁴⁵ Peter Thatcher Will, Probate #5558, Suffolk County Probate, First Series, vol. 26, p. 88. Thatcher referred to his daughter Theodora as “Gulliver,” her married surname.

⁴⁶ Slaves’ familial relationships are often difficult to distill from their owners’ probate records, but the following wills split up groupings that may well have represented nuclear slave families: Francis Holmes Will, Probate #5258, Suffolk County Probate, First Series, vol. 25, p. 120-1; William Holbrook Will, Probate #3637, Suffolk County Probate, First Series, vol. 28, p. 410; Jonathan Bill Will, Probate #5790, Suffolk County Probate, First Series, vol. 27, p. 163.

⁴⁷ John Floyd Agreement, Probate unnumbered, Suffolk County Probate, New Series, vol. 14, p. 400-1.

Mark stayed with the merchant Henry Caswell in Boston for “some Time,” he wrote. Caswell was the first of Mark’s four Massachusetts masters. After Caswell, Mark was sold to one Mr. Salter, a Boston brazier, who, according to Mark’s confession, “learn’d me to read, and educated me as tenderly as one of his own Children.” Salter sold Mark to Joseph Thomas, a man of rank who lived in the town of Plympton, south of Boston. Mark’s confession stated that Thomas “treated me with the same Kindness that Mr. *Salter* did.” But when Thomas died in 1743, he left his large estate deeply indebted, and Mark, the most valuable of his five slaves, was sold to Codman, a man who was decidedly *not* kind.⁴⁸ Mark’s statement provides no happy description of the captain; it simply states: “Then Mr. *John Codman* of *Charlestown* bought me.”⁴⁹

Only three sentences in Mark’s “*Last & Dying Words*,” narrate the man’s life in Massachusetts prior to taking up residence at the Codman estate, but this short account points to important realities for slaves in the region. Bondspeople could be subjected to tremendous mobility: Mark had four masters in three Massachusetts towns during a period of time spanning just over a decade.⁵⁰ And the region’s slaveholders differed tremendously in temperament. Codman would become known for his cruelty to his slaves, while Mark’s confession described Salter as a man who “educated [Mark] as tenderly as one of his own Children.” The account of

⁴⁸ For documents related to the settlement of Thomas’s estate, see Plymouth County Probate #20384. For Thomas’s slaves, see his inventory: vol. 9, p. 273-4. For a statement declaring the estate’s insolvency, see vol. 9 p. 319.

⁴⁹ *The Last & Dying Words*

⁵⁰ Mark’s statement indicates that he was born in Barbados in 1725. If he was brought to Boston at the age of eight, that would have been in the year 1733. Thomas, his third Massachusetts owner, died just ten years later, in 1743. Soon after Thomas’s death (though no evidence indicates precisely when) he was sold to Codman, his fourth Massachusetts owner in, say, 11 or 12 years.

Salter may well have been embellished by the “subscribers” who witnessed Mark’s dying words, but it contained a grain of truth: Mark was indeed literate, as he signed his testimony with his own hand and, according to Phillis’s deposition in court, he “had read the Bible through, and [concluded] that it was no Sin to kill [Codman] if they did not lay violent Hands on him So as to shed Blood.”⁵¹ The confession’s authenticity is also bolstered by the fact that it described two masters as “kind” and remained silent on the disposition of the other two. If Mark’s statement was invented wholesale by the white men who “*acknowledged... [his] last and dying Words,*” why did it not contrast the goodness of *all* slaveholders with the depravity of their murderous slaves? Why not eulogize the murdered Codman in print by including a single sympathetic statement on his behalf?

From Caswell to Salter to Thomas to Codman; from callous master to “kind” master to cruel master; from Boston to Plympton to Charlestown.⁵² At some point after Mark had navigated all these transitions, he entered into a relationship with the woman he would later describe as his “wife,” and he had a child.⁵³ Taken far from his own kin decades before, the slave began to rebuild fragile bonds of blood and affection. But maintaining family ties was difficult from a distance. Charlestown was far enough from Boston that Mark was unable to see his wife and child on a daily basis, and this angered at him. The fact that his problem was an

⁵¹ For Phillis’s statement, see Goodell 131. In Goodell’s 1883 examination of Codman’s murder, he observed that Mark “signed his examination... in a bold, legible hand.” Goodell 123.

⁵² Mark described Salter and Thomas as “kind,” and he made no remark on the other two. Had Caswell been even the slightest bit humane, he no doubt would have been described that way. For more on Codman’s cruelty, see page 23 of this chapter.

⁵³ Mark no doubt met his wife while he was in the possession of Codman, as the woman lived in Boston, just across the channel from Charlestown. When Mark belonged to Thomas in Plympton, he had lived over 40 miles south of Boston: far enough that he would probably have had limited access to the port. And when Mark had first lived in Boston with Caswell and Salter, he had been just a youth, not ready to enter a marriage or father a child. (Of course, it is possible he met the girl who would later become his wife at this early point, was separated from her when sold to Plympton, and reconnected with her upon his return to the Boston area.)

extraordinarily common one for enslaved fathers in the region made the pain no less difficult. He wanted to—had to—get to Boston.

Mark was an ingenious man, and a valuable one. Enslaved or not, he had options, and, with a bit of luck, he might be able to accomplish just what he hoped. In 1749, in what seems to have been his first attempt to get out of Charlestown, he orchestrated the burning of Codman’s “Work House” and “Shop.”⁵⁴ Apparently Phillis was the one who actually “set... [the] fire” by “thr[o]w[ing] a Coal of Fire into some Shavings between the Blacksmith’s Shop & the Work House,” but she declared that the burning “was thro’ Mark’s means,” as “he gave me no rest ’till I did it.”⁵⁵ The arson, Phillis declared, was Mark’s idea: “Mark first proposed it, to Phoebe and I.” Why? “[T]he Reason he gave us was that he wanted to get to Boston, and if all was burnt down, he did not know what Master could do without selling us.”

Mark’s purported assessment was accurate: if he could destroy the estate’s outbuildings, Codman would indeed have been forced to sell him—unless, of course, the slaveholder was able to rebuild. Mark labored in those very buildings, after all. He was a man of great skill in metalworking, a craft he likely learned when he belonged to Mr. Salter, the brazier, his second master in the Bay Colony. Boston artisans often depended on slave labor, and Salter likely acquired Mark, perhaps ten or twelve at the time, with the hopes that he would one day run his shop. But if that had been Salter’s plan, something went wrong, for Mark before long had been sold away to Plympton, where a local grandee named Joseph Thomas needed a blacksmith.

⁵⁴ Phillis stated that Codman’s “Work House” burned in Goodell 131, while Mark said that his “Shop” burned in his *Last & Dying Words*. As multiple buildings appear to have burned, the fire likely burned both Codman’s work house and the shop, which he eventually re-built, as both are catalogued in his inventory.

⁵⁵ Goodell 131. The testimony of both Phillis and Mark confirm that Phillis actually set the building on fire. Mark adamantly denied doing the deed himself, but he did not deny conceiving of the idea. Nor did he deny encouraging the woman to carry it out.

Thomas, described continually in records as an “esquire,” was large landowner and town officer who seems to have lived off the profits of rented land and a metalworking enterprise. At his death, he owned eight lots with various buildings, as well as a “Forge[,] Coal house[,] Damm[,] pond[,]” rights to a furnace, and “all utensils & appurtenances belonging unto... [the] forge.” He also owned additional acreage valuable for its ore, and “privileges” to the ore in various plots of land owned by others. It is not surprising that Mark, eighteen years old at the time of his master’s death, was the most valuable slave on the man’s inventory; the blacksmith, assessed at £220, transformed the minerals beneath the meadows of southern Massachusetts into an array of useful metal objects for his neighbors.⁵⁶

When Thomas’s heirs were forced to sell Mark, Codman had bought the youth, just maturing into a man, for the very same reason Thomas had: his skill as a blacksmith.⁵⁷ Codman, sometimes referred to as a “captain” due to his position in the local militia, was also called a “Gent[leman]; he was a man who did not have to work to support himself because his slaves labored for him.”⁵⁸ But he was sometimes described in a third way: as a “Chaizemaker,” or one who made carriages.⁵⁹ From the Charlestown estate came a constant stream of skillfully forged handiwork: Codman supplied “*chaises, chairs, [and] refined iron*” to “*gentlemen*” throughout the

⁵⁶ Inventory of Joseph Thomas, Plymouth County Probate Records, vol. 9, p. 273-4.

⁵⁷ Joseph Thomas died on March 22, 1743. His estate, valued at over 17,000 pounds, was heavily indebted, and found insolvent. See Inventory of Joseph Thomas, Plymouth County Probate Records, vol. 9, p. 273-4; Joseph Thomas’s Estate Declared Insolvent, Plymouth County Probate Records, vol. 9, p. 319.

⁵⁸ For instance, Codman is referred to as a gentleman in the record of the following court case: *Holyoke v. Codman*, Massachusetts Superior Court of Judicature, vol. 1752-3, p. 234. Though historians who have referenced Codman’s murder have regularly interpreted the label “captain” to mean that Codman was a “sea captain,” I have found no evidence that he ever captained a ship. For references to Codman as a sea captain, see Goodell 122; Elise Lemire, *Black Walden: Slavery and its Aftermath in Concord, Massachusetts* (Philadelphia: University of Pennsylvania Press, 2009), 180; John D. Bessler, *Cruel & Unusual: The American Death Penalty and the Founders’ Eighth Amendment* (Boston: University Press of New England, 2012), 270.

⁵⁹ Suffolk Files case #28037.

region.⁶⁰ Mark was crucial to this operation. So crucial, in fact, that the men who interrogated him following Codman’s death referred to the blacksmith shop on the Charlestown estate not as *Codman’s* blacksmith shop, nor as *the* blacksmith shop, but instead as *Mark’s* blacksmith shop: “Had you and Phoebe any Conversation together about your master in or near your Blacksmith’s Shop...?”⁶¹

The slaves’ fire inflicted serious damages. A local newspaper reported that “several Shops and other Buildings belonging to Capt. Codman were consumed, with 40 Barrels of Flour.” All told, the Codman’s loss was “reckoned to be 3 or 4000 Pounds, Old Tenor.”⁶² The *New-York Evening Post* picked up the story the following week, providing additional details about the blaze and putting the damages at £6000.⁶³ But the fire did not achieve what the slaves had hoped. Codman was not forced to dispose of his slaves out of financial duress. Nor did he opt to divest himself of the bound laborers who worked in his outbuildings. Apparently he rebuilt his holdings, and the work at the Charlestown estate continued apace. Not a single slave was sold. Nobody got to Boston.

At some point, Mark apparently tried a new strategy: finding a buyer for himself. He seems to have recruited somebody—no doubt a Bostonian who lived close to his family—to

⁶⁰ Codman’s son, John Codman Jr., would put a notice in a Boston newspaper just after Mark’s execution to assure “all his father’s customers, and other gentlemen, who want chaises, chairs, or refined iron, that they may be supplied as before.” See *Boston Gazette*: Sept. 1, 1755, p. 4. He would repeat this ad in the *Boston Gazette* on both September 8 and September 22. Mark apparently did not limit his smithwork to his master’s business; he manufactured things for his own use in his shop as well. For instance, he hammered out a “narrow Piece of flat Iron” to serve as a tool for dosing Codman’s arsenic. According to Phillis, Mark told her that Robbin, the slave who supplied him with arsenic, had given him such a tool, but “he had lost it,” so “he himself went into the shop and made” a similar one. See Goodell 126-7.

⁶¹ Goodell 135-6.

⁶² *Independent Advertiser*: June 12, 1749, p. 2.

⁶³ *New-York Evening Post*: June 19, 1749, p. 3.

offer Codman the colossal sum of £400.⁶⁴ But Codman turned it down. So Mark took a different approach. If his master would not sell him, perhaps he would hire him out to a person who lived closer to his family. Such arrangements were common in eighteenth-century New England, where slave owners could have trouble keeping their bound laborers occupied; masters could profit from slaves who might otherwise be idle by renting them to others or by allowing them to find work themselves, whether as a sailor at sea, or a cooper in a Boston workshop, or a hand on a Roxbury farm.⁶⁵ The strategy worked: Mark went to Boston, apparently with Codman's blessing. According to Mark's confession, "My Master let me live in *Boston* with my Wife, and go out to work."⁶⁶

The persistent man got his way. Burning a shop. Attempting a sale. Working out an employment arrangement. Mark was unrelenting in his attempt to get to Boston. But he was not unusual. Other slaves in the region worked exceedingly hard to gain access to their family members. The most reliable way they could protect themselves and their kin from geographic separation was by extricating themselves from slavery; many sought freedom for themselves in large part so they could maintain more intimate relationships with their families. Samuel Sewall noted that a slave named "Cophee" purchased his freedom from Ebenezer Pemberton, minister of

⁶⁴ Word got around to the men who interrogated Mark following Codman's murder that Mark had smugly announced that Codman "had been offer'd £400 for [him] but wou'd not take it, and now he shou'd not have a farthing." See Goodell 136.

⁶⁵ Many slaveowners, of course, had more than enough work to do to fill their slaves' waking hours, and worked their slaves very hard. But some slaveholders found it more profitable to have their slaves work for others and earn a wage (which went to the master in large part or in full, depending on the agreement between slave and master). There are many court cases in the region's records documenting disagreements between slaveholders and those who hired their slaves.

⁶⁶ "*Last & Dying Words*"

Sewall's Old South Church, in order to "be with his wife."⁶⁷ Probate records provide additional evidence of slaves' desire for the access to family members that freedom provided. For instance, a Boston slave named Betty Johnson sought freedom so that she could be with her mother. Johnson's owner, Mary Sargent, granted Johnson's desire; her will stipulated that Johnson "shall have her Liberty and return to her mother Kate Humphrey according to my promise to her."⁶⁸ Similarly, a slave named Savage hashed out a bargain with his master, Anthony Haywood, for his freedom. Savage wished to be liberated, but not alone: his wife had to be freed, as well. Like so many master-slave transactions, the agreement would have been invisible, but for a brief notation squeezed into the margin of Haywood's inventory. Almost as an afterthought, Haywood's executor mentioned that the estate received five pounds from Savage "towards his & his Wives freedom, agreeable to a promise made by [Haywood]."⁶⁹

Haywood was not alone in wishing to free his wife; a free African man named Titus launched a court battle in attempt to accomplish the same ends. Titus had once belonged to a Boston farmer named Joseph Bill, but Bill's heirs had emancipated him after their father's death, noting that he had "faithfully served" his master "Dureing all such Time as he was his serv[an]t."⁷⁰ After receiving his freedom in 1726, Titus immediately set out to liberate his wife, Dinah. He apparently arranged to purchase the woman for £20, but then paid the sum only to be defrauded; Jeremiah Bill, Dinah's owner (and a son of Titus's former master) reneged on the agreement, pocketing Titus's hard-earned money and refusing to release his wife. In 1728, Titus

⁶⁷ Diary of Samuel Sewall, vol. 7, p. 9.

⁶⁸ Mary Sargent Will, Probate unnumbered, Suffolk County Probate, First Series, vol. 16, p. 100-3.

⁶⁹ Anthony Haywood Inventory, Suffolk County Probate, First Series, vol. 14, p. 281-2.

⁷⁰ Joseph Bill Will, Suffolk County Probate #3961.

petitioned Suffolk County’s General Sessions of the Peace for Dinah’s freedom, claiming that Jeremiah Bill, a son of his former master, had defrauded him.⁷¹ The suit was not successful—the criminal court dismissed Titus’s petition because it did not fall within the court’s jurisdiction—but Titus, undeterred, proceeded to sue Bill in the county’s civil court. This time the court heard the case, and the jury decided in the couple’s favor, freeing Dinah and charging Bill the costs of suit.⁷²

Court records show that slaves worked extraordinarily hard to free their children as well as their spouses. In 1716, for instance, Anthony, a Plymouth County slave, and his free black wife, Mariah, initiated a prolonged legal dispute with an innholder named Cornelius Briggs. The couple complained that Briggs had wrongly enslaved their daughter, Mary (or Molly). A series of appeals moved the dispute from the jurisdiction of the local county court to the colony’s Superior Court, as the couple fought for four years to legally secure their daughter’s freedom. Mariah passed away at some point during this contest for her daughter’s liberty, and Anthony’s owner, a clerk named Nathaniel Eells, stood in for Anthony when Briggs challenged the slave’s right to sue in court.⁷³ But eventually the beleaguered African family emerged victorious: in 1720, Mary and Eells “recovered her freedom” and all the costs associated with securing it.⁷⁴

⁷¹ General Sessions of the Peace, Suffolk County, “Titus Negros Petition Dismist,” Reel 2, Vol 1725-32, page 116.

⁷² Court of Common Pleas, Suffolk County, “Titus Negroman vs. Bill,” Vol 1727-8, page 286-7. Other cases proceeded similarly; John Jackson managed to liberate his wrongly-enslaved wife in a case that went to the Bay Colony’s highest court. See Superior Court of Judicature, “Stone v Jackson,” Vol 1715-21, page 198, 1717/07/31.

⁷³ I have not found evidence that slaves were denied access to Massachusetts courts, so Eells may not have needed to step in because of Briggs’s complaint, but he did so nonetheless.

⁷⁴ Suffolk Files case #14033. See also “Negro Molly v Briggs,” Massachusetts Superior Court of Judicature, vol. 1715-21, p. 286, Massachusetts Archives, Boston.

Anthony was not unique in his determination to free his offspring; other evidence shows that enslaved fathers set their minds to liberating their children. This can be seen in the records kept by Ezekiel Price, a Boston justice of the peace who documented manumissions at the behest of local blacks. In 1759, Price recorded a “Receipt” penned by Silvester Gardiner, a Boston physician. In return for five shillings, Gardiner had given an infant child to a “free Negro” man named Lancaster Hill. The child, named Mingo, was Lancaster’s son: “a Male Negro child born of the Body of [Gardiner’s] Negro Woman named Margaret Hill.”⁷⁵ The boy must have died, because two years later Price granted Hill another child named Mingo in exchange, again, for five shillings.⁷⁶ The following year, Hill paid Gardiner five shillings for his daughter, Margaret.⁷⁷ Though Hill had been free for many years, his wife, Margaret, belonged to Gardiner, so the physician owned Hill’s many children.⁷⁸ Besides Mingo, Mingo, and baby Margaret, the elder Margaret bore Lancaster, Lancaster, Patience, and Lancaster.⁷⁹ And perhaps more, as birth

⁷⁵ Ezekiel Price Notorial Records, Volume I, recorded February 5, 1759, Boston Athenaeum.

⁷⁶ Ezekiel Price Notorial Records, Volume I, recorded May 22, 1761, Boston Athenaeum.

⁷⁷ Ezekiel Price Notorial Records, Volume II, recorded December 21, 1762, Boston Athenaeum.

⁷⁸ When Hill bought the infant Margaret from Gardiner in 1762, he had been free for at least a decade. In 1756, he appeared before Boston’s selectmen and “Informed them that He came into this Town about five years agoe from Charlestown.” Hill at this point was a “Free Negroe,” and the way in which he described his transfer from Charlestown to Boston suggests that he had been free at the time he made his move. He “first Lived with Mr Thos Flucker,” he told the selectmen; he did not *belong to* Flucker, as he may well have put it had he been enslaved. Evidently Hill accomplished what Mark could not: he acquired his freedom and then was able to move from Charlestown to Boston, where his wife and children were enslaved. For his appearance before the selectmen, see William H. Whitmore, *A Report of the Record Commissioners of the City of Boston Containing the Selectmen’s Minutes from 1754 through 1763* (Boston: Rockwell and Churchill, City Printers, 1887), 47.

⁷⁹ There are no birth or baptism records for either of the Hills’ sons named Mingo. The baptisms of several of Lancaster and Margaret’s children are found in the records of King’s Chapel, vol. 39. For Lancaster, born in 1757, see page 51-2; for Margaret, born in 1762, see pages 73-4; for Patience, born in 1765, see pages 83-4; and for Lancaster, born in 1767, see pages 93-4. The deaths of two of the children are recorded in the church’s records: the first Lancaster died in 1759, and the second Lancaster died in 1761 (see volume 40, pages 19 and 22). There is no baptism record for the Lancaster who died in 1761. As his death record indicated that he was only four months when he passed, he may have been too sickly to be baptized. (It is worth noting that this Lancaster was actually recorded

records from the period are spotty. It was a costly endeavor, buying every baby. As well as a troubling one: what if Gardiner decided *not* to sell a child at some point? Or what if his prospects turned sour and he had to sell Margaret away? And, from the constant repeat of given names, it was a bleak endeavor as well, this buying of children from slavery only to watch them succumb to disease or hunger or other ailments.

Not all black fathers who sought to liberate their children shared Lancaster Hill's even limited success. In the late 1760s, Scipio Gunney was stymied in his attempt to buy his daughter, Eunice, from Seth Barnes, her Plymouth slaveowner. Gunney, perennially strapped for cash, as many free blacks were, had to borrow from a middleman in order to complete the transaction. Estes How, a Boston mariner, lent Gunney £12, enabling the man to free his daughter from obligation to Barnes. In return, Gunney gave Estes the bill of sale for Eunice for a year: this would repay the £12 as well as any interest. But the results of Gunney's careful calculations were devastating. Instead of subjecting Eunice to servitude for the single agreed-upon year, Estes sold her out of the colony. Gunney took Estes to court and won £50 damages, but the victory no doubt rung hollow; Eunice, who had once lived just a county away, was now lost in the Atlantic, condemned to slavery, perhaps, in the Caribbean or southern mainland.⁸⁰ Short of an extraordinary stroke of good fortune, father and daughter were now separated for life.

When it came to uniting their families by purchase, black men like Titus, Lancaster Hill, and Scipio Gunney were more active than black women; nearly all of the manumissions by purchase in the eighteenth century for which documentation survives were accomplished by men

as "Lancashire," but so was his father. The record reads: "Lancashire of Lancashire & Margaret." So the supposed name change was evidently a scribal error.)

⁸⁰ For Gunney's suit, see *Scipio Gunney v. Estes How*, Suffolk County Court of Common Pleas, Dec. 11, 1769. The CCP record books for Suffolk County during this period have been lost, but some of the file papers remain, including three documents associated with this case.

of African descent, not women. This reality stemmed in large part from simple economics; men's labor was valued more highly than women's, so black men stood a chance of earning enough to purchase themselves and their family members, while black women did not. But this should not be taken to mean that women of African descent were idle when it came to maintaining kin ties across geographic distance and, when possible, uniting families severed by the obligations of slavery. Their efforts were merely more liable to be obliterated by the centuries; without the financial means to procure their freedom of their kin, black women's attempts at building and sustaining their enslaved families were less likely to be preserved by the Euro-Americans who rendered their world in written form for posterity.⁸¹

One wonders about Mark's wife. Was she as determined to get to Mark as he was to her? It is impossible to know with certainty, as she is entirely invisible in the saga; she was not called as a witness in court, as was Phoebe's husband.⁸² Indeed, despite the extensive evidence documenting her husband's crime, no eighteenth-century source so much as records her name for posterity. But a curious incident recorded in the court records of Suffolk County provides what may be a telling clue. In August of 1752, an enslaved woman named Cloe turned up on Codman's Charlestown estate. She belonged to a Boston merchant named Jacob Holyoke, who

⁸¹ Of course, sometimes black women interfaced with the lower-level court system in their attempt to secure the freedom of their family members, even if they had not purchased those family members. An example is the case of Lettice, a "Negrowoman belonging to Mr. David Burnett," who asked Justice of the Peace Ezekiel Price to record the manumission of her son, James. On June 10, 1754, Burnett "Sett free at the Age of twenty six years a certain Negroboy named James... born of the Body of Lettice a Negrowoman," and on September 5, 1754, Price "Entered and notorized" the manumission record in his book. It is not clear how James obtained the promise of freedom—Lettice, a slave herself, likely would not have had the ability to purchase it from Burnett—but by convincing Price to record the agreement, Lettice did what she could to force Burnett to keep his word. See Volume I of Price's Notarial Records, Boston Athenaeum.

⁸² Besides Phillis, only one enslaved woman was called to testify about the case in court: "Dinah Serv[an]t of Rich[ar]d Foster, Esqr." But Dinah lived in Charlestown, not Boston: her owner, Richard Foster, was the sheriff of Middlesex County, and she is included on a list of residents of Charlestown who were summoned "to give... Evidence... against Mark a Negro man & Phillis a Negro woman." Goodell 140.

later sued Codman: the Charlestown “Gent[leman],” he claimed, had known that Cloe belonged to Holyoke, but he had “refused to deliver her” to him, instead “dispos[ing] of her to his own use.”⁸³ In the language of the law, Holyoke had “lost” Cloe, and Codman had “found” her.⁸⁴

But Cloe had most certainly *not* been lost; cases concerning “lost” and “found” slaves recurred in the court records of the region, and the bound laborers in question regularly knew where they were and where by law they should have been.⁸⁵ The slaves in these cases appear to have *chosen* to leave their owners in favor of another master, and Cloe’s case was no doubt the same.⁸⁶ Cloe was no newcomer to the region; she had resided in Boston with Holyoke for nearly

⁸³ Records of the Massachusetts Superior Court vol. 1752-53, p. 234, Massachusetts Archives, Boston.

⁸⁴ This language derived from legal statutes dealing with livestock; cows, pigs, and horses in the Bay Colony were regularly “lost” by their owners and “found” by others. See, for instance, Peter Ball’s 1771 appeal of a judgment in favor of William Fillis, who had sued Ball for “converting” Fillis’s “lost” cow to “his own Use.” The language used when dealing with animals is identical to the language used when dealing with slaves. For the case, see the records of the Superior Court of Judicature, vol. 1771, p. 212, Massachusetts Archives, Boston.

⁸⁵ Reading the records of the Bay Colony’s Superior Court of Judicature page by page turned up 11 instances where slaves were “lost” and “found” using this exact formulation. (Many more such cases are doubtless recorded in the records of the Court of Common Pleas for the various Massachusetts counties.) Of the 11 conflicts over “lost” slaves in the Superior Court records, nearly all dealt with slaves who simply could not have been lost. In the majority of these instances, the “lost” slaves were found laboring in the same towns in which their masters lived. And sometimes the “lost” slaves were working for whites whom they had clearly known for a long while. Abbee, the slave of William Douglass, turned up in town working for William’s kinsman Cornelius Douglass. Similarly, a slave named Sue Black was “lost” by her owner, Mary West, and “found” by Mary’s brother, Shardrack Norton. It is inconceivable that Abbee and Sue Black were actually unaware of their whereabouts, for whom they were laboring, and where their chosen masters lived. For the case of Abbee, slave of William Douglass, who was “found” by Cornelius Douglas, see Superior Court of Judicature vol. 1753-4, p. 321. (William was the stepson of a Boston physician named William Douglass, and Cornelius was the physician’s nephew. See William Andrew Emerson, *History of the Town of Douglas, Massachusetts, From the Earliest Period to the Close of 1878* [Boston: Frank W. Bird, 1879], 142, 144, and 146.) For a reference to Mary West’s claim that she had “lost” Sue Black, see Superior Court of Judicature vol. 1725-30, p. 117.

⁸⁶ Some of the conflicts over “lost” slaves recorded in the records of the Superior Court of Judicature show that “lost” slaves were anything but. They had chosen to leave their present owners to live in other Euro-American households—runaways of a sort. For instance, in 1740, an enslaved woman named Letitia ran away—or was “lost” by—her owner, a Boston shopkeeper named John Wass. She headed for the household of James Gordon, the Boston merchant who had sold her to Wass. Letitia was protesting the poor treatment she suffered in Wass’s home: she was “emaciated,” she had a “violent cough,” and her mistress had disrespectfully cropped her hair—“Cut off her Wool”—which, she believed, contributed to her illness. Shorn and unwell—a local doctor testified that she had “genuine consumption”—Letitia left Wass’s household for the home of the man who had once owned her. Lost? Not by a long stretch. For the case of Letitia, see Superior Court of Judicature vol. 1739-40, p. 166. See also Suffolk

ten months prior to leaving for Charlestown, and she had lived in Boston with Joseph Goldthwait, another of the port's slaveholding merchants, before her purchase by Holyoke. So Cloe had not ended up on Codman's estate due to geographical disorientation; she had decided on her own accord to go to Charlestown. It is not immediately clear why Cloe would have done this. By all accounts Codman was a cruel owner; according to Phillis's testimony, his slaves had apparently longed for "good masters," and Codman had abused one of his bound laborers, Tom, so harshly that he inflicted serious damage on the man's eye. Even Mark's *Last & Dying Words*, which treated his owners with great generosity, had nothing positive to say about Codman.

Cloe was 30 at the time she went to Codman's; Mark 27.⁸⁷ Like the woman Mark called his wife, Cloe hailed from Boston. She willingly chose to serve a man whose slaves found him intolerable. Who *was* this enslaved woman, and why was she willing to get "lost" on Codman's estate? Could Cloe have been Mark's wife? The one he tried so hard to reach? Was this her own attempt to gain proximity to her family?⁸⁸

Files case #51176, testimonies by Kezia Passoe and Wi[lliam] Douglass. Soon after Letitia left, Wass posted a runaway ad for the woman in the *Boston Gazette*, noting that she was "*formerly bought of Mr. James Gordon.*" Perhaps he suspected that Letitia might head to Gordon's home. See *Boston Gazette*: April 2, 1739, p. 4.

⁸⁷ Jacob Holyoke produced as evidence of his ownership of Cloe a bill of sale from October 1751, which stated that he gave Joseph Goldthwait £26, 13 shillings, and 4 pence for "a negro woman sold... about 30 year old and by name calld Cloe." See Suffolk Files case #100162.

⁸⁸ The courts' rulings on this case are confusing. Holyoke sued Codman for £50, but he lost his case in the Suffolk County Court of Common Pleas; the jury awarded Codman the costs of the lawsuit. When Holyoke appealed to the Superior Court, though, he won £30. This was close to Cloe's value; Holyoke had bought her the year before for 26 pounds, 13 shillings, and four pence. The jury's verdict, penned on a fragment included with the court's file papers, included two versions of the Superior Court verdict. The jury first awarded Holyoke "reversion of the former Judgmt, Possession of the Negro Sued for, & Thirty Shillings mony damages & Costs." But somebody scratched out most of that verdict and replaced it with "thirty pounds lawful mony damages & Costs." And that is what Codman paid; a scrap of paper filed elsewhere indicated that Holyoke was "fully satisfied" with Codman's £30. It is possible, then, that Codman ended up keeping Cloe. In that case, if Cloe was indeed Mark's wife, they would have resided in the same place for a period of time. If Codman ever owned Cloe, though, it was not for long, though; when he died three years later, the appraisers of his estate tabulated five slaves, none of whom were named Cloe. It is worth noting that most of the cases of "lost" and "found" slaves did not actually record which party got to keep the "negro servant" in question. The most reasonable assumption would probably be that the slave went to whomever won the case, along with monetary damages (which the records all specify). If the jury in the suit between Codman and

Phoebe. Mark and Phillis's purported accomplice has been nearly invisible in this story, and for good reason: not a word attributed to her survives. We thus know little of her early life. But Mark's *Last & Dying Words* provides a clue; it mentions Phoebe's sister, who was allegedly holding a sum of money that Phoebe had stolen from Codman. The fact that Phoebe had a sister living close by suggests that she was most likely native to the region; had Phoebe been born in Africa or, like Mark, in a Caribbean colony, she would probably have been separated from her siblings in the perilous process of enslavement and shipment across the Atlantic.⁸⁹ Was Phoebe, like Phillis, a "little girl" when she was sold to Codman? We do not know when the slave became bound to the Charlestown chaisemaker. Nor do we know when she married. But we do know that she was enslaved to Codman, and we do know that she married. Trial records reveal that she chose a Boston slave named Quaco. Phoebe's husband was most likely born on the Gold Coast of Africa, as *Quaco* is the Akan day name for Wednesday, but, by the mid-eighteenth century, he had been shipped to New England and enslaved to a Boston victualler, or grocer, named James Dalton.⁹⁰

Phoebe and Quaco's marriage was not recorded by the town clerks of either Boston or Charlestown. Nor was it entered into the annals of any of the region's meeting houses. The union of Mark and his wife went unrecorded as well. And no birth record exists for their child. None of

Holyoke followed this pattern, Cloe would have been returned to Boston to live with Holyoke. For the relevant court case and file papers, see Records of the Superior Court of Judicature, vol. 1752-3, p. 234. See also Suffolk Files cases 100162 and 71412. For Codman's inventory, see Middlesex County Probate, File Papers of John Codman, #4727.

⁸⁹ Of course, *some* slaves came to the Bay Colony in family groupings. Cuba Vassall, explored in the following chapter, is one such example; she was brought from Antigua to Massachusetts with her mother and five of her siblings.

⁹⁰ See David DeCamp, "African Day-Names in Jamaica," *Language*, vol. 43, no. 1 (Mar., 1967): 139.

Codman's slaves were connected to the churches in Boston and the surrounding villages that generated such vivid evidence of slaves' family ties. Nor, apparently, were they linked to local government; none pursued state-sanctioned marriages through the region's justices of the peace, as Jane Lake and Sebastian, Thomas Bedunah and Lydia Crafts, had with Samuel Sewall.⁹¹ If Mark, Phillis, and Phoebe had not poisoned their master, not a single piece of evidence about these enslaved families would have survived; the fragile but life-giving threads of connection that linked the three slaves to their kin would have been lost to history.

The fact that these enslaved families did not engage with the Euro-American institutions that shaped life and record-keeping in the eighteenth-century Bay Colony raises important questions about the nature and meaning of marriage to slaves and to their masters. Who had access to marriage in Massachusetts? What kinds of marriages did slaves pursue? How were these marriages solemnized? In what ways did being married—or not—shape the life and prospects of bound Africans? And how did slaves' ideas about marriages differ from their masters' ideas?

Abundant evidence suggests that many slaves thought it important to obtain a formal marriage with a local minister or justice of the peace presiding. The sheer frequency with which slaves sought state-sanctioned unions points to their attractiveness: in just the town of Boston, well over a thousand slaves and freed blacks were married by ministers and justices of the peace over the course of the eighteenth century.⁹² And when high mortality rates cut their unions short,

⁹¹ Had they been married by local justices of the peace, their marriages should have been noted in the chronicle of marriages kept by town clerks; justices of the peace were supposed to submit lists of those they had married to the town. Of course, it is possible that their marriage record was lost.

⁹² I have created a database tracking people of African descent married by Boston ministers and justices of the peace during the eighteenth century. This database counts 1176 who were married in an official capacity at least once. But the number of blacks who were married over the course of the century is actually much higher, as my database does

some people of African descent asked clergy to perform their second, or even third, marriages. For instance, a bound black woman named Patience married, first, a slave named Bristow, and then a slave named Boston. Joshua Gee, pastor of Boston's Second Church, officiated her first marriage, and Andrew Eliot, minister at the town's New North Church, officiated her second.⁹³ Patience seems to have passed away not long after her marriage to Boston, as he married—again in the New North Church—an enslaved woman named Susanna.⁹⁴ His final marriage, to Phillis, who was also enslaved, would be solemnized by New North's pastor as well.⁹⁵ Many other slaves remarried in the region's churches after their spouses passed away. A bound man named Jack married, first, an enslaved woman named Flora, and then a slave named Jenny.⁹⁶ Both of these unions were solemnized by local clergy, as were the unions of Dinah, an enslaved Boston woman who married two different slave men during her lifetime: Boston and Caesar.⁹⁷ In Boston's New North Church, a bound black man named Surranam married first a slave named Phillis, and then one named Rose.⁹⁸ In the Brattle Street Church, an enslaved woman named

not yet include all the records of three of Boston's churches: First Church, Old South, and Trinity. Also, it is likely that I failed to include some couples of African descent who were married in Boston during the late eighteenth century, as blacks were not consistently racialized in records by that time and many did not have names that were identifiably black.

⁹³ For the first marriage, see Edward W. McGlenen, ed., *Boston Marriages from 1700 to 1809*, vol 1 (Boston: Record Commissioners, 1898), 181. For the second, see *Boston Marriages* vol 1, 256. The second marriage is also recorded on page 44 of the volume of New North records held by the Boston Public Library.

⁹⁴ *Boston Marriages* vol 1, 367; New North Records p 50.

⁹⁵ *Boston Marriages* vol 1, 372; New North Records p 57.

⁹⁶ *Boston Marriages from 1700 to 1809*, vol 1, 255.

⁹⁷ *Boston Marriages from 1700 to 1809*, vol 1, 257; *Boston Marriages from 1700 to 1809*, vol 2, 367.

⁹⁸ *Boston Marriages from 1700 to 1809*, vol 1, 256; *Boston Marriages from 1700 to 1809*, vol 2, 366 and New North Records p 49.

Phillis married two bound men: first Tom and then Mark.⁹⁹ And, over a long life in bondage, an enslaved woman named Clarinda wed three bound black men, all in state-sanctioned marriages: first Dick, then Joseph, and finally Caesar.¹⁰⁰

The slaves who were married by Boston's ministers and justices of the peace appear to have wed in a formal capacity because they wished to do so; masters do not seem to have forced these state-sanctioned unions. Two major clues suggest that slaveholders did not impose official marriages on their slaves. First, freed people of African descent embraced state-sanctioned marriages; over the course of the eighteenth century, hundreds wed before Boston ministers and justices.¹⁰¹ It is doubtful that these marriages would have been so attractive to freed blacks had masters routinely forced them on slaves. And, second, blacks who chose to marry in a formal capacity while they were enslaved tended to pursue official marriages after they obtained their liberty, as well: that is, becoming free did not change the sorts of unions that large numbers of Afro-New Englanders formed.

The case of Newton Prince illustrates this well. Prince, a slave of John Gould, Jr. married a "free negroe" woman named Martha Barnaby in Boston's Brattle Street Church in 1761.¹⁰² Martha must have died over the course of the next several years, because Prince married a free black woman named Phillis Binn in 1767. Prince had obtained his freedom between his first and

⁹⁹ *Boston Marriages from 1700 to 1809*, vol 2, 326, and Brattle Street Church, *The Manifesto Church: Records of the Church in Brattle Square, Boston, 1699-1872* (Boston: The Benevolent Fraternity of Churches, 1902), 250; *Boston Marriages from 1700 to 1809*, vol 2, 328 and *Records of the Church in Brattle Square*, 252.

¹⁰⁰ *Boston Marriages from 1700 to 1809*, vol 1, 256; *Boston Marriages from 1700 to 1809*, vol 2, 325; *Records of the Church in Brattle Square*, 254.

¹⁰¹ My database includes 650 freed blacks who were married by either justices of the peace or ministers during the eighteenth century. For reasons explained in note 92, this number is likely far too low. Also, the status of blacks was occasionally difficult to determine from the records, so certain people of African descent who were in fact free may be recorded as "indeterminate status" in the database.

¹⁰² *Boston Marriages from 1700 to 1809*, vol 2, 327; *Records of the Church in Brattle Square*, 250.

second marriages; by the time of his marriage to Binn, he was called a “free negro.” But he nonetheless sought a formal union: the Reverend Joseph Sewall performed the nuptials.¹⁰³ Other blacks who had wed formally while enslaved opted again for state-sanctioned marriages once they were freed. In 1767, Sharper, a slave of Oliver Wendell, married a “free mulatto” named Mary Hill in Boston’s Brattle Street Church.¹⁰⁴ At some point after their marriage, Sharper obtained his freedom and Hill apparently passed away, because, in 1778, the pastor of Boston’s Second Church married the former slave to a woman named Molly, who was, like him, a “free negro.”¹⁰⁵ The case of a woman who was married twice in the Brattle Street Church illustrates as well the consistency with which many blacks preferred state-sanctioned unions regardless of status. In 1773, the enslaved woman, called simply “Nancy,” wed Cuff Prince; and in 1778, Nancy Prince, now free, married Cuff Buffon.¹⁰⁶

The frequency with which people of African descent posted banns is further evidence of blacks’ preference for unions that were identical to those of their Euro-American neighbors. Over the course of the eighteenth century, over 1600 people of African descent posted banns in Boston.¹⁰⁷ In fact, blacks appear to have posted banns more frequently than they actually

¹⁰³ *Boston Marriages from 1700 to 1809*, vol 2, 55.

¹⁰⁴ *Boston Marriages from 1700 to 1809*, vol 2, 329; *Records of the Church in Brattle Square*, 253.

¹⁰⁵ Records of Boston’s Second Church, Volume 7, unpaginated. Massachusetts Historical Society, Boston, Massachusetts.

¹⁰⁶ *Boston Marriages from 1700 to 1809*, vol 2, 330 and *Records of the Church in Brattle Square*, 254; *Boston Marriages from 1700 to 1809*, vol 2, 331 and *Records of the Church in Brattle Square*, 255. Nancy’s status at her second marriage is implied by the fact that the record of her marriage does not indicate that she was a slave or mention her master. By 1778, so many blacks in Boston were freed that the free status of Nancy Prince and Cuff Buffon was not worth specifying.

¹⁰⁷ My database includes 1622 people of African descent who posted banns in Boston churches during the eighteenth century. Though their banns were posted in Boston, not all were actually Bostonians; many hailed from nearby towns, including Charlestown, Lynne, Milton, Malden, Medford, Chelsea, Stoughton, Newbury, Dedham,

married—something that may be attributed to the loss of marriage records.¹⁰⁸ The high rates at which blacks, both slave and free, posted banns shows that they followed the steps to matrimony that were standard among the white community. Posting banns was the first legal step. Couples were required on three consecutive Sundays to have a local minister publicly announce their intention to marry. If somebody had an objection to the proposed marriage—say, one spouse was already married, or the union was incestuous—they could “forbid” the couple from marrying. Despite the frequency with which both enslaved and freed blacks posted banns, their neighbors only rarely prevented them from formalizing their unions; in the half century stretching from 1725 to 1775, merely three couples of African descent were forbidden from marrying.¹⁰⁹

Still other sources show how relentlessly some slaves strove to align their intimate lives and sexual relationships with the norms promoted by New England’s churches and courts. The story of Boston Jethro (sometimes referred to as Jethro Boston), which is preserved in petitions and depositions, bears witness to the power of “Lawful” marriage to eighteenth-century slaves. In March of 1742, Jethro appealed to the Governor and Council of the Bay Colony. He had been

Bridgewater, Braintree, Hingham, and Roxbury. Others came from as far away as Rhode Island or Connecticut. The diverse origins of the people marrying in Boston show the mobility of the enslaved and free black population.

¹⁰⁸ The discrepancy between the number of blacks who posted banns and those who actually married before ministers and justices of the peace cannot be attributed to the refusal of masters to allow their slaves to marry, as there is an even higher ratio of intentions to actual marriages among the records that survive for free blacks than there is among the records that survive for slaves. Among the population I could verify as free, 1.7 intentions were filed for each marriage (1002 intentions for 588 marriages); while among the enslaved population 1.4 intentions were filed for each marriage (451 intentions for 313 marriages).

¹⁰⁹ In 1753, Caesar and Rose, both “free negroes,” were forbidden; in 1763, Cromby and Tamar, both described as “neg[ro] s[er]v[an]t[s],” were forbidden; and in 1772 Joseph Jessup and Lydia Mintleous, “free negroes,” were forbidden. See *Boston Marriages from 1700 to 1809*, vol 2, pp. 8, 422, and 432. The records do not specify who forbid these couples from marrying, or for what reason.

“Lawfully married to Hagar,” a “Negro Woman,” in 1731, the petition began.¹¹⁰ Both at that time had been the slaves of John Gyles, a Roxbury esquire, but their proximity did not bring about a happy union. According to Jethro, Hagar was “Guilty of the Detestable sin of Adultery,” and had been “Delivered of a Molatto Bastard Child” to prove it. He now wished that the men who governed Massachusetts would allow him to divorce Hagar and “order that... the Marriage may be Declared void & of none Effect.”¹¹¹ The depositions collected by the Council bore out Jethro’s complaint. A Boston mariner named Thomas Saunders recalled hearing Hagar’s midwife tell him about Hagar’s “Molatto Child,” born five years prior. And according to John Gyles, the couple’s erstwhile master, Hagar had acknowledged that the child, a baby girl, had been fathered by a soldier named William Kelly.¹¹² Jethro, Gyles’s statement suggests, had been furious at Hagar’s adultery: though the slaveholder had “used all possible Endeavours to reconcile the said Jethro & Hagar,” it was all “to no purpose.” The discord may have been so unpleasant, in fact, that it forced Gyles to sell Jethro out of his Roxbury home; whatever the reason, by the time of Jethro’s petition, he belonged to Edward Bromfield, a Boston merchant.

Why did Jethro suddenly want a divorce in 1742? The couple had remained married—estranged, but married—for five years without Jethro taking action. But something had changed: Jethro now wished to remarry, and, since he wanted his new union to be “Lawful” just as his marriage to Hagar had been, a divorce was in order. The Council approved Jethro’s appeal on the 15th of April, and the man lost no time in formalizing his new union. Less than a month later, the

¹¹⁰ Indeed, the town’s marriage records show that Jethro and his wife, Hagar, were married in 1741 by Samuel Sewall, a justice of the peace (and son of the judge by that name who married Jane Lake and Sebastian in Chapter 2 and Thomas Bedunah and Lydia Craft in Chapter 3). See *Boston Marriages from 1700 to 1809*, vol 1, 170.

¹¹¹ Massachusetts Archives Collection, vol 9, p. 248, Massachusetts Archives, Boston.

¹¹² Massachusetts Archives Collection, vol 9, p. 249 and 250, Massachusetts Archives, Boston.

minister of Boston’s Old South Church married “Boston,” a “Negro Serv[an]t to Mr. Edward Bromfield” and Hannah, a “Negro Serv[an]t to Capt. John Wendell.”¹¹³ Had Jethro simply wished to initiate a sexual relationship with Hannah, he likely could have done so with no consequence, avoiding altogether the inconvenience of asking the Bay Colony’s Governor and Council to dissolve his former marriage. But he apparently did not want merely an informal liaison with the woman; he wished for a union that would be recognized by his Euro-American community, and he could acquire that only if he managed to legally terminate his prior marriage.

The marital difficulties of a black woman named Lydia Sharp also indicate how important legal unions could be to slaves in eighteenth-century Boston. In 1767, Lydia, then a slave to a man named Jonathan Sharp, wed Boston, a “Negro Servant to Joseph Belknap.”¹¹⁴ The marriage, Lydia would later emphasize, had been “lawful” and performed “by the Rev[eren]d Mr Sam[ue]l Mather.” Within a few years, though, it had deteriorated. Lydia laid bare her troubles in a 1773 petition to the Bay Colony’s Governor and Council: Boston had “utterly left and abandon’d” her, the petition read, and “kept Company & carnally cohabited with divers other Women of infamous Characters,” acquiring venereal disease in the process. As Boston had “committed the Crime of Adultery, and now lives in the constant Violation of every marriage Duty,” Lydia asked the Massachusetts authorities “to cause the bonds of Marriage between her & ye said Boston her Husband to be dissolved & broken.”¹¹⁵ It is not clear whether the Council approved the petition of the woman, who had obtained her freedom since marrying Boston; the fragments that record her request—which she appears to have signed with her own hand—do not

¹¹³ *Boston Marriages from 1700 to 1809*, vol 1, 256.

¹¹⁴ *Boston Marriages from 1700 to 1809*, vol 2, 55.

¹¹⁵ Suffolk Files case #129775.

record a judgment. But she was eventually freed from her husband, whether by action of the council or by the man’s eventual death. In 1793, Lydia Sharp entered into a new lawful marriage; she wed Boston Morton, a free black man who would hopefully turn out to be a better partner, in a ceremony performed by Samuel West, pastor of Boston’s Hollis Street Church.¹¹⁶

A mountain of evidence, fragmented but nonetheless compelling, suggests that enslaved people like Boston Jethro and Lydia Sharp wanted marriages that were carried out in churches and sanctioned by the colonial government. But not all people of color entered into these unions. Why? Why did slaves like Mark and Phoebe not marry their spouses in a formal capacity? According to the Bay Colony’s 1705 law governing race, sex, and marriage, “negroes” retained the right to marry “with one of the same nation,” so masters should not have been able to prevent their bound laborers from marrying before local ministers and justices of the peace.¹¹⁷ But a few sources suggest that at least some owners refused to let their slaves wed. They did not do this publicly; slaveholders did not as a matter of course prohibit their slaves’ from marrying once they got to the point of posting banns; only one couple was forbidden from marriage during the eighteenth century because an owner posted a complaint.¹¹⁸ To the extent that masters kept their slaves from entering formal marital unions, they did so quietly, through persuasion or punishment, in the confines of their homes. A rare example of this kind of treatment can be

¹¹⁶ *Boston Marriages from 1700 to 1809*, vol 2, 164.

¹¹⁷“An Act for the Better Preventing of a Spurious and Mixt Issue,” Chapter 10, Acts Passed at the Session Begun and Held at Boston, on the Twenty-Fourth Day of October, A.D. 1705, *The Acts and Resolves, Public and Private, of the Province of Massachusetts Bay*, vol. 1 (Boston: Wright & Potter, 1869), 578.

¹¹⁸ In early 1717, Toney, an enslaved man belonging to one Mr. Pratt, and Ginney, an enslaved woman belonging to one Mrs. Brick, were “forbid[den]” from marrying by Mrs. Brick. It is not clear whether Mrs. Brick forbade them from marrying because she did not wish Ginney to marry or because she was aware of some moral shortcoming that should rightly have prevented the union—say, if Toney was already married to another woman. For the record, see *Boston Marriages from 1700 to 1809*, vol 1, 96.

found in the annals of Boston's New North Church. In 1764, an enslaved woman named Dinah, who belonged to one Captain Barber, informed Andrew Eliot, the church's minister, that she and her husband had not been married "according to the forms prescribed in the law of the Province for white people" because "the Master of the Negro man [would] not consent to such marriage." Although the two had "contracted" to one another "by the consent of both their masters & mistresses," the slaves had not been allowed to solemnize their marriage as they ought to have been according to the 1705 law.

The case of Dinah and her anonymous husband is revealing, for it not only shows how slaves' marital bonds could be inhibited by unsupportive owners, but it also shows that the church was willing to engage in theological gymnastics to sanction a slave union that the colony did not recognize. Dinah had "profess'd Christ" and been baptized in the church in 1756, and she approached Eliot eight years later because she had given birth to a child and "desired the privileges of the Covenant for her offspring"—namely, baptism.¹¹⁹ Technically, though, the child, a son named Adam, was a bastard, born, if one adhered to the letter of the law, as a result of extramarital sex. It was a situation without precedent in the church's history, and the minister apparently did not wish to make the decision on his own. He "presented the... case before the Brethren," who ultimately determined that the church ought to officially recognize slaves' spousal unions and families, even if the colonial government did not. Dinah, they ruled, was a person of "sober conversation," and she had done what she could to pledge herself to her

¹¹⁹ For Dinah's baptism, see New North Record Book, Boston Public Library, p 154.

husband. After some deliberation the church voted “That this Child or any other under like circumstances may be baptised.”¹²⁰ Adam was baptized the following Sunday.¹²¹

The exception granted by the New North brethren to Adam and “any other[s]” who might someday find themselves in his situation was not altogether unique. Other evidence suggests that Euro-Americans—even those invested in upholding monogamy and the rule of law—were willing to stretch the meaning of “marriage” for slaves in a way that would not have been possible for whites. Three years after Codman’s slaves were tried for lacing their master’s “barly Drink” with arsenic, the Bay Colony’s Superior Court investigated another slave for murder: Flora, a Boston slave, was accused of infanticide. She had apparently thrown her infant into a “Cold and Nauseous Vault” filled with “Water and Excrements.” Nobody had actually seen her do the deed, so nobody knew whether the child had been alive. Had Flora “drown[ed] and suffocate[d]” a living baby, or had she simply discarded an already lifeless body? According to the law, it did not matter: the child was “by the Law of the Land a Bastard”; Flora had birthed it “alone”; and now it was dead. In 1696, the colony had passed an “Act to Prevent the Destroying and Murthering of Bastard Children,” which punished women who “conceal[ed] the death” of the children they bore out of wedlock.¹²² The act stipulated that a women should “suffer death as in the case of murder” if her “bastard” child was found dead and nobody had witnessed its birth. In such a case, the law assumed, the child had been slain by its mother. Flora’s jurors, in their

¹²⁰ See New North Record Book, Boston Public Library, p 260-1.

¹²¹ For Adam’s baptism, see New North Record Book, Boston Public Library, p 157.

¹²² The text of this legislation was lifted from a 1692 act called “An Act for the Punishing of Capital Offenders.” Though the law was already on the books, the legislators felt in 1696 that a new act was needed, as they believed that “many lewd women... do secretly bury or conceal the death of their children.” For the 1692 legislation, see “An Act for the Punishing of Capital Offenders,” Chapter 19 of the session begun on June 8, 1692, *Acts and Resolves*, vol. 1 p. 55. For the 1696 legislation, see “An Act to Prevent the Destroying and Murthering of Bastard Children,” Chapter 11 of the session begun on May 27, 1696, *Acts and Resolves*, vol. 1, p. 255.

1758 verdict, referenced the law of 1696, which shaped their reasoning. The woman should be guilty according to the law, they agreed, as she had concealed the death of the child she bore outside of legal marriage. But they ultimately exonerated her.¹²³

The decision hinged on whether the child had been born out of wedlock. Curiously, though Flora “was Never Married According to any of the Forms prescribed by the Laws of this Land,” the jury concluded that her child, nevertheless, was not a bastard. Flora’s slave status excused her from the expectation of legal marriage: “the said Flora is, and from her Nativity has been a Negro Slave,” the jurors stated, and “the Person supposed to be the father of the said Child was also a slave, & had kept her Company with her masters Consent, for above a year and an half before that she was delivered.” All of this made the child legitimate. According to the court, Flora could be considered “married” by virtue of the fact that she was a slave in a long-term, owner-sanctioned relationship with another slave. While the jury was doubtless motivated to save the woman from a harsh sentence (and to save John Clough from losing his property), the plasticity of their definition of “marriage” shows that bound people of African descent were not, by the middle of the eighteenth century, held to the standards of marital commitment that governed their white neighbors.¹²⁴ Exceptions could be made for slaves, even by the colony’s

¹²³ “Flora’s Indictm[en]t,” Massachusetts Superior Court of Judicature, vol. 1757-8, p. 295, Massachusetts Archives, Boston.

¹²⁴ It is worth noting that other women of color had been tried for murdering their bastard children by the colony’s Superior Court between the ratification of the 1696 act and Flora’s case in 1758. Some of these women were exonerated, but the court had *not* lessened the requirements of marriage in order to exonerate them. A “negro” slave named Rose was found innocent in 1700; a free “Mulatto” woman named Hannah Degoe was found guilty in 1710; an “Indian” slave named Mariah was found innocent in 1711; a “negro” slave named Bettee was found guilty in 1712; a “negro” slave named Phillis was found innocent in 1729; a free “Indian” woman named Patience was found innocent in 1732; and an enslaved “molatto” woman named Peg was found innocent in 1749. Flora’s case in 1758 was the last such case; after Flora was exonerated, the Superior Court stopped trying women of color for the murder of their bastard children. Perhaps the jury’s lax definition of marriage that the jurors applied to Flora came to apply to other women of color as well. All of the trials for the murder of bastard children are found in the records of the Bay Colony’s Superior Court of Judicature at the Massachusetts Archives, Boston. For Rose’s case, see vol. 1700-

ministers and magistrates who were invested in upholding the rule of law—exceptions that could not be made for free Euro-Americans.

Though whites were sometimes willing to accept slaves' informal unions as marriages, there was nonetheless a difference between colony-sanctioned marriages formalized before ministers or justices of the peace and unofficial unions formed independently of Euro-American institutions. This is evident in the records of the trial of Codman's slaves. When William Stoddard, a Boston justice of the peace who interviewed Phoebe's husband, Quaco, discussed Phoebe and Quaco's relationship, he did not call Phoebe "Quaco's wife." She was merely "the woman whom [Quaco] called his wife."¹²⁵ Compare this with the way Mark referenced the relationship: twice in his *Last & Dying Words* when discussing Phoebe, he called Quaco "her Husband."¹²⁶ To Mark, the unrecognized liaison meant what any marriage did—that the two were husband and wife—but to William Stoddard the arrangement worked out among slaves had no real validity. Did Phoebe and Quaco want a formal marriage, like so many of their fellow slaves—one that a man like William Stoddard would recognize? Did Mark wish to wed his wife before a minister or justice of the peace? Extant evidence does not provide answers. Perhaps they were satisfied negotiating their relationships away from the oversight of colonial government and local ministers; some of their enslaved neighbors no doubt were.¹²⁷ Or perhaps they indeed

1714, p. 12; for Hannah Degoe's see vol. 1700-14, p. 253; for Mariah's see vol. 1700-14, p. 261; for Bettee's see vol. 1700-14, p. 270; for Phillis's see vol. 1725-30, p. 273; for Patience's see vol. 1730-33, p. 122; and for Peg's see vol. 1747-50, p. 265.

¹²⁵ Goodell 125.

¹²⁶ *Last & Dying Words*.

¹²⁷ Slaves were generally not punished for fornication in the Bay Colony in the eighteenth century, but fragments from church and court records nonetheless show that blacks, not surprisingly, engaged in the same types of sexual behavior outside of marriage that whites did. For instance, Richard, an African man baptized in Cotton Mather's Second Church was convicted of fornication in 1704; "Thomas Negro" of the Old South Church was "Admonished,

wished to marry but were prevented by their controlling master. While it is certainly possible that “lawful” marriage mattered as much to them as it did to some of their enslaved neighbors, no testimony mentioned the slaves’ inability to marry as a grievance underlying the plot to kill Codman. The most important thing to Mark and Phoebe seems to have been their ability to access their spouses, not their ability to formalize their unions.

What did marriage—government-sanctioned or not—look like when it was fractured by obligations to Euro-American slaveholders? Mark and Phoebe’s situation provides insight into how black couples who were divided across white households managed to maintain relationships across distance. Slaves with non-resident spouses seem to have been very mobile—particularly enslaved men. Quaco apparently spent a good deal of time with Phoebe at the Codman estate, at least on the weekends. In his testimony, he mentioned speaking to Phoebe “when they were going to bed” on a “Saturday night.”¹²⁸ According to Phillis’s interrogation, Quaco was “there with” Phoebe “in the Garret” of Codman’s house on a Sunday morning.¹²⁹ And Mark’s *Last & Dying Words* mentioned Phoebe’s “Husband (*Quaco*)” coming to “*Charlestown* to see her.”¹³⁰ Like Quaco, Mark appears to have traveled regularly to see his wife. Phillis claimed that Mark promised to acquire more arsenic from Robbin, his enslaved Boston supplier, and “bring it over

& Suspended from ye Communion of ye Chh for several Scandalous Offences” in 1765; and Betty, a married African woman, was convicted by the colony’s criminal court of being drunk and “in Bedd with another Negro man” in 1711. For Richard, see Massachusetts Historical Society, Second Church (Boston, Mass.) Records, vol. 4, entry for July 16, 1704; for Thomas see Old South Church Records, box 1, vol. 1, p. 157, The Congregational Library and Archives, Boston, Massachusetts; and for Betty see Massachusetts Archives, General Sessions of the Peace, Reel 1, file 232.

¹²⁸ Goodell 125.

¹²⁹ Goodell 127.

¹³⁰ *Last & Dying Words*.

[to Charlestown] on the Sabbath Day.” He “went to Boston on the Saturday night” according to schedule, she testified, but he “did not return till Monday morning,” so the delivery of poison was delayed.¹³¹ While in Boston for over 36 hours—including two full nights—Mark no doubt took advantage of the opportunity to spend time with his wife.

Getting back and forth from Charlestown to Boston could be tricky. Since neither Mark nor Quaco owned a boat, they were forced to rely on others to transport them over the channel: they had to ride the ferry or take another vessel. This was not only inconvenient, but it was intrusive; there was no sneaking back and forth to their wives’ homes unnoticed. Still, both enslaved men appear to have crossed the channel regularly, and not only on weekends. Mark, at least, mentioned being in Boston on “A Week Day night” to get arsenic from Robin “at his Master’s Barn.”¹³²

Curiously, no evidence indicates that Phoebe ever crossed the channel to visit Quaco, or that Mark’s wife ever crossed the channel to visit Mark. While it is hard to imagine that the two women *always* received visits rather than made them, fragmented evidence suggests that enslaved men more commonly visited their spouses than the reverse. For example, in the early 1770s, a slave named Geoff’s appears to have regularly slept in the household of his wife, a woman named Parthenia who had recently been freed.¹³³ According to the testimony of Parthenia’s erstwhile owner, Mary Minott, Geoff’s came into the home and “went into

¹³¹ According to Mark’s testimony, Robbin had been unable to obtain the poison on Saturday night and asked Mark to return the following evening. Mark did: “I went to him on the Sabbath Day night after Candle Light, and he then gave it to me.” See Goodell 134. For Phillis’s statement, see Goodell 129.

¹³² Goodell 132.

¹³³ On May 4, 1768, Mary Minot (here rendered with one “t”) freed her slave, Parthenia, as well as Parthenia’s daughter, Patience. Patience may well have been Geoff’s daughter as well, so his nighttime visits to the Minot household may have enabled him to see both his wife and child. See Ezekiel Price Notarial Records vol 5, August 16, 1770 record, Boston Athenaeum. (The manumission was recorded by Price over two years after it took place.)

[Parthenia's] room" at around 10:00 on a Monday night. Likewise, on Tuesday, Parthenia and Geoffs were "out till late at Night," and the gate was locked by the time they returned, so "they had no other [way] to get in bed [but] by climbing over the fence."¹³⁴ The fact that Geoffs and Parthenia slept together in the household of Parthenia's late owner was immaterial to those who solicited Minott's testimony; they asked Minott to describe the nocturnal habits of the two blacks only because the couple had been accused of theft in the night.¹³⁵ But Minott's deposition provides a window into the way in which black spouses who did not cohabit navigated the distance that separated them. Geoffs may have spent his days away from Parthenia, laboring for his mistress, a Boston widow named Elizabeth Allen, but he returned to his wife's household each evening.

Parthenia was fortunate in that she had what appears to have been her own room in which to host her husband. It is not clear where in the home her room was located, but it was most likely in the upper reaches. Slaves often slept in garrets. Probate records show that Tom, a man belonging to Boston mariner John Hobby, slept in a room on the uppermost floor of the Hobby home; Hobby's executor found "The Negros Bedding" when he climbed up to the garret to

¹³⁴ Mary Minott's testimony, March 6, 1771, Suffolk Files case #101791

¹³⁵ Geoffs was found guilty of the theft, while Parthenia was found innocent. Curiously, the aggrieved party was a man named Christopher Minott who seems to have not only been related to Mary and also to have lived with her; Mary mentions him "c[oming] home... late at night." (The two were not married, as Mary was described as a "Spinster.") Since Geoffs was unable to pay the court's fine, Christopher was given ownership of him and allowed to "dispose of the said Geoffs in Service to any of his Majestys leige Subjects for the term of fourteen years for payment." No evidence reveals who obtained Geoffs. But it is possible that Christopher ultimately decided to keep him rather than pocketing the proceeds of his sale. It is also possible that the theft was a strategy on the part of Geoffs to transfer his ownership from Elizabeth Allen to Christopher Minott. The court routinely transferred convicted slaves to those whom they had aggrieved when they could not pay their fines, and Geoffs likely knew this. For the record of the case, see "The King v. Geoffs," Massachusetts Bay Colony's Superior Court of Judicature, 1771 volume, page 35.

inventory Hobby’s possessions in 1712.¹³⁶ The bedding of the “Negro Man and Woman” belonging to Thomas Miller, another Boston mariner, was also listed as “in the garret.”¹³⁷ A slave boy named Jemey slept in the “Kitchen Garret” of the home of his master, a Boston shipwright named Samuel Greenwood, while a “Negro Boy” named Sharper slept in the “Back Garret” of Boston barber John Rogers’s house.¹³⁸ Merchant Charles Chauncy housed his slave boy, Will, in one of “the several rooms in the upper storys” of his Boston residence.¹³⁹ And two unnamed slaves slept “In the garrets” of Nicholas Paige’s home in Rumney Marsh.¹⁴⁰

Some of these slaves seem to have had a good deal of privacy in their masters’ homes. Though the upper reaches of houses in the eighteenth century New England were hardly desirable living spaces—they were cramped and cluttered, cold during the winter, and probably damp in inclement weather—their very undesirability allowed slaves a degree of seclusion: other members of the household chose to sleep in the warmer and more spacious “lower chambers” or “lower rooms” of their homes.¹⁴¹ So while slaves suffered the indignity of inferior living quarters, many of them received in exchange a degree of seclusion—probably more privacy, in fact, than any of the other people with whom they lived. Slaves like Tom, Jemey, Sharper, and Will—each of whom was the only enslaved member of his respective household—almost surely

¹³⁶ John Hobby’s Inventory, Probate #3351, Suffolk County Probate, First Series, vol. 17, p. 425-6. The bedding was valued at 18 shillings.

¹³⁷ Thomas Miller’s Inventory, Probate #3334, Suffolk County Probate, First Series, vol. 17, p. 430. The value of these items is not clear, as they were grouped with other items found in the garret.

¹³⁸ Samuel Greenwood’s Inventory, Probate #4434, Suffolk County Probate, First Series, vol. 22, p.640-7; John Rogers’s Inventory, Probate #4958, Suffolk County Probate, First Series, vol. 23, p.360.

¹³⁹ Charles Chauncy’s inventory, Probate unnumbered. Suffolk County Probate, First Series, vol. 17, p.440-1.

¹⁴⁰ Nicholas Paige’s Inventory, Probate #3917, Suffolk County Probate, First Series, vol. 21, p.119-21.

¹⁴¹ In inventory after inventory, the beds that are not described as “Negro beds” are found in these lower rooms of the home.

enjoyed fairly private quarters. And their situation was not unusual; over a third of enslaved Boston lived in households with no other slaves.¹⁴²

Bound Africans like Mark and Phoebe, who lived in Euro-American households with multiple slaves, tended to have far less privacy. They still generally resided in the uppermost reaches of their owners' dwellings, but they did not do so alone. Codman's garret had six beds, which were likely sufficient for his seven slaves and any of their partners.¹⁴³ Similarly, the two slaves belonging to Henry Guionneau—a grown man and a young girl—shared a garret in the merchant's Boston home.¹⁴⁴ Boston sea-captain Thaddeus Maccarty also housed his enslaved girl and two enslaved boys together in the upper story of his home; his executor noted the presence of “Negroes Bedding” in the garret but nowhere else in the residence. Enslaved people sometimes slept together on the ground floor of their masters' houses as well; beds for Boston, Belinda, and Titus were found in the “North Back Chamber” of John Valentine's home, while the bedding of Joshua Wroe's slaves was in the kitchen.¹⁴⁵ Though most Africans who lived in households with other slaves seemed to sleep in shared spaces, a few had their own sleeping areas. The inventory of Elizur Holyoke suggests that his two African slaves, Toney and Tom, slept in separate garrets, hemmed in, Holyoke's executor noted, by an array of bottles, corks,

¹⁴² Of the 1070 slaves probated in Suffolk County between 1670 and 1740, 379 (35%) were the sole slave in their household. It would be ideal to update this statistic with evidence from the mid eighteenth century, but I haven't finished transcribing and processing my later findings. These findings will be available in the forthcoming book.

¹⁴³ The garret had a feather bed, five straw beds, ten rugs. See John Codman Probate #4727, Middlesex County Probate Records, Massachusetts Archives, Boston.

¹⁴⁴ Henry Guionneau Inventory, Probate #6056, Suffolk County Probate, First Series, vol. 28, p. 385.

¹⁴⁵ John Valentine Inventory, Probate #4850, Suffolk County Probate, First Series, vol. 23, p. 246; Joshua Wroe's Inventory, Probate #5755, Suffolk County Probate, First Series, vol. 28, p. 110.

rakes, tea chests, old chairs, and other miscellanea.¹⁴⁶ And the man who cataloged the possessions of Rebecca Holmes, a widowed innkeeper, observed that Prince, one of Holmes's slaves, had his own "Chamber"—a room that housed a "negro Bed Pillow blanket & a Rugg" valued at £1.¹⁴⁷

For slaves who had their own living quarters, like Toney, Tom, and Prince, conjugal visits would have been easily arranged as long as their master approved of what was going on. And often masters did: Mary Minott seems to have been pleased to host Parthenia's husband Geoffs, and Codman appears to have tolerated Quaco's visits to Phoebe. But not all slaves enjoyed the blessing of their owners. Bound Africans, like their Euro-American neighbors, sometimes engaged in sex deemed illicit by their society, whether it happened in the context of long-term but unmarried unions, casual relationships, or coercive encounters, such as rape. Only in instances when things went awry and the partners ended up in court can modern observers glimpse the furtive maneuverings of slaves determined to pursue sexual relationships against their owners' will. For instance, when a slave named Cesar crept under cover of darkness to the house of Joseph Layton, which he "br[oke] into" in his "Attempt to Commit Fornication with a young English Woman in Bed."¹⁴⁸ Or when a slave named Alexander helped a servant named Ann Staples "intrud[e] herself Clandestinely into the house of Simon Ramce," Alexander's

¹⁴⁶ Elizur Holyoke's Inventory, Probate #3353, Suffolk County Probate, First Series, vol. 17, p. 408-11.

¹⁴⁷ Rebecca Holmes's Inventory, Probate #6118, Suffolk County Probate, First Series, vol. 29, p. 98.

¹⁴⁸ "Cesar negros Sentence," General Sessions of the Peace, Suffolk County, vol. 1702-1712, p. 212, 1710/07/04. Cesar pleaded guilty and was whipped twenty stripes and ordered to pay the costs of his prosecution. If he did not have the money on hand, he had to remain in jail ("stand Committed," in the language of the ruling) until the fees were paid, so more than likely his master, Bostonian Nathaniel Henchman, eventually redeemed his slave.

owner. Their pleasure ended when somebody, perhaps Ramce himself, found Staples “in Bed with Alexander.”¹⁴⁹

Perhaps to avoid the fate of Ann Staples and Alexander, some Africans opted neither to host nor to visit their illicit lovers. Instead, they spent time together in some third location away from both their households. Certain slaves, like Nanney, who lived in rural Barnstable, took to the open air, meeting their partners behind sheds, under stands of trees, or in quiet cornfields under the dark sky.¹⁵⁰ Others rendezvoused in more public spaces, such as the “houses of entertainment” that sprung up throughout Boston despite the best efforts of authorities to quash what they considered “great disturbance[s] of the Neighbourhood.”¹⁵¹ Bostonians were regularly rounded up and charged in the county’s lower criminal court with the crime of “Entertaining Negro’s” in these “disorderly houses.”¹⁵² In 1706, a “negro Woman” named Mariah who lived in Boston was convicted of several crimes, including “Entertaining of Negros & other Disorders,” and sentenced to be “Whipt Twenty stripes at the publick whipping post.”¹⁵³ John Smith, Hannah Annis, and Mary Watkins were brought to court in 1715, accused with “Entertaining Negro’s and

¹⁴⁹ “Ann Staples and Alexander Negro of Simon Ramce,” Suffolk County General Sessions of the Peace, vol. 1712-1719, p. 14. Staples was discharged upon paying court costs because the jury “Judged that there was not sufficient evidence to convict her.” No charges were brought against Alexander.

¹⁵⁰ Suffolk Files case #61232.

¹⁵¹ “Alice Oliver Acquitted,” Suffolk County General Sessions of the Peace, vol. 1719-1725, p. 193, Massachusetts Archives, Boston.

¹⁵² “John Smith, Hannah Annis, and Mary Watkins,” Suffolk County General Sessions of the Peace, vol. 1712-1719, p. 76; “James Habersham Fined (entertaining negros),” Suffolk County General Sessions of the Peace, vol. 1725-1732, p. 128, Massachusetts Archives, Boston.

¹⁵³ “Negro Mariah’s Sentence,” Suffolk County General Sessions of the Peace, vol. 1702-1712, p. 133, Massachusetts Archives, Boston.

other bad Company” on the Sabbath.¹⁵⁴ In 1723, a Boston widow named Alice Oliver was charged with “keeping... bad Company in her House... at unseasonable time of Night.” She catered to a mixed-race clientele—her patrons were “White & black,” the indictment read—and she apparently sold them liquor without a proper license.¹⁵⁵ A few years later, one James Habersham, a Boston “boatman,” was fined for “entertaining Negroes and Servants in his s[ai]d House against the will of their Masters.”¹⁵⁶

Suffolk County’s lower-level court would continue for decades trying to shut down the “ill-governed houses” that caused “disorder.” In 1766, authorities fined Boston widow Rachel Hubbard for “entertain[ing]... suspected persons of evil fame... as well as Negro Slaves.”¹⁵⁷ Three years later, a series of people were punished for “keeping disorderly houses,” including John Bacchus, a “negroman laborer,” who was charged with allowing “idle” and “lewd” people to “remain in his said house at all hours, as well in the nighttime as in the day.”¹⁵⁸ A victualler named Thomas Simmons was punished the following year for allowing “negro slaves” and

¹⁵⁴ “John Smith, Hannah Annis, and Mary Watkins,” Suffolk County General Sessions of the Peace, vol. 1712-1719, p. 76, Massachusetts Archives, Boston. The three denied this charge, and, due to insufficient evidence, were released after paying their court fees.

¹⁵⁵ “Alice Oliver Acquitted,” Suffolk County General Sessions of the Peace, vol. 1719-1725, p. 193, Massachusetts Archives, Boston. Oliver was acquitted, but had to fight a separate charge for presumably violating Boston’s liquor licensing laws, and she was hauled back into court soon after with another charge of “keeping a Disorderly houses &c.”

¹⁵⁶ “James Habersham Fined (entertaining negros),” Suffolk County General Sessions of the Peace, vol 1725-1732, p. 128, Massachusetts Archives, Boston.

¹⁵⁷ “Rachel Hubbard of Boston widow ill-governed house,” Suffolk County General Sessions of the Peace, reel 4, p. 45, Massachusetts Archives, Boston.

¹⁵⁸ “John Bacchus negro keeps disorderly house,” Suffolk County General Sessions of the Peace, reel 4, p. 46, Massachusetts Archives, Boston.

“others to the Jurors unknown” in his “ill govern’d” house.¹⁵⁹ Allowing slaves to cavort in places where alcohol flowed freely and where the eyes and ears of their owners could not track them was a serious offense, one that the court investigated with care; in 1772, when one Patrick Carrel was brought before the bar for “maintaining... an ill governed and disorderly House,” the jury found him guilty as charged, “except [of the charge of] Harboring Negroes.”¹⁶⁰

While local officials fought in vain to stamp out the “houses” where slaves could make merry away from the oversight of masters, they fought as well to keep bound Africans off the streets at night. In 1703, the Massachusetts General Court had sought to put an end to the “great disorders, Insolencies, and burglaries [that] are oft times rayseed and committed in the night time by Indian, Negro and Molato Servants and Slaves.” The Court established a curfew for such persons and “Impowered” (white) citizens to “take up and apprehend, or cause to be apprehended any Indian, Negro or Molato Servant or Slave that shall be found abroad after nine a clock at night.”¹⁶¹ But implementing the law proved to be more difficult than passing it. Years later, some of Boston’s “Gentlemen in Authority” insisted that the city must “put in Execution the law,” and they reminded Bostonians that that their slaves must “not be unnecessarily abroad after Nine o’Clock at Night.”¹⁶² Even so, patrolling the city’s dark streets proved near impossible; slaves continued their “Nocturnal Frolicks,” sometimes traveling to neighboring towns under cover of darkness. In 1739, for instance, a concerned Bostonian reported finding a dozen of the city’s slaves in a Roxbury tavern. The slaves, both “He’s and She’s,” were in “very

¹⁵⁹ Suffolk County General Sessions of the Peace, reel 4, p. 47, Massachusetts Archives, Boston.

¹⁶⁰ Suffolk County General Sessions of the Peace, reel 4, p. 53, Massachusetts Archives, Boston.

¹⁶¹ Massachusetts Archives Collection, vol. 47, p. 243-4, Massachusetts Archives, Boston.

¹⁶² *The Boston Evening Post*, April 10, 1738.

merry Humour, singing and dancing, having a Violin, and a Store of Wine and Punch before them.” It being after nine o’clock in the evening, the affronted gentleman wondered “how they can be absent from their respective Families without their Masters Knowledge.”¹⁶³ Roxbury’s slaveholders likely could do little to keep Boston slaves off their streets after dark, for they could not even keep their own slaves in at night; the very year before, they had signed a petition “pray[ing] that... the unhappy practice of the Negro servants of this town to be abroad in the night at unseasonable hours... be prevented or punished.”¹⁶⁴

The government of the Bay Colony tried to put a stop to the chaos in 1751 by passing an act nearly identical to that ratified in 1703.¹⁶⁵ But its “Act to prevent Disorders in the Night” seems to have done little to make the city’s slaves mind their masters after dark; fourteen years later, white Bostonians were still requesting that “*the Laws relating to Negroes being out after [nine o’clock] in this town... [be] put in Execution.*”¹⁶⁶ In the final months of 1765, Boston’s selectmen attempted yet again to solve the problem. “The Inhabitants of the Town,” they ordered, “are desired to take Care that their Molatto and Negro Servants are not abroad after 9 o’Clock at Night.” The city’s slave-owners, the selectmen warned, “may depend upon it that all such Offenses against the Law will be taken up and committed to the House of Correction.”¹⁶⁷

¹⁶³ *The Boston Evening Post*, January 14, 1740.

¹⁶⁴ Francis Samuel Drake, *The Town of Roxbury: Its Memorable Persons and Places, Its History and Antiquities, with Numerous Illustrations of Its Old Landmarks and Noted Personages* (Boston: Municipal Printing Office: 1908), 60.

¹⁶⁵ *The Boston Evening Post*, March 25, 1751.

¹⁶⁶ *The Boston Evening Post*, January 7, 1765.

¹⁶⁷ *The Boston Evening Post*, November 4, 1765.

But slaves like Mark and Quaco were regularly out, as Mark put it, “after Candle Light.”¹⁶⁸ Whether, like Quaco, they were on their way to their partner’s attic living quarters, or, like Mark, they were out in search of poison to destroy their master’s family and unite their own, they did much of their own business, in Mark’s words, “after Sunset.”¹⁶⁹ It was then that they did not have to work for their masters, and it was then that they could move, more or less unobserved, throughout the region. Nighttime may have brought “fear” to many whites, who cited “rivells,” “routs,” and “other great disturbances” coming from the homes of their “disorderly” neighbors, but it brought opportunity to the blacks who were forced to spend their days apart from their kin.¹⁷⁰

“My Master let me live in *Boston* with my Wife, and go out to work.”¹⁷¹ It was a victory for Mark, who had worked so hard to achieve proximity to his wife and child. But a fleeting one. On the 28th of February, 1755, Boston’s constables were instructed to “apprehend” the enslaved man and “Convey him to... Charlestown.”¹⁷² The fragile order, torn and faded, explains that “Complaint had been made before... the Select men of the Town of Boston” that Mark, had

¹⁶⁸ Goodell 132, 134.

¹⁶⁹ Goodell 134.

¹⁷⁰ Suffolk Files, #2253.

¹⁷¹ *Last & Dying Words*

¹⁷² Suffolk Files case #28037. It is extremely difficult to make out parts of this document, which is very worn. No date is readily legible, but fortunately a genealogist, one Mr. Wyman, examined it in 1870 and made note of its date. In a “Schedule of the Ancient Colored Inhabitants” of Charlestown, Wyman noted that Mark, a “servant of J Codman,” was “warned at Boston, Feb. 28, 1755.” See *Genealogies and Estates of Charlestown*, vol. 2, p. 1061. This date accords seamlessly with Phillis’s rendering of events. She stated in the summer of 1755 that Mark first proposed the plan to poison Codman “Some time last Winter.” This was, she clarified, “before my Master brought him home from Boston.” Then, “a Week or a Fortnight after my Master brought him home from Boston” (perhaps March 1755), he proposed the plan again. See Goodell 131.

“come to reside in boston... and altho he had been warned according to Law, to Depart...[the town,] hithertoo he has refused to doe it.” It is not entirely clear why Mark was ordered to leave the town. Though men and women were regularly “warned” from Boston, such warnings were a bureaucratic formality rather than an order to desert the premises. By telling those who did not have legal habitancy to leave, the selectmen prevented them from gaining settlement status in the town and therefore becoming a burden on local funds should they become indigent: inhabitants were cared for out of the town’s resources, while the care of “strangers” was funded by a colony-wide account.¹⁷³ In order to keep Mark from obtaining settlement status, then, it would have been sufficient for Boston’s selectmen to give him the standard verbal warning and let him continue living where he willed.

Maybe Mark had become a nuisance. In his *Last & Dying Words*, he confessed “resorting to private Places with my wicked Companions in drinking and Carousing” after church on Sabbath days.¹⁷⁴ And when the *Boston Gazette* reported Codman’s death, it remarked that “a Negroe Man (well known for his Roguery) who belonged to the deceas’d was taken up and examin’d.”¹⁷⁵ Whether or not Mark was sent by Boston’s selectmen back to Charlestown for “Sabbath-breaking” or “Roguery,” Codman seems to have been a willing party in the transfer; no sources suggest that he asked the selectmen to allow Mark to remain close to his wife. He could have supported his slave the way Cambridge judge Francis Foxcroft did Exeter Foxcroft, a “negro man” he had freed in the early part of the eighteenth century. Francis petitioned the

¹⁷³ Cornelia Dayton and Sharon Salinger explain how the warning system worked in Boston in *Robert Love’s Warnings: Searching for Strangers in Colonial Boston* (University of Pennsylvania Press, 2014).

¹⁷⁴ *Last & Dying Words*.

¹⁷⁵ *Boston Gazette*: July 7, 1755, p. 2.

Boston selectmen who wished to expel Exeter, declaring that “Exetor is a free negro” who had “been married many years to his present Wife named Leycey.” The two had “cohabited in Boston ab[ou]t two years,” Francis wrote, and they ought to be allowed to continue. “I think no man wou’d draw upon himself the Curse of parting man and Wife,” Francis declared.¹⁷⁶

But Codman, apparently, did nothing to oppose his slave’s expulsion. In fact, it is possible that he brought it about. Phillis’s testimony suggests that Mark was not sent back to Charlestown for “Sabbath-breaking” or “Roguary.” Instead, the woman explained, “my Master brought him home from Boston.” One way or the other, whether Codman sought the selectmen’s aid in returning Mark to Charlestown or the Boston officials decided to drive him out of their town, Mark was coerced back to Codman’s estate, and his master appears to have supported this forced relocation.

According to Phillis’s testimony, Mark had “first proposed” poisoning Codman in the winter of 1754-1755, *before* Codman “brought him home” to Charlestown. The “warnings” issued by Boston officials prior to his February expulsion probably spurred Mark to hatch the plan. He refused to leave the town as requested, but he no doubt suspected that the end of his stay in Boston might be approaching. Mark had by that time exhausted his options: burning Codman’s shop; attempting to recruit somebody to buy him; hiring himself out to work in Boston. What else could put him in close proximity to his wife? Murdering Codman was a last resort. He raised the issue again with Phillis and Phoebe soon after his return to Charlestown. As Phillis reported, a “Week or Fortnight after my Master brought him home from Boston,” Mark

¹⁷⁶ Letter to Francis Foxcroft dated August 31, 1713 and letter to Joseph Prout, Town Clerk, dated September 7, 1713, Volume 2, page 15, Boston Town Records, Boston Public Library, Boston, Massachusetts. The petition was apparently well-received, as Foxcroft was for years listed among Boston’s free blacks who were required to maintain roads in place of training with the local militia.

“proposed” to poison his master. He “was uneasy,” she said, “and wanted to have another Master.”¹⁷⁷

Phoebe apparently wanted another master as well. Like Mark, Phoebe had been stymied when it came to relocating to Boston. No sources indicate that she ever had the opportunity to move to the port, but it was not for lack of trying; Mark stated that her husband Quaco was “contriving all he could to get her over to *Boston* to live with him.” Mark’s confession even suggests that Quaco had attempted to buy Phoebe from Codman, or had planned such an effort. “Quaco... said,” Mark reported, that “he would not value *Forty Pounds* if he could... get [Phoebe] over to *Boston*.”¹⁷⁸

In the testimony recorded by the Bay Colony’s highest court, Phillis disclosed that she and Phoebe had taken turns putting “white powder” into their master’s victuals. They put it in his “barly Drink” and his “Infusion,” his breakfast “Chocolate” and his “watergruel.”¹⁷⁹ Seven times the slave women poisoned their owner’s meals, which they watched him devour at a little round table in his kitchen. And then, according to Phillis, Mark delivered the final dose: “Potter’s Lead” in Codman’s “Sagoe.”¹⁸⁰ Toward the end, Codman was in “great Misery,” according to Mark’s confession. The man began convulsing in bed. Finally, on the last day of June in 1755, the slaveholder died.

¹⁷⁷ Goodell 131.

¹⁷⁸ *Last & Dying Words*

¹⁷⁹ Goodell 127, 130.

¹⁸⁰ Goodell 130. The lead Mark acquired from the slave of a Charlestown potter; the arsenic from the slave of a Boston apothecary. Not all slaves wished to play a role in the plot; Mark applied to a man named Carr, slave of one Doctor Gibbons, for poison, but he declined. Robin, the slave of the Boston apothecary, who provided Mark with arsenic, may have been motivated to take part in the risky plot by his own grievances; he had been separated from his family at a fairly young age, and the predicament of Codman’s slaves may have resonated with him.

If events indeed progressed as the surviving evidence suggests they did, Codman paid a high price for failing to facilitate his slaves' intimate relationships. The "gentleman" who depended on Mark to manufacture chaises for the region's elite was an unfortunate exception: slaves rarely killed their masters in New England. In fact, the Bay Colony's courts found no other slaves guilty of murdering their owners during the eighteenth century.¹⁸¹ Mark, Phillis, and Phoebe reacted with unusual violence to a situation that was typical to enslaved blacks rather than exceptional. Their grievances were problems that were common to slaves in New England: all three had been separated from their natal kin; both Mark and Phoebe were denied easy access to their spouses; and Mark lived apart from his child. The problem of proximity shaped the lives of most other slaves in the region. Though few masters appear to have expressly prohibited their slaves' unions, enslaved Africans could not depend on their marriages to protect their families. Marriage—whether formal or informal—offered slaves no defense against division. Masters could separate bound laborers from their loved ones at whim. Town selectmen could divide husband from wife. And slaves had little recourse.

The extent to which white New Englanders accepted the notion that slavery brought with it spousal separation is evident in the way that certain ministers altered traditional marriage vows when marrying slaves. The "Negro marriage vows" prepared and used by Samuel Phillips, who ministered in Andover from 1710 to 1771, demonstrates this acceptance strikingly. In these

¹⁸¹ Though no other slaves were convicted of murdering their owners by the Bay Colony's courts during the eighteenth century, four slaves were found guilty of murdering members of their owners' families. In 1745, Jeffrey, a slave belonging to Thomas Sandford of Mendon, was convicted of killing Sandford's wife, Tabitha, with a hatchet. Phillis, a slave of John Greenleaf of Boston was sentenced in 1751 for poisoning Greenleaf's son, John Jr. Five years later, Toney, a Kittery slave owned by Samuel Johnson, was found guilty of drowning Johnson's daughter, Mary. And in 1763, a Taunton slave named Bristol was convicted of killing Elizabeth McKinstry, the sister of his owner, William McKinstry. All of these slaves were sentenced to death. These cases are recorded in the records of the Superior Court of Judicature at the Massachusetts Archives, Boston. For Jeffrey's case see vol. 1740-5, p. 218; for Phillis's see vol. 1750-1, p. 180; for Toney's see vol. 1755-6, p. 250; and for Bristol's see vol. 1763-4, p. 193.

vows, the husband promised to “be True & *Faithfull* to [his wife] and... Cleave to her *only, so long* as God, in his Provid[en]ce, shall continue your and her Abode in Such Place (or Places) as that you can conveniently come together.” The wife promised likewise. Phillips then declared them “*Husband and Wife*,” but only “so long as God shall continue your Places of Abode as afore-said.”¹⁸²

The Reverend John Graham, a pastor in West Suffield, Connecticut, apparently married slaves in a similar way. When he wed Exeter, a “negro man of Southwick,” Massachusetts, and Flora, an enslaved woman in Suffield, Connecticut, he “informed them in the performance of the Marriage Ceremony that they were not discharged from Servitude or in any Manner freed from their obligations to their respective Masters.”¹⁸³ Flora was to obey her owner, Benjamin Scott, even if he made demands that compromised her family life—something that, from the very beginning, he did: Scott agreed to the union only if “his Title to... Flora should not be injured by such a Marriage but she should still continue in his Service and that Exeter could not take her away without” his “Liberty,” that is, his permission. So Exeter and Flora could marry, but they could not enjoy the marital rights that their Euro-American neighbors enjoyed; they could not gain proximity to one another.

The inability of most married slaves to cohabit spurred other ministers to alter the vows they used when marrying people in bondage. Robert Hubbard, a minister in Shelburne, Massachusetts, purportedly changed marriage oaths to account for the fact that slaves lived apart. Hubbard ostensibly was distressed by the prospect of using traditional marriage vows when he

¹⁸²George E. Howard, *A History of Matrimonial Institutions...* (London, 1904), II, 225-26, quoting George H. Moore, “Slave Marriages in Massachusetts,” *Dawson's Historical Magazine* (1869), 2d ser., V, 137.

¹⁸³ Graham was a minister in West Suffield, Connecticut. See his testimony, “Exeter v Hanchet,” Suffolk Files case #158594.

married slaves who resided in different households: why cause them to “promise to live together,” when he knew it was not in their power to do so? So he sought advice from Roger Newton, pastor in nearby Greenfield, who recommended that Hubbard simply excise the portion of the vow that pertained to physical proximity. It was easier to alter slaves’ oaths than it was to change patterns of slaveholding, even though doing so gave ministers like Hubbard “serious doubts about whether the marriage bond would be strong enough.”¹⁸⁴ The reasoning of Hubbard, Newton, Graham, and Phillips suggest that the ministers who married slaves in great numbers throughout the region over the course of the eighteenth century accommodated the institution of marriage to match slaves’ compromised ability to access their spouses.

The fact that marriage conferred no legal benefits to slaves, who could be severed by masters from their husbands or taken by town selectmen from their wives, spurred certain slaveholders to set in place structures that would protect the families of their bound laborers. The case of Hannah and Bostan, two enslaved Africans who lived in Scarborough (in what is now Maine but was then part of Massachusetts), is a good example of this. The slaves “were Desirious of being married together,” and they obtained their owners’ “Consent” to marry. But their masters did more than consent to the union. Hannah’s owner, a gentleman farmer named Richard King, and Bostan’s owner, a minister named Richard Elvins, met on the 30th of November, 1768, for an important purpose: to draft a legal agreement that would “Bind and

¹⁸⁴ Hubbard’s concern and Newton’s advice are recorded in a town history of Greenfield Massachusetts compiled in the early twentieth century. Antiquarian collections of town lore, which rarely provide sources for their stories, are not particularly reliable historical sources. However, the nature of this particular tale suggests that it may well have been based upon an actual exchange. The account was recorded inadvertently in service of a larger point: namely, a joke about Reverend Hubbard kissing a “negro” bride. Hubbard apparently “had serious doubts about whether the marriage bond would be strong enough if the words [concerning co-residence] were omitted.” Newton, “knowing well Mr. Hubbard’s practice of saluting the bride on such occasions, remarked that he ‘thought it would be strong enough if he kissed the bride.’” See Francis McGee Thompson, *History of Greenfield: Shire Town of Franklin County, Massachusetts*, vol. 2 (Greenfield, Mass: Press of T. Morey & Son, 1904), 1002-3.

Oblige themselves” as well as “their Heirs Executors Administrators & Assigns” to forever keep Hannah and Bostan in close proximity to one another. None of these parties, according to the contract, would have the right to “oblige” Hannah or Boston “to serve further Distant appart from Each Other then the Bounds of the Parish abovsaid.”¹⁸⁵ This instrument provided Hannah and Boston a guarantee that eluded nearly all of their enslaved neighbors; they might never live in the same household, but, unlike Codman’s slaves and their spouses, they would always reside in the same town. The legal contract protecting Hannah and Bostan’s union from geographic disruption is unique in New England’s archives.

After passing the courthouse on that September day in 1755, the cart carrying Mark and Phillis came upon Harvard College, which stood facing the southern tip of the Cambridge Common. Perhaps the students in the lofty brick dormitories quit their studies to join the masses that made for the northern boundary of the grassy meadow.¹⁸⁶ The gallows, atop Jones’s Hill, were now in sight. They were meant for Mark. A stake “about Ten Yards distant” was intended for Phillis.¹⁸⁷ She would burn.¹⁸⁸

Phoebe was not there. In fact, she was curiously absent from the entire saga of trial and execution. If she provided testimony to the court, it does not survive. None of the verdicts

¹⁸⁵ “Boston and Hannah Agreement,” Papers of William Scott Southgate, Maine Historical Society, Portland, Maine.

¹⁸⁶ The “Gallows Lot” or “Place of Execution” was located at the “extreme northwesterly corner” of the Commons. See Lucius Robinson Paige’s *History of Cambridge, Massachusetts* (Boston: H. O. Houghton and Company, 1877) p. 217. The gallows themselves were located at what is now 2 Walnut Avenue. See Christopher Hail’s *Cambridge Buildings and Architects* of the Harvard/Radcliffe Online Historical Reference Shelf.

¹⁸⁷ Boston Evening Post, September 22, 1755.

¹⁸⁸ Phillis was prosecuted for the English common law offence of petit treason, which was reserved for the murder of one’s superior. It could be used when a wife killed her husband, when a clergyman killed his prelate, or when a servant or slave killed his master or mistress. The sentence for women who committed this crime was death by burning, and the sentence for male offenders was death by hanging. See Goodell 148.

mention her. And yet, from the statements attributed to her fellow slaves, she was at least as culpable as either of them.

What happened?

According to Mark's *Last & Dying Words*, Phoebe became "Evidence in Behalf of the King" in the trial. This seems to have been the story that circulated the region following Codman's death. Indeed, it was still being passed from resident to resident over fifty years later, when one of Charlestown's first historians, Josiah Bartlett, was collecting evidence to write an account of the town. Phoebe, he wrote, "was said to have been the most culpable" in Codman's murder, and she "became evidence against the others" in the trial. Bartlett's *Historical Sketch of Charlestown* provides the only surviving clue to Phoebe's final fate: the woman, he wrote, "was transported to the West Indies."¹⁸⁹

It is possible that Phoebe *was* used as evidence against the others in the trial. But she was hardly necessary; Mark and Phillis effectively incriminated each other in their statements. And, if Phoebe's testimony was indeed crucial to the final judgment, it is odd that the court did not bother to file whatever she said with the papers relating to the trial. What is more, if Phoebe was indeed the "most" culpable—which Mark and Phillis's statements both suggest and Bartlett heard over half a century later—why was she given the lightest sentence? Transportation to the Caribbean was a death sentence of a kind, but the men who decided Phoebe's fate likely considered it less horrifying than dangling from the gallows or burning at the stake. Further, if Phoebe *was* exiled to the West Indies, why was her sentence not recorded by the court? Her name appears nowhere: there is no mittimus ordering her to prison, no summons requesting her

¹⁸⁹ Josiah Bartlett, *An Historical Sketch of Charlestown in the County of Middlesex, and Commonwealth of Massachusetts, Read to an Assembly of Citizens at the Opening of Washington Hall, Nov. 16, 1813* (Boston: Printed by John Eliot, 1814), 6.

presence in court. She was not mentioned in the indictment. She made no appearance in the record of the case. She was disregarded by the writ of execution.

It is as if the woman simply disappeared at the dawn of the prosecution. But she did not disappear. She was at the old estate in Charlestown on the 13th of August, when three men traipsed through her deceased owner’s “Mansion House,” “Front Shop,” “Work Shop,” and “Yard” to inventory his possessions. From “Shoe Buckells” to “Spectacles,” from “Wine Glasses” to “Wheels,” the men tabulated all that Codman had accumulated in his 58 years. A “Parcell of Buttons” valued at five shillings. Three “Broad Axes” valued at £4. A “Scarlett Coat & Breetches” valued at £16. A “Negro [named] Phoebe” valued at £200. There she was. Mark and Phillis were not included on the inventory, as their deaths were imminent; Codman’s heirs would not benefit from their value. But Phoebe was alive and well and still of worth.¹⁹⁰ Phoebe was not headed to the gallows for murder.

Only one explanation makes sense of Phoebe’s apparent complicity in Codman’s death and her invisibility in the court proceedings. *She was silenced*. The court seems to have left Phoebe out of the proceedings altogether, then stealthily shipped her away from the colony.¹⁹¹

¹⁹⁰ At the time this inventory was made, the coroner’s jury had ruled that Codman died of poisoning (July 2); Quaco, Mark, and Phillis had all been examined (July 12, July 26, and August 2); and a series of witnesses from both Boston and Charlestown had been called to court (August 7). It is impossible to know with certainty whether or not the case had already been heard in the Superior Court due to the court’s habit of dating the beginning and the end of a court session but not dating the actual day it heard a particular case. The case of Codman’s slaves—again, just Mark and Phillis and *not* Phoebe—was heard sometime during the session that began on August 5 and ended on August 19. One way or the other, it was clear to the appraisers by the time of the August 13 inventory that Mark and Phillis would be executed, while Phoebe would be kept on the estate or sold (either way she would retain her £200 value).

¹⁹¹ Bartlett’s story that Phoebe was sent to the West Indies is backed on two accounts. First, it makes good sense: the most effective way to silence the woman was to deport her. Second, on the copy of the inventory that John Codman, Jr. submitted to the Middlesex County Probate Court on August 27, 1759, a dark line was drawn next to the woman’s name. It was not drawn *over* her name; nor was it drawn over her value. The color and width of the mark suggests that it was made with a different pen than that used by the original appraisers, who noted her presence and value in 1755. It seems plausible that the mark was drawn after the inventory was compiled, by somebody who

Why? To protect Codman's name. Shards of evidence suggest that the old slaveholder used Phoebe as a sexual partner in the years leading up to his murder. As the record stands, no explicit statement links Phoebe and Codman sexually, which doubtless is what the men who controlled the court's record-making had wanted. But the clues that remain all point in that direction.¹⁹²

After Codman's wife, Parnel, died in 1752, the embittered widower had chosen not to remarry, dwelling alone on his estate with his youngest children (now reaching the age of majority) and his slaves.¹⁹³ Phoebe seems to have played a fairly intimate role in caring for him. The night before Codman died, for instance, it was Phoebe rather than his own daughters who stayed by his side, "watch[ing] with him."¹⁹⁴ And Codman appears to have been kinder to her than to his other bound laborers. According to Mark, Codman "treated her better than any of us Servants," and the hard-hearted slaveholder was evidently somewhat concerned about Phoebe's welfare, at least on certain occasions; the "Morning after watching with my Master," Mark recalled, "he ask'd her how she did after Watching."¹⁹⁵ Nonetheless, Phoebe, even more than her accomplices, appears to have delighted in Codman's suffering and death. "The Day before master dyed," Mark had testified, "Phoebe... got to dancing & mocking master & shaking

wished to indicate that Phoebe was no longer part of the estate. Importantly, the woman's value was not stricken through, nor was the total value of the inventory adjusted. So Phoebe, if she was indeed gone, had been sold for a sum that approximated her appraised value.

¹⁹² Jared Hardesty has come to a similar conclusion about the possibility of Phoebe and Codman's sexual involvement. See "Slavery, Freedom, and Dependence in Pre-Revolutionary Boston, 1700-1775," Ph.D. Dissertation, Boston College, May 2014, p. 107-8.

¹⁹³ Codman faced a good deal of loss early in life; he was orphaned at the age of 11 and lost a sibling soon after. Perhaps losing his wife in middle age reopened old wounds, leading to emotional instability that had terrible repercussions for his slaves.

¹⁹⁴ *Last & Dying Words*

¹⁹⁵ *Last & Dying Words*

herself & acting as Master did in the bed.”¹⁹⁶ And Mark’s *Last & Dying Words* attributes to Phoebe a bitter, sexually-charged statement: “the *old Dog* was just [about] gone,” Phoebe had apparently said when Mark asked her how the captain was doing on the day before his death, “and she would stick as close to him as his Shirt to his Back, and not only so, but she would cut down the *Old Tree*, and then would hew off the Branches.”¹⁹⁷

Codman’s sexual advances did not just cripple Phoebe’s already beleaguered intimate life; they troubled her fellow slaves, too. Mark wished to poison Codman so he could “have another Master,” but he also wanted to kill the man because, as Phillis put it, “he was concerned for Phoebe and I.” Mark did not seem to have any special fear for his master’s other slaves, all of whom were male: Pompey, Tom, Cuffe, Scipio. But he recognized, without ever saying so explicitly, the danger of being black and female in Codman’s household.

There is little evidence of masters forming sexual liaisons with their slaves in eighteenth-century New England. This distinguishes the region from the colonies in both the southern mainland and Caribbean, where such relationships came to be expected. But the story of Codman’s slaves, their troubled intimacies, their broken families, and their final reckoning with the man who caused their pain serves as an important reminder that slaves were abused sexually—and courts were willing to look the other way—in the North as well as the South.

Mostly, though, the saga of Mark, Phillis, and Phoebe shows how very different slave family life looked in urban New England than in much of the rest of the British-Atlantic world.

¹⁹⁶ Goodell 136.

¹⁹⁷ *Last & Dying Words*. Curiously, part of this statement is attributed to Phillis in Mark’s court testimony, which suggests that either the men interrogating Mark on behalf of the Superior Court or the men recording Mark’s final words for circulation throughout the town made an error. Because the statement is rendered more fully and with more context in the *Last & Dying Words*, it would follow that this account is the more reliable of the two.

The economy of the region indelibly influenced slaves' families; with no staple export crop, masters tended to need only a small number of bound laborers, so it was often economically advantageous for slaveholders to pawn or gift the boys and girls that Africans bore on New England soil. When it came to parents and children sharing houses or outbuildings or estates, enslaved families in the area were regularly broken. In fact, they may have been fractured in greater proportions in New England than in any other Anglo-American region; they may have been the most geographically divided of black families in the Americas. Certain masters appear to have enabled children to be raised by their enslaved mothers and facilitated the development of black kin units in their households—sometimes working against their economic interests to do so. But these owners were likely the exception rather than the norm.

Not only were enslaved children regularly separated from their kin at birth, but, because slaves were dispersed throughout white households in such tiny numbers, enslaved men and women usually did not have the ability to cohabit with one another. Recent scholarship has suggested that many slaves in the antebellum South preferred cross-household and cross-plantation marriages, as such marriages provided them increased mobility: obtaining permission to leave their plantations for conjugal visits could open a whole array of opportunities in the wider world.¹⁹⁸ This was not the case in New England, where slaves, at least in the urban areas, were mobile, married or not. Blacks regularly frequented Boston's "houses of entertainment," and they slipped, often unnoticed, through the city's streets after sundown. They also moved readily through the region in the light of day. Mark mentioned obtaining "powder'd Lead" from the slave of a local potter in broad daylight, when he went to the shop "for six butter Pots, which

¹⁹⁸ See, for instance Emily West, *Chains of Love: Slave Couples in Antebellum South Carolina* (Urbana-Champaign: University of Illinois Press, 2004).

my master's son Isaac sent me for.”¹⁹⁹ Slaves in the Bay Colony like Mark and Phoebe did not depend on geographically distant spouses to obtain the ability to travel through their region, so they wanted very much to cohabit with their spouses. Whenever it was possible, they did so.

Perhaps because enslaved families were constantly assaulted in so many ways—parents severed from children, husbands from wives—bound Africans in New England placed a high value on “lawful” marriages: unions that looked like those of their white neighbors. They approached local ministers and justices of the peace, posted banns, and wed in great numbers. Some evidence suggests that these legal marriages mattered to slaves’ Euro-American communities, which took formal marriages more seriously than informal ones and, at least in certain circumstances, expected slaves to obtain unions sanctioned by the colonial government.

But those invested in normalizing slaves’ marriages to accord with Euro-American customs failed to protect those marriages. Ministers did not work to change the patterns of slaveholding in the region in order to enable slaves to fulfill standard marriage duties; rather, they re-wrote marriage vows with the assumption that enslaved spouses would not cohabit, and they altered oaths to ensure that slaves fulfilled their obligations to the masters before they fulfilled their obligations to their kin. By the mid-eighteenth century, Bay colonists had largely concluded that the marital commitments of their bound black neighbors could be lax and formless; slaves did not need to marry “According to any of the Forms prescribed by the Laws of [the] Land” in order to birth lawful children. Marriage for slaves could take any number of shapes, even though thousands of bound Africans in the region sought and obtained state-sanctioned unions that had all the trappings of those of their free white neighbors.

¹⁹⁹ Goodell 137.

Obtaining official marriages as a means to legitimize their unions did little to guarantee bound blacks access to their kin, though they pursued the strategy nonetheless. They pursued other strategies as well. Rich evidence shows that slaves worked exceedingly hard to maintain their families across geographic space. One of the primary ways they did this was by attempting to extricate themselves and their families from bondage; they sought freedom for themselves to obtain proximity to their families, and they sought freedom for their family members to return them to their kin. Freedom, though, was not an option for most; some had intransigent owners, while others could not come up with a way to earn the needed funds.

Liberty, then, was only *one* strategy pursued by bound blacks eager to gain access to their family members; slaves conceived a host of other devices aimed at family unification. In the case of Mark, for instance, the man—both husband and father—plotted arson, obtained a buyer for himself, hired himself out, and, ultimately, murdered his master. Mark’s wife may have deserted her master to take up residence alongside Mark at the Codman estate. Phoebe poured arsenic in her owner’s morning “Chocolate” to escape her master and to access her husband. Quaco sought to purchase his wife. All to no avail. The relationships of blood and contract that these slaves forged, severed by Codman while he lived, were permanently broken as a result of the slaveholder’s death—as was the family of Phillis, if, indeed, the so-called “Spinster” had any kin, sold as she was to Codman when she was just a “little girl.”²⁰⁰

By all accounts, the blaze on Jones’s hill was ghastly. The sight of Phillis reduced to ashes was a “sad and awful Scene,” according to one onlooker, “shocking to behold” and

²⁰⁰ Goodell 126.

“dismal to our Eyes.”²⁰¹ The “old creature” was “burnt to death,” Harvard Professor John Winthrop wrote in horror, calling the display of justice on Cambridge Common a “terrible spectacle.”²⁰² Not far away, Mark met his end by hanging. His body was then “brought to *Charlestown*... and hanged in Chains on a Gibbet erected there for that Purpose,” a macabre warning to slaves who might elect to take justice into their own hands, who might resolve to make plans “about [their] child[ren],” who might decide to fracture their masters’ families in attempt to bind up their own.²⁰³ Mark’s corpse would decay above the town common for decades, a haunting landmark for the region’s inhabitants. Of his wife and child we know nothing. Were they there that day among the “great... Number of Spectators”? Did they later pay homage to the rotting remains of the man who had died for intimacy with them? Would Mark’s child come of age in the busy port, shadowed by his father’s gibbeted body?

As for Phillis, she was lost in the breezes that swept Cambridge Common.

²⁰¹ *A few Lines On Occasion of the untimely End of Mark and Phillis.*

²⁰² Winthrop, *Interleaved Almanac*, 1755, Harvard University Archives.

²⁰³ Boston Evening Post, September 22, 1755.

Chapter Five

The Vassalls: Gender, Family, and Freedom in the Era of the Revolution

It must have been startling to watch the American Revolution unfold from the “little spot of land” that Cuba Vassall and her children, all enslaved, called home.¹ Cuba’s home, which her husband Anthony would later describe as a “small tenement,” stood just behind the imposing Cambridge mansion built in 1759 by John Vassall, a wealthy merchant.² John and his family had long used the mansion as a summer residence, retreating to the quiet estate when the streets of Boston began crowd with seamen and peddlers, and the town began to reek from the stagnant water that its residents never managed to drain from their roads.³ It was the perfect perch: John’s

¹ Cuba was most consistently called Cuba, but she was also referred to as Coby, Coba, and even Catherine; her son, Darby, appears to have called her by the latter name toward the end of his life. Darby’s decision to refer to his mother this way could be seen as an attempt to anglicize his past, but he insisted until his death that his father hailed from Spain, so he does not seem to have been overly concerned with making his origins more English. The name change did appear to make his origins more European, though, and may have reflected desire for increased status in a racialized world. William Cooper Nell, who knew Darby personally, referred to his mother as both Catherine and Cuba in the obituary he wrote following Darby’s death. See *The Liberator*: Nov. 22, 1861, p. 188. Darby’s death record, submitted to the city of Boston by one “W. Cooley,” describes his father as “Anthony,” born in “Spain,” and his mother as “Catherine,” born in the “West Indies.” See *Deaths Registered in the City of Boston for the year eighteen hundred and sixty one*. Massachusetts Vital Records, 1840–1911. New England Historic Genealogical Society, Boston, Massachusetts. Darby is numbered 3163.

² Massachusetts Anti-Slavery and Anti-Segregation Petitions; Massachusetts Archives Collection. v.231-Revolution Resolves, 1781. SC1/series 45X. Massachusetts Archives. Boston, Mass. v.231:p.114-117: Petition of Anthony Vassall <<http://nrs.harvard.edu/urn-3:FHCL:13906075>>

³ Drainage was a constant issue in the town. See John B. Blake, *Public Health in the Town of Boston, 1630-1822* (Cambridge, Mass.: Harvard, 1959), 101-3.

mansion, three stories high, overlooked the Charles River, which meandered through salt meadows just beyond the house that had belonged to his deceased uncle, Henry Vassall. Cuba's "tenement" was tucked behind John's stately home and thus commanded no views of the Charles, but it nonetheless provided its enslaved inhabitants an intimate perspective on the riotous events that enveloped the region during the revolutionary era, turning the lives of the various Vassalls—slave and free, black and white—upside down.

Prior to the Revolution, the slaveholding Vassalls lived a life of leisure and pleasure. Theirs was also a life of family. John and his uncle, Henry, were not the only Vassalls in the neighborhood; four of John's aunts lived with their husbands and children and slaves on the same road, the way that led from Cambridge's town center to nearby Watertown.⁴ Mary Lechmere and Rebecca Lee were sisters of John's mother, Elizabeth Phips, while Anna Borland and Susanna Ruggles were sisters of John's father, John Vassall, Sr.⁵ John's sister, Elizabeth, rounded out the collection of Vassall relatives on the street: she and her husband, Thomas Oliver, inhabited an impressive Georgian estate just a mile west of John's mansion.⁶ So the families numbered seven: the families of John Vassall and Henry Vassall were joined by the Borlands, Ruggles, Lechmeres, Lees, and Olivers. A visitor would recall them this way: "Seven families, who were connected by relationship, or lived in great intimacy, had here farms, gardens, and splendid mansions, and not far off orchards." Their homes were situated "a quarter of a mile

⁴ This road is now called Brattle Street.

⁵ Anna Borland had been Anna Vassall before marrying John Borland; Susanna Ruggles had been Susanna Vassall before marrying George Ruggles; Mary Lechmere had been Mary Phips before marrying Richard Lechmere; and Rebecca Lee had been Rebecca Phips before marrying Joseph Lee.

⁶ This estate is now the official residence of the President of Harvard University. See J. L. Bell, *Longfellow House-Washington's Headquarters National Historic Site* (Cambridge, Mass.: Department of the Interior, 2012), 4. Bell's study is very well-done and has been extraordinarily useful to me due to its focus on the house that was originally John Vassall's residence. I am grateful for Bell's careful work.

distant from each other,” and they were “in the habit of assembling every afternoon in one or another of these houses, and of diverting themselves with music or dancing.” The extended Vassall clan lived on the road to Watertown “in affluence, in good humour, and without care.”⁷

But the paradise they built on the bank of the Charles River did not last. The families were Anglicans and had a natural affinity to Britain, as their great wealth depended on the smooth functioning of the British Empire; John Vassall owned plantations in Jamaica, and other members of the family on Brattle Street owned slaves and land in Caribbean colonies as well: Jamaica, Barbados, Antigua. Eager to avoid disruptions in trade, the extended Vassall clan did not share the desire of their patriot neighbors to maintain the colony’s autonomy at the expense of imperial order. Some, in fact, readily collaborated with British officials in the months leading up to the outbreak of the Revolution.⁸ And they would pay for their allegiance dearly.

On the morning of September 2, 1774, Cuba Vassall would have witnessed, from her vantage on John’s estate, something startling and altogether new: thousands of angry farmers marching down the road from Watertown toward Cambridge Common. She would have heard their hollers. Their feet on the street. Perhaps a musket fire. Her husband Anthony, who lived and worked across the street at the home of John’s aunt, Penelope, likely stood by her side, agape, as the men poured past. Neither had ever seen anything like it. Nor had their owners. The marching men, sensible that they had been “deprived of their Rights and Priviledges,” had come to demand that certain local leaders—some with ties to the Vassall clan—resign from their

⁷ Friederike Charlotte Luise Riedesel, *Letters and Memoirs Relating to the War of American Independence* (New York: G. & C. Carvill, 1827), 195.

⁸ For instance, Thomas Oliver, the brother-in-law of John Vassall, agreed to assume the post of lieutenant governor of Massachusetts, while John Vassall volunteered to serve on the so-called “mandamus Council” of men appointed by the Crown to support the royal governor—a council that was wildly unpopular from its 1774 inception. For more on the hostility of many common people toward the councilors, see T. H. Breen, *American Insurgents, American Patriots: The Revolution of the People* (New York: Hill and Wang, 2010), 93-4.

political offices. Later that day, the farmers would turn around and march back, once more passing Anthony and Cuba and the “tenement” on John’s estate. Their destination? The home of Thomas Oliver, John’s brother-in-law. Four thousand would surround the Georgian mansion, demanding that Thomas, lieutenant governor of the colony, resign from his position. “The Populace,” John’s besieged brother-in-law would recall, “began to press up to my windows, calling for vengeance against the Foes of the Liberty.”⁹

It was too much for the extended white Vassall family to take. The next morning, Thomas Oliver left his Cambridge home for Boston, where he sought protection with British troops. Joseph Lee, another of the family’s patriarchs on the Charles, followed Thomas to Boston. So did John and his family.¹⁰ Soon after, George Ruggles decided to move his family to the safety of the British forces in Boston, and the Borlands and Lechmeres went as well.¹¹ Penelope Vassall, widow of John’s uncle, Henry, took her family to Antigua.¹² The Revolution turned the white Vassalls’ lives upside-down: all seven families fled their estates in Cambridge. Never again would they occupy their “farms, gardens, and splendid mansions” on the Charles River. And the lives of the black Vassalls changed just as radically. With the exodus of the “Foes of the Liberty,” as the Massachusetts farmers had so aptly labeled Thomas Oliver and the other

⁹ *Publications of the Colonial Society of Massachusetts*, vol. 32 (Boston: The Society, 1895), 486.

¹⁰ For the removal of Thomas Oliver, Joseph Lee, and John Vassall, see Bell, 16-7.

¹¹ For George Ruggles’s decision to desert Cambridge for Boston, see Bell, 19. John Borland was in Boston by 1775, when he died, at the age of 46, from “injuries received by a misstep in descending the stairs after his removal to Boston.” See Lorenzo Sabine, *Biographical Sketches of Loyalists of the American Revolution*, Vol. 1 (Boston: Little, Brown, and Company, 1864), 237. The Lechmeres fled to Boston, ultimately departing the port in March of 1776, when the British troops evacuated. See Chaim M. Rosenberg, *The Life and Times of Francis Cabot Lowell, 1775-1817* (New York: Rowman & Littlefield Publishers, 2011), 192-3.

¹² See Samuel Francis Batchelder, *Notes on Colonel Henry Vassall (1721-1769), His Wife Penelope, His House at Cambridge, and His Slaves Tony & Darby* (Cambridge, Massachusetts: 1917), 48.

patriarchs on the Charles, Anthony, Cuba, and their children—along with the other bound African families on the road leading to Watertown—experienced liberty for the first time.

This chapter tells the saga of the Vassall family—the black Vassall family, that is. It is a story of ingenuity, of irony, of surprise. Of community and isolation. Of good fortune and bad. Of struggle, sustenance, survival. Of status. Of land and loss. It is a small story of an intimate group of black kin in one corner of the Bay Colony, but it is at the same time an expansive story that points to broad realities and large truths. By following the Vassalls as they became “free negroes,” and by contextualizing their saga with evidence left by hundreds of blacks in their region, this chapter sets forth a new understanding of the course of emancipation in the Bay Colony. It also lays bare the inner workings of black households as they transitioned from slavery to freedom, illuminating powerfully the influence of liberty on black kin and community. By showing how people of African descent went about setting up households in freedom and revealing why emancipated slaves came to embrace certain gender norms in their familial settings, the story of the Vassalls sheds light on an important but poorly understood juncture in the history of African American family life.¹³

¹³ A vibrant and growing body of scholarship sheds light on African American families and the process of emancipation. Most of it is situated temporally in the nineteenth century and tells stories of southern slaves. This chapter seeks to complement it by examining freedom in a very different context. See, for example, Wilma Dunaway, *The African-American Family in Slavery and Emancipation* (New York: 2003); Heather Andrea Williams, *Help Me to Find My People: The African American Search for Family Lost in Slavery* (Chapel Hill: 2016); Ira Berlin and Leslie S. Rowland, ed., *Families and Freedom: A Documentary History of African-American Kinship in the Civil War Era* (New York: 1998); Elizabeth Regosin, *Freedom's Promise: Ex-Slave Families and Citizenship in the Age of Emancipation* (Charlottesville: 2002); Herbert Gutman, *The Black Family in Slavery and Freedom* (New York: 1977); Annette Gordon-Reed, *The Hemingses of Monticello* (New York: 2008); and Dylan C. Penningroth, *The Claims of Kinfolk: African American Property and Community in the Nineteenth-Century South* (Chapel Hill: 2004).

Anthony and Cuba had served the extended Vassall family for decades before they helped their masters slip out of Cambridge in the fall of 1774. Anthony, a coachman who belonged to the widowed Penelope Vassall, had been purchased sometime in the second quarter of the eighteenth century by Henry Vassall, Penelope's deceased husband. Henry, a Jamaican by birth, had purchased the young man on the island and brought him to Massachusetts to drive his carriage. A symbol of status. A marker of wealth. Many years later, Anthony's son, Darby, would claim that his father hailed originally from Spain. In Darby's account, Anthony was either a free man or a very unusual sort of bondsperson: one with the ability to make decisions about where he wished to go. He had been lured from Spain when he was young and eager, as Darby put it, to "see the world."¹⁴ How exactly he ended up as an enslaved man in Jamaica is unclear. Poor fortune, indeed, had he truly been born a free black in Europe.

While Anthony's name makes the story about his origin plausible, the idea that the man was free and *chose* to go to Jamaica sounds fanciful. What free black man would have wished himself on a pestilential island that practiced a harsh form of race-based slavery? More likely, Anthony was born a slave in Spain, or one of Spain's American colonies, and brought to the booming English sugar island for sale when he was a young man.¹⁵ But Darby's description, however inventive, provides an evocative clue to the way he envisioned his father and the way

¹⁴ Around 1855, Reverend Hoppin of Cambridge's Christ Church recorded some statements from Darby about his family's history. These statements were preserved in the church's records in 1915, when Samuel Francis Batchelder wrote a piece about Henry Vassall, his wife Penelope, and his slaves, but they appear to no longer be extant. See *Notes on the Colonel Henry Vassall (1721-1769) his wife Penelope Royall[,] his house at Cambridge[,] and his slaves Toby & Darby* (Cambridge, Massachusetts: 1917), p 62 n 2. The original paper on which this essay was based was "read at the meeting of the Cambridge Historical Society on January 26, 1915." See p 5.

¹⁵ Darby maintained, until his death, that his father Anthony was from Spain; his death record states "Spain," as his father's birthplace. See *Deaths Registered in the City of Boston for the year eighteen hundred and sixty one*. Massachusetts Vital Records, 1840–1911. New England Historic Genealogical Society, Boston, Massachusetts. Darby is numbered 3163.

he understood his own origins: Darby descended from a man who set out to “see the world.” And see it he would.

Anthony’s wife, Cuba, would see much of the world as well. The woman was almost certainly born on an Antiguan plantation belonging to Isaac Royall, a wealthy merchant with Massachusetts roots. She hailed from hearty stock. Her mother, a woman named Abba, had survived enslavement in Africa, passage across the Atlantic to Antigua, years of labor on a sugar plantation, the birth of half a dozen children, and shipment to the Bay Colony.¹⁶ Abba and her children were among the 27 slaves that Isaac brought from Antigua to the Massachusetts Bay in 1737 after tempests, earthquakes, and drought had begun to sour Isaac on the sugar island that had made his fortune.¹⁷ A supposed conspiracy to kill the island’s whites was the last straw. The plot hit close to home; Isaac’s slave driver, Hector, was burned to death for his involvement. Convinced that Antigua was no longer worth the risk, the old master had gathered his family; he had ordered their belongings packed; and he had selected the slaves he wished to take from the island, to take from all that they knew. For some of these slaves, he sought to protect kin ties. Cuba was a fortunate one: she arrived in the Bay Colony with her mother and five siblings. But the number of relationships that the master broke in his hurried retreat is beyond recounting. What of Cuba’s father? Of him the records say nothing.

¹⁶ Abba is the West African day name for Thursday. Abba’s selection of “Cuba” as a name of her daughter indicates that she wished to continue African naming traditions, as Cubba is the West African day name for Wednesday. See David DeCamp, “African Day-Names in Jamaica,” *Language*, vol. 43, no. 1 (1967): 139. The low fertility of women enslaved on sugar islands and the high infant mortality meant that very few slaves were born in the Caribbean and fewer still survived to come of age. Therefore, it is most likely that Abba was brought to Antigua rather than born in Antigua.

¹⁷ See will of Isaac Royall, p. 1, Middlesex Probate File # 19545, Massachusetts Archives, Boston. See also C. S. Manegold, *Ten Hills Farm: The Forgotten History of Slavery in the North*, (Princeton, New Jersey: Princeton University Press, 2010), 161 and 164.

With her siblings and her mother, Cuba served old Isaac on his sprawling estate in Medford, Massachusetts. But for only a short while. The slaveholder died in 1739, passing his human possessions to his heirs. To his fifteen-year-old daughter, Penelope, he left Cuba (whose name he rendered “Coba”) and her kin: “one Negro woman called Abba & her six Children named Robin Coba Walker Nuba Trace & Toby.” He also gave to his daughter (“Penne,” he called her) “one Negro Girl called Present,” a child who apparently was not related by blood to the rest.¹⁸ Isaac had many slaves to bequeath. He dispensed of an extended family of bound laborers to his stepdaughter, Ann Oliver, whose son, Thomas, would be blasted a “Foe of the Liberty” by the marching farmers in 1774. “One Negro Woman named Black Betty,” Isaac’s will provided Ann, “& her Five Children named Abba Quacoe Diana John & Nancy with the said Abba’s Five Children named Betty George Sarah Jacob & Jemmy.” To his wife, Elizabeth, Isaac gave “a Negro Fellow called Peter and a Negro Woman named Trace.”¹⁹ Other blacks, unnamed, changed hands upon the master’s death. Isaac’s “Houses & Land” and “Negroes” in Charlestown and his “Farm with the Buildings [and] Negroes” in Stoughton went to his “loving Brother,” a Boston merchant named Jacob Royall.²⁰ And most of Isaac’s slaves were altogether invisible in the will he penned from his Medford mansion: “I give & bequeath unto my Said Daughter... one Half part or Moiety of my Estate in the Island of Antigua,” he wrote. To his son, Isaac, Jr.: “I give & bequeath... the other Moiety or half part of all my Estate... of Antigua.”²¹ Untold

¹⁸ Royall’s will, written on December 23, 1738, deeded Abba and her six children (spelling Cuba “Coba”) to Penelope, as well as a “Negro Girl called Present,” who was apparently unrelated. See will of Isaac Royall, p. 1, Middlesex Probate File # 19545, Massachusetts Archives, Boston.

¹⁹ Isaac Royall will, p 1.

²⁰ Isaac Royall will, p 2-3

²¹ Isaac Royall will, p 2.

numbers of enslaved Africans passed from father to children at the stroke of a pen, obscured in Isaac's rendering by the innocuous term "Estate."²²

Not long after Cuba, her mother, and her siblings were given to Penelope, they were sent from the Royall estate in Medford to a new house in Cambridge. Penelope's life and intimacies shaped their own; in early 1742, the young woman left home to marry, so in early 1742 her slaves were obliged to abandon their community at old Isaac's place—the Africans with whom they toiled in Antigua, sailed to New England, and labored in the Bay Colony. Penelope wed a Jamaican man named Henry Vassall, who called himself a "Planter" and had recently settled into a mansion on the road to Watertown with his coachman, Anthony.²³ And so it was that when Penelope brought her human property to Henry's estate upon their marriage, Cuba, a girl of African descent born a slave in Antigua and transported Medford, found herself in the same household as Anthony, a young man of African descent bound in a Spanish region, hauled to Jamaica, and brought to Cambridge. Living on the same estate overlooking the salt marshes in a quiet corner of Massachusetts, the two slaves, seasoned Atlantic travelers, would start a family.

No record of their marriage survives, but the couple made a commitment to one another in the middle of the eighteenth century that they—and others—long recognized as a legitimate union. In the 1780s, Anthony would call Cuba "his wife" in petitions he submitted to the Massachusetts assembly.²⁴ Upon his death in 1811, the administrator of his estate would petition the local judge of probate on Cuba's behalf, stating that "she was the lawful married wife of the

²² It is not clear how many Africans were enslaved on Isaac's Antigua plantation.

²³ For the reference to Henry as a planter, See Middlesex Deeds, 43/271. Henry bought the mansion in 1741 from his brother, John.

²⁴ See, for example, Massachusetts Anti-Slavery and Anti-Segregation Petitions; Massachusetts Archives Collection. v.231-Revolution Resolves, 1781. SC1/series 45X. Massachusetts Archives. Boston, Mass. v.231:p.114-117: Petition of Anthony Vassall <<http://nrs.harvard.edu/urn-3:FHCL:13906075>>

said Antony,” and asking that she be “entitled to her apparel and such other of the personal estate of said deceased... according to her quality and degree.”²⁵ The judge would approve the request; “Having made all needful inquiries,” it appeared to him “that the said widow [wa]s entitled to her reasonable allowance.” The following year, in 1812, a state committee would deem Cuba eligible to receive Anthony’s pension.²⁶ And when Cuba herself died later that year, Boston’s *Columbian Centinel* would describe her as Anthony’s “relict.”²⁷

Their union was a productive one. Cuba began bearing children in the middle of the eighteenth century. She birthed a son, James, sometime before 1758, when expenses for the boy, whom Henry called “Jemmy,” appeared in his master’s account book. She appears to have birthed two daughters, Flora and Dorrenda, by the middle of the 1760s.²⁸ Darby came in 1769,

²⁵ Anthony Vassall died intestate on September 2, 1811, but on November 11 of that year his heirs (Cuba and his three sons) petitioned James Prescott, the Middlesex County Judge of Probate, asking that James Frost, a Cambridge blacksmith, be appointed administrator of the estate. The petition was granted. For Anthony’s death record, see Cambridge Vital Records p 772. For the petition, see Anthony Vassall Probate #23335, Middlesex County Probate Records, Massachusetts Archives, Boston.

²⁶ Warrants in favor of Cuby Vassall and Elizabeth Pierpoint, March 5, 1812, Governor’s Records, Massachusetts Archives, Boston, Massachusetts.

²⁷ *Columbian Centinel*: Sept. 19, 1812.

²⁸ No record of Flora’s birth exists, but later records confirm that she was indeed the daughter of Cuba and Anthony. (See, for example, the agreement concerning the distribution of Anthony’s land, in which Flora is listed as an heir: Probate #23335, Middlesex County Probate Records.) Flora could not have been born in 1769, as Darby was born that year; nor is it likely that she was born in 1770, as Cyrus appears to have been born in 1771. Had she been born sometime after Cyrus, say, 1773, she would have been merely 14 at her 1787 wedding—far younger than typical. Therefore, it is likely that she was born in the 1760s at some point prior to Darby’s birth. As for Dorrenda, she passed in 1784, possibly quite young. See Thomas W. Baldwin, *Vital Records of Cambridge Massachusetts, to the Year 1850*, 2 vols (Boston: no publisher, 1915), II, 772. While she lived in the Vassall household and shared the Vassall last name, it is possible that she was unrelated; I have not been able to find conclusive proof linking her to the family.

and a third son, Cyrus, was born in the next couple of years.²⁹ Sometime, also, came a daughter named Catherine. Perhaps last, as she married later than the rest of her siblings.

Circumstances beyond Anthony and Cuba's control had brought the two African slaves—one from Jamaica, the other from Antigua—under the same roof in the second quarter of the eighteenth century. In the intervening decades, Anthony and Cuba had built lives on the Vassall estate in Cambridge; they married, raised children, and established relationships with others of African descent enslaved in the region.³⁰ And then circumstances beyond Anthony and Cuba's control threatened to upend all that they knew. Their owner's lavish spending and crippling addiction to gambling finally caught up with him in the last years of his life. By the 1760s, Henry was plagued by the demands of his creditors, and he had no place to turn; he had already spent

²⁹ Cyrus was not listed in Vassall's 1769 inventory, and his death record states that he died at age 41 in 1812, which would have put his birth at 1771.

³⁰ It is extraordinarily difficult to reconstruct the family's early years, as the documentary record, so rich in evidence of the white Vassall slaveholders, is nearly silent on the black Vassalls in slavery. Cambridge's Christ Church, which the enslaved family attended alongside their owners, did not record the children's baptisms. Cambridge's town clerk did not record the children's births. And neither Henry nor Penelope left much evidence of Anthony and Cuba's growing family. One of the only clues to the household's slaves at midcentury was produced by East Apthorp, Christ Church's pastor, who noted that Henry's "family" numbered ten persons in 1763. Since Henry and Penelope had only one child, Apthorp's tally suggests that the Vassall household had seven slaves. Apthorp described only two of these ten as "communicants," which suggests that Henry and Penelope were the only ones who had been received into the church as full members. Apparently, neither Anthony nor Cuba sought to be baptized and to join the congregation. See William Stevens Perry, *Papers Relating to the History of the Church in Massachusetts* (New York, privately printed, 1873), 502. Unfortunately, Apthorp did not list these seven slaves or provide any information about them. Were they part of Anthony and Cuba's family, or were they unrelated?

By the time Henry Vassall passed away six years after Apthorp's tally, the count of his slaves had fallen to five. A slave named Dorrenda is listed; Anthony (Tony) and his son James are listed, as well as a slave whose is rendered "Auber." "Auber" could be a distortion of "Cuba," but it could also be a distortion of a number of other names, including the name of Cuba's mother, Abba, or, perhaps, the name of Cuba's sister, Nuba, both of whom Isaac Royall deeded to Penelope. A slave named Dick is also listed in Henry Vassall's inventory. It is not clear if he was part of Anthony and Cuba's family or not. Precisely when the other children were conveyed to John Vassall is not evident; Cuba may have already been gone by the time of Vassall's death, but James and Dorrenda were still there. Flora, though, is not listed as Henry's property. No records shed light on her slave status or, if she was still bound, on who owned her.

One of the clues to the networks that Anthony had built in Cambridge lies in the papers filed by the Superior Court of Judicature in Massachusetts. In 1752, Anthony was apparently involved in a theft along with a handful of others—both white and black. Their "design," one of them testified, "was to go to Cape Britain,"—probably Nova Scotia's Cape Breton Island—" & from thence to France." See Suffolk Files Case #69278.

his wife's inheritance, and he had borrowed from his daughter as well.³¹ The two slaves must have watched in terror as merchants, lawyers, and other men of means descended on Henry's home in early 1765. The visitors spoke with members of the extended Vassall clan in hushed tones about debt and deeds and mortgages and sales. A parcel of "Negroes at Antigua" changed hands.³² A plot of land near Henry's Cambridge estate, already mortgaged, was sold.³³ The home on Brattle Street was mortgaged still further.³⁴ But still Henry could not meet his obligations. In time, he was forced to sell personal property in attempt to obtain cash to survive. Anthony and Cuba no doubt knew they could be next.

Who to sell? And to whom? The decisions of the dissipated slaveowner, king of a crumbling estate on the road to Watertown, would shape indelibly his slaves' lives. Would the young black Vassall children live with their mother or their father? With both? Or with neither? Would the siblings be separated? Would Anthony and Cuba be sold to distant towns? Until this time, the enslaved family had had good fortune, if the lot of any family bound by slavery can be described that way: Anthony, Cuba, and their children had always lived together in the same home. Cohabiting with one's spouse and children was a privilege that white New Englanders took for granted, but it eluded most slaves in the region, who rarely shared a household with their

³¹ Apparently his daughter owned a small estate of her own. See Batchelder, 38.

³² John Rowe, a prominent Boston merchant and friend of Henry Vassall, wrote about the gravity of Henry's financial situation in 1765. Diary entries spanning January 8 through March 23 mention a series of meetings he attended with Henry and others related to "the Settlement of Colo Henry Vassalls affairs." See Batchelder, 39.

³³ October 1765 Middlesex deeds, 65/146.

³⁴ Middlesex Deeds, 67/205.

partner and often did not live with their children.³⁵ Well aware of Henry's financial instability, and aware that the decisions he made had the potential to safeguard—or destroy—their family, Anthony and Cuba probably did what they could to influence the decision-making of their insolvent master. Could they convince him not to sell? Likely not. But could they convince him to sell them in a way that would preserve the integrity of their family? Perhaps.

Around the time a “lingering illness” took Henry's life in March of 1769, ownership of the children, as well as of Cuba, who was pregnant at the time, transferred across the street to John Vassall, Henry's nephew.³⁶ Soon after the transfer, Cuba birthed a son named Darby. But apparently John did not want a baby to occupy the time of his newly-acquired slave woman, for the newborn was promptly delivered to a Woburn man named George Reed, Jr.³⁷ This decision must have caused the black Vassall family great anguish: Woburn was ten miles away, out of easy reach by foot, so even visits would be limited. Darby would be raised by others. It was a deep and poignant loss. Still, the damage could have been even worse; the family could have been scattered across the region upon the death of their insolvent master. As it was, with the exception of poor Darby, the black Vassall family remained relatively intact; it was divided over two estates, but two neighboring ones. Young James could still work with his father in Penelope's stables. And Anthony could pay frequent visits to Cuba, who now toiled in John's

³⁵ Enslaved children lived with their mothers fairly often, but they usually did not live with their fathers, as James and Flora and Dorrenda did. I have collected extensive data on the distribution of enslaved people through Euro-American households in the middle and late eighteenth century, much like the data on the late seventeenth and early eighteenth century that is highlighted in chapter two, but I have not yet finished processing it. When I turn this project into a book I will include rich data on the distribution of slaves and the integrity of enslaved families (or lack thereof).

³⁶ Henry died on March 17, 1769. See Batchelder 44.

³⁷ George had been involved from time to time in Cambridge's Christ Church and so was acquainted with the white Vassalls. Batchelder 74.

mansion with her daughters. Routines would need to be re-made, but the black Vassalls could continue living in intimacy.

Why were Cuba and the children transferred to the estate that was the very closest to Henry's? The process that led to this resolution is invisible. Did Anthony and Cuba approach John, Henry's wealthy nephew who owned the nearby dwelling, with the request that he keep the family together? Perhaps. Alternatively, John, whose plantations in Jamaica were booming, may have found himself in need of additional enslaved laborers on his Cambridge property and proposed the arrangement himself. Or, it is possible that Henry foresaw how his decisions would affect the enslaved family in his household and asked his nephew to intervene. No records shed light on whom instigated the transaction or why. But it is clear that, sometime in the years leading up to the Revolution, Cuba and her children moved to a little house on John's estate. And Anthony, while he continued serving Penelope, doubtless spent a good deal of time across the street with his family. So it was from the "small tenement" adjacent to John's mansion that the black Vassalls watched the angry farmers march on that September day in 1774. It was from there that they watched the white Vassalls assemble their belongings for an urgent—and, presumably, temporary—exodus to Boston. And it was from that little home near the salt meadows that Anthony, Cuba, and their children began to learn the rhythms of a new life: a life without masters.

It was a chaotic life, one in which every day seemed to bring changes. As 1774 turned to 1775, mobs on the street turned to armed conflict between the British soldiers and local militias. The Bay Colony mobilized quickly, filling churches and Harvard dormitories and abandoned mansions with soldiers. Soon Anthony and Cuba were no longer alone on the estate with their children; three military companies, numbering some 150 men, descended on John's home in

May.³⁸ In June, part of the mansion was set aside to serve as a hospital.³⁹ And, in July, the soldiers—both sick and well—were sent elsewhere in order to make room for the mansion’s new occupant: George Washington, the colonel from Virginia who had come to command the Continental Army.⁴⁰ Less than a year after Anthony and Cuba had watched the Massachusetts farmers march on Cambridge, demanding that men in the extended white Vassall clan resign from public office, they found themselves living in a militarized town in a rebel colony, sharing an estate with the patriot army’s commander in chief.

As they watched the pageant of American war and resistance play out on the very property on which they lived, Anthony and Cuba worked quietly. They “improved a little spot of land”: digging, hoeing, planting, weeding, watering, harvesting. While Washington met with dignitaries in John’s parlor, the black Vassalls engaged in “the most careful cultivation” of the “one & an half acre ... adjacent to their house.”⁴¹ Perhaps Washington found it reassuring to gaze out the windows of John’s home upon a familiar scene: black bodies, stooped, hard at work tending crops. Indeed, John’s gracious mansion—set on the bank of the Charles River; nestled among orchards and gardens, pastures and croplands, and an array of edifices; and maintained by black laborers—likely reminded Washington of his own Mount Vernon.⁴² Perhaps, at a time when change was proceeding at revolutionary pace, it gladdened the general to gaze on the great

³⁸ Bell, 48.

³⁹ Bell, 50.

⁴⁰ Bell, 86.

⁴¹ Massachusetts Anti-Slavery and Anti-Segregation Petitions; Massachusetts Archives Collection. v.231-Revolution Resolves, 1781. SC1/series 45X. Massachusetts Archives. Boston, Mass. v.231:p.114-117: Petition of Anthony Vassall <<http://nrs.harvard.edu/urn-3:FHCL:13906075>>

⁴² Bell makes this observation in 86-7.

holdings that John had built up and consider how things were not really as different as they seemed.

In many ways, though, things were as different as could be in revolutionary Cambridge—different, indeed, from things on Washington’s Mount Vernon. In June of 1775, young Darby’s owner, George Reed, Jr., passed away, succumbing to wounds he sustained fighting the British at the Battle of Bunker Hill.⁴³ When his master died, Darby left. According to the law of slavery that governed the Bay Colony, Washington’s Virginia, and the entire Anglo-Atlantic world, Darby was still very much a slave. With Reed dead, his ownership simply transferred to Reed’s heirs. But the six-year-old boy deserted Reed’s family for his own. He went home.

There the General of the Continental Army found him, “swinging on the gate” of John Vassall’s old mansion. A story, allegedly told by Darby as an old man, points to the young boy’s ability to read the social conditions of the Bay Colony in 1775—and the Virginian slaveholder’s failure to grasp the transformations in freedom and bondage that were taking place in that particular moment in Massachusetts. When Washington instructed Darby to “go into the house,” where “they would tell him what to do and give him something to eat,” Darby asked the General “what would be [his] wages.” Washington was taken aback. How could the boy be “so unreasonable... as to expect to be paid”? Darby would never forget the exchange. Long after, when “he was asked what he remembered of Washington,” the aging black man spoke his mind.

⁴³ Bell, 39. Bell suggests that Darby may have “accompanied... Reed to the siege lines as a personal servant,” but it seems doubtful that Reed would have thought it appropriate or helpful to bring a six-year-old to battle.

What of the storied general, the first president, the revered American founder? He “was no gentleman,” Darby insisted: “he wanted [a] boy to work without wages.”⁴⁴

Darby did not have to work without wages. And he did not have to return to Reed’s estate.⁴⁵ Why? According to historians’ understandings of slavery in the Bay Colony, he should have; technically, he was still a slave in 1775, and scholars have dated the end of slavery to a later period. The broad contours of the Bay State’s story of emancipation have long been considered clear: its 1780 constitution declared that “all men are born free and equal,” and slaves began to sue for liberty. In 1783, the Supreme Judicial Court granted an enslaved man named Quock Walker his freedom, apparently considering slavery inconsistent with the state’s

⁴⁴ NEHGR 25:44-5. See also Bell, 38. This exchange was first published in an article about the Longfellow House in 1871. The swinging boy was supposedly “Tonie Vassall,” but the writer must have confused Anthony with Darby. Anthony was most certainly not a “boy” when Washington lived in the Vassall mansion: he had already fathered several children, and, had he been a young man when Henry Vassall brought him from Jamaica to Massachusetts, he would have been around 55 years old in 1775. (This age coincides with the number of years Anthony would later claim he had been enslaved; in 1781 he petitioned the Massachusetts State Legislature for property, stating that he had been a slave for nearly sixty years. This would have dated his enslavement to 1720 or so, which, if it corresponded with his birth, would have put him at 55 years in 1775.) So the boy swinging on the gate in 1775 could not have been Anthony. Instead, all clues align to suggest that the boy who asked for wages was Darby. Darby would have been six at the time Washington made that statement, so he was indeed a boy. Furthermore, the person who recalled this anecdote in print remarked that “Tonie lived to a great age”—something that Darby did as well; he died at 92, while both of his brothers died as young men in the early nineteenth century. And Darby lived long into the nineteenth century, so a statement made by him about Washington’s manners (or lack thereof) could have easily been remembered in 1871; Darby’s death in 1861 preceded the print version of this story by only ten years. (By comparison, note that a similar statement made by Anthony would have had to precede the publication of the anecdote by a full six decades.) While it is possible that this story is apocryphal, the anecdote actually rings true. Darby would have had little motivation to criticize the revered Washington if he had not genuinely been offended by the General’s words. And the divergence between the boy’s understanding of his status and the General’s ideas about bondage reflects the way in which slavery was transforming in the Bay Colony at this precise moment. It is not surprising that a black Massachusetts boy who had left his master’s household better understood the dynamics of slavery and freedom in the colony than a southern slaveholder who had only just appeared on the scene.

⁴⁵ Reed left no probate documents: I checked all of the “Reeds” in the Middlesex County Probate records and found only two George Reeds, neither of whom was the George Reed who died in 1775. So we do not know what he would have wished done with Darby upon his death. Nor do we know if Darby would have been inventoried along with his property.

constitution. And so, the story goes, a 1783 judicial interpretation of the 1780 constitution ended slavery in Massachusetts.⁴⁶

Darby, though, walked away from Reed’s home in 1775: five years before the constitution proclaimed freedom, and eight years before the courts supposedly enacted abolition in the Quock Walker decision. Perhaps the boy was simply an exception. As a six-year-old, he was not of great value, and Reed’s heirs might have decided that pursuing him would not be worth the effort. Perhaps. But careful research suggests that Darby’s situation was the norm rather than the exception. Slavery was crumbling in the Bay Colony at precisely the time that Darby decided to go home. At the outbreak of Revolution, people of African descent like Darby, both young and old, simply walked away from their masters’ homes, shops, and farms. The state’s constitution and its courts would *take their cue* from this black exodus; they would not initiate it.

⁴⁶ Historians have long believed that the Quock Walker suits brought about the demise of slavery in the state. For instance, Arthur Zilversmit, writing in the 1960s, contended that residents of Massachusetts understood the Quock Walker Case as outlawing slavery. And A. Leon Higginbotham, Jr., summarized historical consensus in 1973 thus: “after the adoption of the Massachusetts Bill of Rights in 1780 and by subsequent judicial decisions declaring the freedom of Quock-Walker, slavery was abolished in Massachusetts in the 1780s.” Indeed, John D. Cushing, writing in 1961, considered “traditional” the interpretation that the “Quock Walker Case... invoked the ‘free and equal clause’” of the 1780 Massachusetts constitution “to declare slavery unconstitutional and henceforth abolished within the Commonwealth.” Already conventional by 1961, the explanation that slavery ended in the state because of a judicial interpretation of the 1780 constitution continues to enjoy wide currency today. For instance, James T. Allegro referred in 2002 to “Massachusetts’ monumental decision to abolish slavery in the Quock Walker decisions of the early 1780s.” Likewise, Emily Blanck called the 1783 decision of the Supreme Judicial Court of Massachusetts a “momentous event,” which “historians have long seen... as ending slavery in Massachusetts.” And, as Loren Schweninger stated in an article published in the *William and Mary Quarterly* just last year, “the suits filed in Massachusetts by Bett, or Elizabeth, Freeman in 1781 and Quock Walker in 1783 led to the end of slavery in that state.” See Zilversmit, “Quock Walker, Mumbet and the Abolition of Slavery in Massachusetts,” *William and Mary Quarterly* 25 (1968) and *The First Emancipation: The Abolition of Slavery in the North* (Chicago: University of Chicago Press, 1967); Higginbotham, “Racism and the American Legal Process,” *Annals of the American Academy of Political and Social Science*, 407 (1973): 13; John D. Cushing, “The Cushing Court and the Abolition of Slavery in Massachusetts: More Notes on the ‘Quock Walker Case,’” *American Journal of Legal History* (1961): 199; James T. Allegro, “‘Increasing and Strengthening the Country’: Law, Politics, and the Antislavery Movement in Early-Eighteenth-Century Massachusetts Bay,” *The New England Quarterly* 75 (2002): 7; Emily Blanck, “Seventeen-Eighty-Three: The Turning Point in the Law of Slavery and Freedom in Massachusetts,” *New England Quarterly* 75 (2002): 24, 31; Loren Schweninger, “Freedom Suits, African American Women, and the Genealogy of Slavery,” *William and Mary Quarterly* 71 (2014): 37.

The only way to reliably track this black exodus is through systematic analysis of probate records, which reveal whether or not blacks were considered property in white households.⁴⁷ When did the wills of Massachusetts whites cease to direct the distribution of human chattel among heirs? When did the inventories of whites' estates cease to record black bodies alongside pots and pewter, horses and houses? By examining the probate records produced by the Massachusetts residents who lived in Suffolk County, the most populous county in the Bay State, and the county with the highest proportion of blacks, it is possible to date the end of slavery in the Bay State with unprecedented precision and certainty.⁴⁸ And it is possible to re-envision Darby's context as one in which slaves—abetted by neither the constitution nor the courts—took to the road, deserting the homes of the men and women who had long claimed ownership of them.

The inventories that itemized the possessions of deceased whites in Suffolk County provide striking evidence of slavery's prevalence in pre-Revolutionary Massachusetts. From 1760 to the outbreak of the American Revolution, the executors of deceased white slaveholders

⁴⁷ Without probate records, tracking the death of slavery in Massachusetts is scarcely possible. Scattered manumission papers from the period exist, but they fail to provide insight into the transformations that affected Massachusetts blacks on a population scale during the revolutionary era. Evidence from black freedom suits survives as well, but it does not clarify when the thousands of slaves who did *not* look to the courts for liberty came to be considered freed people. And whites in Massachusetts occasionally discussed black laborers in the records they generated, whether letters or diaries or account books, but the poverty and dependence of many liberated people make it extremely challenging to trace the onset of freedom using these sources; some former slaves remained in the homes of those who had once owned them after their emancipation, performing the same labor they had performed as slaves, and, while many of them now received compensation for their work, their new lives as freed people looked quite like their old lives as bondspeople. White Bay Staters even continued to describe these people using the vocabulary that they had used for generations to describe slaves: free blacks who lived and worked in white households were regularly called “negro servants.”

⁴⁸ In order to complete this study, nearly all the probate records from Suffolk County between 1760 and 1790 were perused, page by page. This amounted to tens of thousands of pages. Most of these records, including almost all the wills and inventories, are included in the “First Series” of the Suffolk County probate court records. Another series of records exists, the “New Series,” which is much less extensive and includes a much smaller number of wills and inventories (many of which are repeats of the documents found in the “First Series”). I perused much of this series but was not able to finish the task prior to completing this chapter, so it is possible that this paper overlooks a small number of relevant Suffolk County probate documents.

regularly recorded human property on the documents they submitted to the Suffolk County probate court: 191 inventories created between January of 1760 and December of 1774 included slaves. The court processed more inventories of slaveholders in some years than in others: a low of seven inventories logged slaves in 1764, while a high of 17 inventories listed human property in 1760 and 1763. On average, though, nearly 13 inventories produced each year during the pre-Revolutionary period valued bound black laborers. Most slaveholders whose property was inventoried owned very small numbers of slaves; 107 of these 191 inventories listed only one slave. Indeed, a few of these slaveholders owned only a fraction of a slave: Theophilus Lillie's inventory, taken in 1763, valued a "q[ua]rt[er] part of a Negro Man named Hanabal" at six pounds, 13 shillings, and four pence, while Richard Martyn's executors, acting that same year, appraised "1/3 part of a Negro Man" at one pound, six shillings, and eight pence.⁴⁹ A sizable minority of inventories listed two or more slaves, but none had a large number: 49 decedents owned two slaves; 18 owned three; seven decedents owned four slaves; five owned five slaves; three owned six; and two owned seven. In all, these 191 pre-Revolutionary slaveholders' inventories listed 344 slaves.

Virtually all the bound laborers appraised in these documents were consigned to a form of chattel slavery. In keeping with linguistic conventions of the region, estate executors generally described human property either as "negro servants," or, simply, as "negroes." But they occasionally referred to these laborers, more starkly, as "slaves." For instance, the assessor of Nathaniel Ames's estate listed, under the heading "Slaves," a "Negro man named Cato," a "Ditto

⁴⁹ Inventory of Theophilus Lillie, Suffolk County Probate, First Series, vol. 62, p. 14, Massachusetts Archives, Boston; Inventory of Richard Martyn, Suffolk County Probate, First Series, vol. 62, p. 91, Massachusetts Archives, Boston.

named Jack,” and a “Negro Girl named Jenney.”⁵⁰ Likewise, the executor of Captain Robert Sharp’s estate included “One Slave” on the inventory he compiled, as did the men who assessed the estates of both Isaac Winchester and Joseph Everett.⁵¹ Those who appraised the assets of mariner Robert Erskin’s estate valued “3 Negro Men Slaves” at £120, and the assessor of Benjamin Pratt’s worldly goods described the man’s bondspeople as “negroes,” “servants,” *and* “slaves” as if to make triply sure that nobody would mistake them for freeborn laborers.⁵²

Other aspects of pre-Revolutionary inventories make it clear that the blacks they cataloged were chattel slaves. For instance, estate executors regularly listed bound Africans beside beasts in the documents they created. The 1764 inventory of Thomas Sever sandwiched girls between pigs: “Two Small swine [worth] 12 [shillings],” it read, “Two Negro Girls [valued] at 40 [pounds] each. And one grown Swine [worth] 1 [pound] 4 [shillings].”⁵³ The “Negro Man” claimed in 1769 as part of Abiah Holbrook’s estate shared a line on Holbrook’s inventory with the decedent’s “One Cow.”⁵⁴ And Elisha Savil’s executors placed the Braintree physician’s

⁵⁰ Inventory of Nathaniel Ames, Suffolk County Probate, First Series, vol. 62, p. 489, Massachusetts Archives, Boston.

⁵¹ Inventory of Robert Sharp, Suffolk County Probate, First Series, vol. 64, p. 501, Massachusetts Archives, Boston; Inventory of Isaac Winchester, Suffolk County Probate, First Series, vol. 70, p. 288, Massachusetts Archives, Boston; Inventory of Joseph Everett, Suffolk County Probate, First Series, vol. 73, p. 633, Massachusetts Archives, Boston.

⁵² Inventory of Robert Erskin, Suffolk County Probate, First Series, vol. 71, p. 94, Massachusetts Archives, Boston; Inventory of Benjamin Pratt, Suffolk County Probate, First Series, vol. 64, p. 656, Massachusetts Archives, Boston.

⁵³ Inventory of Thomas Sever, Suffolk County Probate, First Series, vol. 63, p. 495, Massachusetts Archives, Boston.

⁵⁴ Inventory of Abiah Holbrook, Suffolk County Probate, First Series, vol. 68, p. 114, Massachusetts Archives, Boston. The man was valued at £40; the cow at £3.

“Negro Man” alongside his “1 Yolk of Oxen” and “3 Hogs” in the inventory they compiled for the deceased man in 1768.⁵⁵

The slave status of people of color is also visible in the values that estate executors assigned them; the “negroes” listed in inventories were often assessed for large sums. Though some people of color were worth little because they were “lame,” “old,” “almost Blind,” “past [their] labor,” “Infirm,” or “Bedrid[den],” most able-bodied blacks appraised for a great deal—far more than laborers bound for a discrete number of years.⁵⁶ The case of Jane Eustice’s bondsmen provides insight into the divergent assessments of term servants and slaves for life. In November of 1770, the Boston widow and shopkeeper composed a will that manumitted one of her slaves, Cato, five years after her death, but did not free her other slave, Cyrus. Eustice passed not long after, and when her executors inventoried her estate in the summer of 1771, they assigned wholly disparate values to the two men. They anticipated that Cato’s remaining “time,” now nearing four years, would contribute a mere £10 to Eustice’s estate, but they expected that Cyrus would fetch four times that much—he would provide his new owner with a lifetime of labor, after all.⁵⁷

⁵⁵ Inventory of Elisha Savil, Suffolk County Probate, First Series, vol. 67, p. 110, Massachusetts Archives, Boston.

⁵⁶ Inventory of Esther Hatch, Suffolk County Probate, First Series, vol. 56, p. 184, Massachusetts Archives, Boston; Inventory of Thomas Savage, Suffolk County Probate, First Series, vol. 58, p. 124, Massachusetts Archives, Boston; Inventory of Joseph Wheeler, Suffolk County Probate, First Series, vol. 58, p. 234, Massachusetts Archives, Boston; Inventory of Michael Dwight, Suffolk County Probate, First Series, vol. 62, p. 429, Massachusetts Archives, Boston; Inventory of Ephraim Copeland, Suffolk County Probate, First Series, vol. 65, p. 217, Massachusetts Archives, Boston; Inventory of Henry Laughton, Suffolk County Probate, First Series, vol. 70, p. 58, Massachusetts Archives, Boston.

⁵⁷ Almost all pre-Revolutionary inventories value the *persons* of black laborers rather than the *time* of those laborers; only one inventory besides Eustice’s lists the “time” of an African-descended laborer. See inventory of Oxenbridge Thatcher, Suffolk County Probate, First Series, vol. 72, p. 266, Massachusetts Archives, Boston. The inventory values over 6½ years of the “Negro Cesar’s time,” along with his “Bedding & apparel,” for nearly £27. One other

Darby marched in step with the times when he walked from Reed's estate in 1775: the Revolution marked a decisive turning point in the relationships of Massachusetts slaves with their owners. From 1775 on, bound laborers of African descent vanish from the inventories they had populated in the Bay Colony since the seventeenth century. In total, only 17 inventories probated in Suffolk County between the onset of war in April 1775 and the end of the year 1790 included slaves among decedents' property. To put this number in perspective, it important to note that nearly this many inventories with slaves were probated *each year* throughout the early 1770s.⁵⁸ It is tempting to attribute such a drastic reduction in the number of Suffolk County inventories with slaves to the disruptions of the Revolution in the region; if the court was not in operation, it would follow that the inventories of slaveholding decedents would not be filed. However, with the exception of the siege of Boston, which resulted in an eight-month cessation of probate activities stretching from the middle of 1775 to early 1776, the Suffolk County probate court recorded the inventories and wills of decedents at a fairly normal clip throughout the war years.⁵⁹

pre-Revolutionary inventory values the "time" of a laborer; the inventory of Oliver Andrews lists "a Jersey Boys Time" along with two "Negro" men and "1 Negro Woman." While it is not clear whether this "Jersey Boy" hailed from the Channel Island of Jersey or the colony of New Jersey, he was almost surely a servant of European, rather than African, descent. See inventory of Oliver Andrews, Suffolk County Probate, First Series, vol. 73, p. 580, Massachusetts Archives, Boston.

⁵⁸ Sixteen inventories with slaves were probated in 1770; 16 in 1771; 11 in 1772; 14 in 1773; and 11 in 1774.

⁵⁹ I did not count the total number of inventories and wills probated each year during the period under study (1760–1790), but I was alert to major cessations of court activity (like that caused by the Siege of Boston) and to changes in the pace at which probate documents were filed. I was impressed by how regularly the court operated throughout this period. In a study examining wills executed in Boston during the 1770s and 1780s, Elaine MacEacheren found that nearly as many wills were executed during the Revolution as during the pre-war years; on average, 24.7 wills were executed annually between 1775 and 1783, while 29.6 wills were executed annually between 1770 and 1774. See "Emancipation of Slavery in Massachusetts: A Reexamination 1770–1790," *Journal of Negro History*, Vol. 55, No. 4 (Oct., 1970): 296.

The evidence that the Revolution drastically reduced claims to human property in Massachusetts goes beyond this extraordinary reduction in inventories itemizing people of color. The way in which inventories valued decedents' property also suggest that the relationships between people of color and their white masters were changing during this tumultuous period. As the Revolution went on, most of the few inventories that listed blacks began to consider them of no value. For instance, when the executors of the estate of Joseph Howe, a Boston "Tin Plate Worker," assessed the man's belongings at the start of 1780 (prior to the ratification of the state's constitution), they included Howe's "Old Negro Woman" on his inventory, but they deemed her worth nothing.⁶⁰ They recorded the woman's "Apparel and Bedding" alongside her, but they did not attach a value to those, either. This was unusual. The executors of inventories compiled prior to the Revolution occasionally assigned no value to enslaved people who could not labor, but, if they went to the trouble of mentioning the clothing and bedding that decedents had furnished their slaves, they always valued those items. The woman doubtless appeared on Howe's inventory because she lived in his household. But could it be that she, her clothing, and her bedding went unvalued because either Howe or his executors did not consider them rightfully his?

The inventory of John Baker, compiled soon after Howe's, deemed worthless two more "negroes." And, while it attached a value to a "Young Negro Girl named Phoby," it stipulated

⁶⁰ See inventory of Joseph Howe, Suffolk County Probate, First Series, vol. 79, p. 59, Massachusetts Archives, Boston.

that she was to “be freed at the Age of Twenty One Years.”⁶¹ Phoby was clearly in bondage, but she does not appear to have been a slave bound in perpetuity; instead she seems to have been considered either a servant obliged for a period of years or a child bound to the age of majority—forms of bondage that regularly oppressed poor white children at the time. Documents such as these provide hints that race-based slavery was crumbling, even before the state constitution declaring all men “free and equal” became effective in October of 1780. Taken together, the inventories filed by Suffolk County residents during the revolutionary era indicate that the 1780 constitution and the 1783 judicial interpretation of that constitution were of far less importance to ending slavery in the colony than historians have believed. Inventories listing slaves virtually disappeared following the onset of Revolution, rather than after the 1780 constitution or the 1783 judicial decision.⁶² And the inventories that *do* catalog blacks began to treat them differently in the period leading up to the 1780 constitution. Scant but suggestive evidence portrays these blacks as fixtures in whites’ households who were at least quasi-free: some executors considered them worth reporting on inventories, but they largely went unvalued, as their value apparently did not by right belong to the decedents in question.

This was true of the Vassalls in neighboring Middlesex County. In 1778, committees were appointed to administer the deserted estates of both John and Penelope. Those who had

⁶¹ See inventory of John Baker, Suffolk County Probate, First Series, vol. 79, p. 430, Massachusetts Archives, Boston.

⁶² The inventories from Suffolk County do not suggest that the 1783 judicial decision made a difference in slaveholding patterns of the region. Inventories reporting slaves had almost completely dried up *prior* to the decision. No slaves were valued traditionally in inventories in the 1780s made prior to the decision (some slaves were listed but valued for unconventional sums, like £0). The one slave given a traditional value in the decade of the 1780s was valued *after* the judicial decision: in September of 1784. See inventory of John Fisher, Suffolk County Probate, First Series, vol. 83, p. 862, Massachusetts Archives, Boston.

extended credit to the loyalists prior to their hasty departure had begun to demand reimbursement for their outlays, so administrators traipsed the abandoned grounds by the Charles River, appraising the valuable—houses and land—and the commonplace: “Dung forks” and “Old Buckets.”⁶³ As they peered and measured, they encountered the human beings whom the white Vassalls had once enslaved. “One negro woman of about 40 years of age,” John’s appraisers scrawled; “one negro boy about 8 years.” And “another negro child about 3 months.” This last record they struck with a thick line of ink. The other two they let stand, but they recorded no assessments. And they totaled John’s “Articles of moveable Estate” *prior* to listing the three slaves. One hundred seventy seven pounds and five shillings. The valueless human “moveables”—perhaps Cuba and Cyrus and baby Catherine—were included after, almost as an afterthought.⁶⁴ Penelope’s appraisers did the same thing. They recorded “one negro man named toney” on the list of her possessions, last. The industrious coachman, like his wife and children, had no value.⁶⁵ The black Vassalls may have lived on and worked the white Vassalls’ land, but they were no longer part of the white Vassalls’ holdings.

Wills, like inventories, show that large numbers of whites in Suffolk County considered blacks their rightful property in the years leading up to the Revolution. Many whites considered the blacks who labored in their households in the same frame as they did their nonhuman property. In 1760, for instance, a Boston woman named Judith Bulfinch gifted to her son “my

⁶³ Inventory of John Vassall, 1778, Probate #23340, Middlesex County Probate, Massachusetts Archives, Boston.

⁶⁴ The Committee assigned with the task of appraising John Vassall’s estate was composed of Samuel Thatcher, Aaron Hill, and John Walton. The inventory of the estate was presented to the judge of probate on January 15, 1779.

⁶⁵ Inventory of Penelope Vassall, 1778, Probate #23342, Middlesex County Probate, Massachusetts Archives, Boston.

Negro woman named Maria and my four wheel Chaise.”⁶⁶ Soon after, Thomas Green gave his wife a large sum of money along with “all my Negroes, horses, Carriages, & Cow.”⁶⁷ In 1767, Joseph Dudley bequeathed to his wife “all my Pictures, Linnen, my negro Man named Cato & one equal half part of all my Household furniture and Plate,” while a few years later Nicholas Boylston gave his sister “my Negroman Jack my Negrowoman Flora my Chaise horse and two Chaires all my Wines other Licquors & Stores.”⁶⁸ Joshua Henshaw gifted his “well beloved wife” his “Horse & Negro Boy” in 1773.⁶⁹ And the following year a Boston distiller named Johnson Jackson left his “Negro Woman named Phillis” to his brother alongside his “best Coat” and “jacket.”⁷⁰

As Suffolk County whites pondered how to dispose of their worldly goods in the pre-Revolutionary period, they often found slaves difficult to divide among heirs. Some found the solution in requiring their beneficiaries to hold the human property they received in tandem. For instance, John Richards of Dedham bequeathed to his two sons in 1769 his “Negro Boy Felix.” They were to share the child “in equal halves.”⁷¹ A Hingham weaver named Solomon Loring set up a similar arrangement. He gave his son, Job Loring, his “negro Boy named Nero,” but not in full. Loring’s wife would retain a right to the boy: he would “cut her wood at the door and... go

⁶⁶ Will of Judith Bulfinch, Suffolk County Probate, First Series, vol. 64, p. 422, Massachusetts Archives, Boston.

⁶⁷ Will of Thomas Green, Suffolk County Probate, First Series, vol. 62, p. 287, Massachusetts Archives, Boston.

⁶⁸ Will of Joseph Dudley, Suffolk County Probate, First Series, vol. 66, p. 170, Massachusetts Archives, Boston; will of Nicholas Boylston, Suffolk County Probate, First Series, vol. 70, p. 446, Massachusetts Archives, Boston.

⁶⁹ Will of Joshua Henshaw, Suffolk County Probate, First Series, vol. 76, p. 396, Massachusetts Archives, Boston.

⁷⁰ Will of Johnson Jackson, Suffolk County Probate, First Series, vol. 74, p. 19, Massachusetts Archives, Boston.

⁷¹ Will of John Richards, Suffolk County Probate, First Series, vol. 72, p. 244, Massachusetts Archives, Boston.

to Mill for her.” Solomon was careful to specify that Job had to “allow... to my said Wife the priviledge in [Nero] I have before given her.”⁷² Some slaveholders found in liquidation the solution to the challenge of distributing their human property: by selling slaves, or, in the parlance of the day, “disposing of” them, slaveholders could more easily divide their chattel among heirs. In 1762, Samuel Niles, a minister from Braintree, left to his wife “one half of the value of my Negro Woman Esther.” In order to provide Elizabeth Niles with her bequest, Esther was “to be sold,” though, Niles insisted, “not far distant from her husband.”⁷³ Similarly, Hannah Cushing of Weymouth demanded that her “Negro Man” be sold upon her death. “One half of what said Negro shall be sold for,” she instructed, was to be given “unto my Son Beza, and the other half... unto the Heirs of my Son Thomas dec[ease]d to be equally divided between them.”⁷⁴

Some slaveholders who composed wills prior to the Revolution liquidated their human property even with no apparent need to distribute that property evenly among heirs. In 1766, William Palfrey gave his “Negro Man called Sandy” to his son, granting him the right “to dispose of as he may think Proper.”⁷⁵ The following year, Samuel Sturgis ordered his executors to “make sale of my Negro Boy Bristol.” Sturgis’s proviso that Bristol should have the right to “chus[e] his Master in case more than one Purchaser appears” probably provided the boy with

⁷² Will of Solomon Loring, Suffolk County Probate, First Series, vol. 64, p. 520-1, Massachusetts Archives, Boston.

⁷³ Will of Samuel Niles, Suffolk County Probate, First Series, vol. 60, p. 372, Massachusetts Archives, Boston.

⁷⁴ Will of Hannah Cushing, Suffolk County Probate, First Series, vol. 64, p. 42, Massachusetts Archives, Boston.

⁷⁵ Will of William Palfrey, Suffolk County Probate, First Series, vol. 65, p. 209, Massachusetts Archives, Boston.

little confidence in the arrangement.⁷⁶ Likewise, Johnson Jackson “empower[ed]” his executor to “sell my remaining Servants” in 1774, expressing his wish that they be bought by “good & kind Masters.”⁷⁷ And in 1770 William Patten “order[ed]” that his executors “Sell and dispose of my Garden Land... [and] my Negro Girl named Phillis.”⁷⁸ “Disposing of” slaves made good sense to Suffolk County whites who needed cash more than workers in the years preceding the outbreak of war. As many saw it, blacks were theirs—theirs “forever,” as some wills put it—and they had every right to do what they wished with them.⁷⁹

Though the wills composed by Suffolk County residents regularly dealt with blacks as property prior to the Revolution, these documents changed markedly with the onset of war. Just as inventories valuing black bodies slowed to a trickle after the outbreak of Revolution, wills bequeathing human property all but disappeared at that time. Between 1760 and 1774, 54 whites in Suffolk County composed wills bequeathing slaves to their heirs, an average of nearly four each year.⁸⁰ By contrast, only three whites living in the county bestowed slaves upon their heirs

⁷⁶ Will of Samuel Sturgis, Suffolk County Probate, First Series, vol. 66, p. 72, Massachusetts Archives, Boston.

⁷⁷ Will of Johnson Jackson, Suffolk County Probate, First Series, vol. 74, p. 19, Massachusetts Archives, Boston.

⁷⁸ Will of William Patten, Suffolk County Probate, First Series, vol. 69, p. 268, Massachusetts Archives, Boston.

⁷⁹ Will of Elizabeth Hutchinson, Suffolk County Probate, First Series, vol. 64, p. 425, Massachusetts Archives, Boston. Hutchinson gave to her son, Eliakim Hutchinson, “my Negro Man named Ceasar to him and his Heirs forever,” and to her daughter, Catherine Lloyd, “my Negro Woman named Hannah to her and her Heirs forever.” John Richards gave to his sons “two Sons John & Abel, & to their Heirs Assigns forever, my Negro Boy Felix, also my Green Gorge Meadow in equal halves...” Will of John Richards, Suffolk County Probate, First Series, vol. 72, p. 244, Massachusetts Archives, Boston.

⁸⁰ My analysis here uses the date wills were written rather than the date they were probated in court. Often wills were composed shortly before decedents passed away and probated in court soon after. But, on occasion, people wrote their wills many years before their deaths, and a significant swath of time elapsed between a will’s composition and the time it was filed in the probate court. Because wills expose the relationships and power dynamics in decedents’ households at the time of their writing, the date of their creation is of more relevance than the date they were processed by the court.

during the *entire* fifteen-year period stretching from the outbreak of war in 1775 to the end of 1790.⁸¹ This extraordinary change cannot be attributed to a cessation of will-making in the wartime colony; wills were written and probated regularly during the Revolution and the years that followed.⁸²

Although whites in Suffolk County virtually stopped bequeathing slaves to their heirs after the outbreak of war, they did not stop referencing people of color altogether when they sat down to disperse their property; eighteen wills manumitted blacks between 1775 and 1790. This rate of manumission represents a decrease from the pre-Revolutionary period; Suffolk County residents freed slaves in their wills nearly twice as often during the years leading up to the

⁸¹ A fourth will bestowing human property was filed in Suffolk County during this period: that of Isaac Royall, Penelope's brother, who was living in England when he wrote his will and when he died. Because Royall had left Massachusetts three days after the Battles of Lexington and Concord—a couple of months before Darby left his Woburn master's household—his knowledge of life on the ground in the wartime Bay Colony was limited, and his decision to bequeath his human property was not reflective of ideas of liberty, property, and bondage that circulated Massachusetts during the war. See will of Isaac Royall, Suffolk County Probate, First Series, vol. 85, p. 534-5, Massachusetts Archives, Boston.

One will, composed in 1789, bequeathed the “time” of a “Negro Girl” until she reached the age of 18. The girl was to be given “the Bed & two pair of Sheets and all the Furniture in the New Chamber in said mansion House” as well as clothing and a small sum of money when she turned 18. Because this situation resembles an apprenticeship or indentured servitude rather than life-long chattel slavery, I did not include this will in my count of wills bequeathing slaves from 1775 to 1790. See will of Sarah Derby, Suffolk County Probate, First Series, vol. 89, p. 384, Massachusetts Archives, Boston.

Finally, it is worth noting here that a small number of wills written in the 1780s assigned *responsibility* of slaves to heirs. These slaves were not set free (apparently because they were not able to provide for themselves), but neither were they bequeathed to heirs as valuable property, so I did not include them in my count of wills that bestowed human property. I have found two such wills from 1783, one from 1784, and one from 1789. For example, Samuel Sprague willed in 1783 that his “two Negroes” named Caesar and Peg “Shall be decently Supported During their Natural Lives by my Executors out of my estate.” See will of Samuel Sprague, Suffolk County Probate, First Series, vol. 82, p. 310, Massachusetts Archives, Boston. And in 1784 John Bradford liberated his “Negro Servant Dinah... when she arrives at the Age of twenty one years,” but, as for his “blind Servant lot,” Bradford “order[ed] that he]... be maintained out of the whole of my Estate - My Wife and three Sons paying each one quarter part for his Support.” See will of John Bradford, Suffolk County Probate, First Series, vol. 83, p. 579, Massachusetts Archives, Boston.

⁸² The Suffolk County Probate Court ceased to function during the Siege of Boston: mid 1775 through early 1776. However, wills were written during this period and simply tendered to the court at a later date. See, for example, the will of Mary Alleyne, composed in June 1775 and probated in October 1781 (Suffolk County Probate, First Series, vol. 80, p. 573-8, Massachusetts Archives, Boston) and the will of Ebenezer Davis, written in September 1775 and probated in March 1776 (Suffolk County Probate, First Series, vol. 75, p. 31-4, Massachusetts Archives, Boston).

Revolution as they did in the years following the outbreak of war.⁸³ Why the decrease in manumissions? It certainly cannot be attributed to an increased desire to pass bound laborers on to heirs, as almost no decedents bequeathed blacks after the outbreak of Revolution. More likely, the decrease in manumissions—combined with the near cessation of bequeathals—indicates that whites owned blacks in much smaller numbers in the years after the onset of Revolution than they had prior to the war. Add to this the drastic reduction in the number of inventories listing blacks that followed the start of the Revolution, and the evidence that the war radically diminished slaveholding among Suffolk County whites grows still stronger. That those whites who *did* own blacks in this period apparently believed their bound laborers should be freed is evident from the fact that six times more decedents manumitted slaves in their wills than bestowed them upon heirs during the years following the outbreak of hostilities.⁸⁴ The Revolution dealt slavery a major blow: directly following the start of the war, large numbers of blacks escaped from bondage, and large numbers of whites became convinced that they did not rightly own the blacks who lived in their households. The change was so pronounced that black children as small as Darby could grasp what was going on.

Paying close attention to the probate records filed by Bay Colonists during the era of the Revolution shows that the scholarly consensus regarding the end of slavery in Massachusetts is flawed: the political and legal developments that historians have long believed brought about

⁸³ Between 1760 and 1774, 32 Suffolk County wills manumitted slaves, nearly twice the number of wills with manumissions (18) written between 1775 and 1790.

⁸⁴ This represents a remarkable shift, as, prior to the Revolution, decedents bequeathed slaves to their heirs more often than they manumitted them: 54 pre-Revolutionary wills in Suffolk County stipulated that slaves should be gifted to heirs, while 32 provided for slaves' manumission. Compare to this the mere 3 wills written after the onset of war that bequeathed slaves to heirs and the 18 wills that manumitted bondspeople.

emancipation in the state appear to have scarcely influenced patterns of slaveholding in Suffolk County. Neither the 1780 state constitution, which declared all men “free and equal,” nor the 1783 court ruling, which found slavery inconsistent with the constitution, meaningfully altered the rates at which whites claimed blacks as human property in the region. Nor did they completely end slavery in the region. Neither, after all, convinced John Fisher, a Franklin yeoman, that his “Negro boy” ought to be allowed to go free. Fisher’s executors included the boy, whom they valued for £10, on the inventory they drew up of the farmer’s possessions in the fall of 1784, listing him between Fisher’s “household furniture” and the yeoman’s “one Cow.”⁸⁵

Likewise, neither the 1780 constitution nor the 1783 judicial ruling fully stopped Suffolk County whites from including freedom provisions in their wills, which they would have done if they had truly convinced the populace that slavery was abolished. Even Ellis Gray, a Boston merchant who served as a delegate to the state’s constitutional convention, stipulated in his will, written *after* the passage of the constitution, that his slave was to be freed.⁸⁶ “If my Negro Cato is not free by the Laws of the Land,” he wrote, “it is my Will that he shall be so.”⁸⁷ Gray had played a role in drafting the constitution, but he still did not know whether its stipulation that all men are “free and equal” actually outlawed slavery. Apparently others shared his confusion. Though slavery had already come close to ending in the years prior to the constitution’s passage, neither the 1780 constitution nor the 1783 judicial interpretation of that constitution managed to

⁸⁵ Inventory of John Fisher, Suffolk County Probate, First Series, vol. 83, p. 862, Massachusetts Archives, Boston.

⁸⁶ Massachusetts Constitutional Convention, *Journal of the Convention for Framing a Constitution of Government for the State of Massachusetts Bay* (Boston: Dutton and Wentworth, 1832), 8.

⁸⁷ Will of Ellis Gray, Suffolk County Probate, First Series, vol. 80, p. 347, Massachusetts Archives, Boston. Gray composed the will on April 10, 1781.

smite it entirely. The two developments were politically and legally innovative and deserve recognition for being so, but they were not the forces that effectively put a stop to slaveholding in the Massachusetts Bay. Without the aid of legislation or judicial rulings, slavery had ground to a halt at the outbreak of Revolution in Massachusetts. And the six-year-old black boy who confronted the General of the Continental Army on the grounds of John Vassall's estate knew it.

While George Washington formulated a plan of action for the Patriot war effort in John Vassall's parlor, Anthony Vassall formulated a plan of action for his family's provision in John Vassall's garden. What was a family of slaves with no masters living in the chaos of war to do? They could have simply walked away, effectively seizing their freedom. It would have been a viable plan: all across the state, slaves were leaving their owners, and the white Vassalls certainly could not have forced them to stay from a distance. But Anthony chose not to do so. Apparently he reasoned that there was more to be gained by staying than by leaving.

Perhaps this reasoning stemmed from his interactions with Thomas Farrington, a Cambridge town official who was charged with maintaining the white Vassalls' confiscated property. Anthony would have encountered Farrington when the man came to assess the estates. Were the orchards pruned? Were the homes clean?⁸⁸ Were the pastures mowed?⁸⁹ Indeed, Farrington may well have depended on Anthony and his family to help care for the properties;

⁸⁸ Perhaps Anthony spoke to Farrington when the man delivered supplies to clean the home in 1775. According to Bell, Washington's steward, Timothy Austin, "bought '12 Bushl. Sand' from a man named Farrington" in 1775. Sand was commonly used to clean the floors. Bell, 181.

⁸⁹ Bell, 55-6.

after all, nobody was more familiar with the task of keeping the white Vassalls' holdings in working order than the people who had been charged with that very duty for decades.⁹⁰

Perhaps it was while he worked to maintain the white Vassalls' estates that Anthony formulated his plan of action for the black Vassalls' provision. It was surprising. It was brilliant. It was effective. The white Vassalls' property, Anthony reasoned, was not confined to land and houses and horses in barns; the white Vassalls' property included *people*: the black Vassalls. Therefore, if the colony had assumed responsibility for the upkeep of the confiscated estates, it ought to assume responsibility for the welfare of the people belonging to those estates. Slaves were everywhere deserting their masters, but no law actually declared them free. This, for Anthony, was key. Anthony would exploit the uncertain status of his family members to accomplish the opposite of what his black neighbors sought to achieve: rather than contending that his wife and children were free, he would claim that they remained enslaved. At precisely the same time that blacks across the state were walking from slavery into lives and identities as freed people, then, the patriarch of the black Vassall family would insist that his wife and children remain on the estates where they had long toiled as slaves, and he would make much of their slave status: in his formulation, Cuba and her children "belonged to the Estate of [the] s[ai]d [John] Vassall."⁹¹

Anthony had a great deal to gain by wedging his subordinates firmly in bondage during the Revolutionary War. By drawing attention to their status as John's property, he managed to

⁹⁰ Anthony was paid for working on the estate Isaac Royall, Jr., but there is no evidence that he was paid for working on John's estate. So it is not clear whether or not he played an active role collaborating with Farrington. That said, he would have probably interacted with Farrington on the man's visits regardless. For Anthony's earnings on Isaac's estate, see Batchelder, 69.

⁹¹ Middlesex Probate No. 23340, O.S. The actual words were recorded by Farrington, but Anthony must have communicated this reality in order to convince Farrington to refund him for his care of his family.

convince Farrington to compensate him for feeding and clothing them. According to Farrington's accounts, he "p[ai]d Anthony Vassall" the extraordinary sum of £222 for "supporting a Negro woman & two Children [for] 3 years." Technically, Anthony was every bit as enslaved—or every bit as free, depending on how you look at it—as his wife and children. They shared precisely the same status, whatever it was. But Anthony did not claim for himself slave status as he did for his wife and children; he demanded only that his household subordinates be maintained by the estate—not that he be so maintained—and he postured himself as a caretaker rather than a person in need of care.

Why did Anthony choose to identify himself as an emancipated man but to identify his wife and children as slaves? The answer has every bit to do with gender. By positioning himself as a free household head and his family members as slaves, Anthony assumed a patriarchal role familiar to the people who held the purse strings of the confiscated Vassall estates. He became a provider for the powerless, a caretaker of dependents. Had Cuba postured herself this way, Farrington and those of his ilk would not have rewarded her with hundreds of pounds sterling. Only Anthony, as household head, could stand before authorities and claim for himself inflated compensation for his efforts to feed and clothe his family—the abandoned Vassall "slaves."

Anthony was a provider extraordinaire for his family. After obtaining support through Farrington, he petitioned the Massachusetts legislature on multiple times for the right to the land on which he worked. In September of 1780, he obtained a sponsor to write out a request from him "& Coby his wife." Anthony "and his little family," the petition read, had "since the commencement of the present war... occupied a small tenement, with three quarters of an acre of land... [on] John Vassall's estate in Cambridge." But the land was "not sufficient to supply them with such vegetables as are necessary for their family use," so the petition asked that the

legislature “add one quarter of an acre of adjoining land to that which they now improve.” And would the “Hon[ora]ble Court” be so good as to “secur[e]” this land to the black Vassall family “for life”? Their present title was “precarious,” and they felt “an anxious concern for the future support of themselves & children.” The petition, signed by both Anthony and Cuba, was referred to a committee, where it seems to have been buried by other correspondence related to the Revolution.

But the committee’s lack of action did not dissuade Anthony; the following year, he presented another appeal. This “memorial,” which described Anthony as “an old man,” stated that “his wife, who was of great help to him,” was “sick,” and that he had “a large family of children to maintain.” He “fear[ed] that if his house should be taken from him, and he be denied... the little spot of land” he currently farmed, “that himself[,] his wife[,] and [their] little ones must... adopt the hard necessity of begging for a little bread.” Why, according to the plea, was Anthony in such a precarious financial position? And why might his dependents be “throw[n]... upon the charity of others”? Ordinarily such a situation would be considered evidence of a failure of patriarchal leadership. Perhaps the household head did not work hard enough, or was not prudent enough with his spending, or simply did not plan well for the future. But this was not the case with Anthony: “Your memorialist begs leave to observe that though dwelling in a land of freedom, both himself and his wife have spent almost sixty years of their lives in slavery.” Would they now be “denied the sweets of freedom the remainder of their days by being reduced to the painful necessity of begging for bread”? As Anthony rendered reality, his inability to properly provide for his family stemmed from the injustice of slavery, not through

fault of his own. But the court had the ability to restore the household to proper patriarchal order if it would only grant his request for the house and land he had long occupied.⁹²

The lawmakers who considered Anthony’s plea found the petition convincing. They did not give Anthony the house and land that he asked for, but they passed a resolve to pay Anthony £12 out of the proceeds of John Vassall’s estate that year and to allocate £12 to Anthony each year to come from “the public Treasury.”⁹³ And so, the African man of indeterminate status, head of a black household of equally ambiguous rank, managed to manipulate his revolutionary circumstances to safeguard his family and bolster his position as its patriarch. Between his public pension—which he was still receiving when he passed away 20 years later—and the impressive sum he netted from caring for his supposedly enslaved dependents during the war years, Anthony emerged from the Revolution with a significant nest egg. He lost the home he had long occupied when the Vassall estate was sold in 1781, but within a decade he purchased a house less than a mile from Henry and Penelope’s old mansion.⁹⁴ Four years later he expanded his holdings by purchasing an adjacent plot of land.⁹⁵ And two years after that, in 1793, he bought

⁹² Anthony’s actions would long be remembered. According to the obituary that William Cooper Nell wrote in 1861 for his son, Darby, Lemuel Shaw, then Chief Justice of the Massachusetts Supreme Judicial Court, related Anthony’s bold requests of the Revolutionary era to “a gathering of historical writers at Professor [Henry] Longfellow’s” house in 1858. “When the commissioners were selling the estate,” Shaw stated, “Tony, who had long lived in an old house on the estate, stepped forth and said—‘He was no tory, but a friend of liberty, and, having lived there all his life, he didn’t know any reason why he should be deprived of his dwelling.’” Apparently Shaw helped Cuba obtain Anthony’s petition after his death. (Though she survived her husband by only one year.) He was at that time a member of the Massachusetts House of Representatives. See *The Liberator*: Nov. 22, 1861, p 188.

⁹³ Massachusetts Anti-Slavery and Anti-Segregation Petitions; Massachusetts Archives Collection. v.231-Revolution Resolves, 1781. SC1/series 45X. Massachusetts Archives. Boston, Mass. Page 114.

⁹⁴ Middlesex Deeds, 96/84. The home was on a quarter acre of land.

⁹⁵ Middlesex Deeds, 105/274.

five acres across the street.⁹⁶ The £152 he paid for these purchases, which far exceeded what most laboring people—black or white—could afford for housing, provided him with a comfortable home and enough land to set himself up as a farrier: the former coachman shod his neighbors' horses, groomed them, housed them, and grew hay to feed them.⁹⁷ Anthony appears to have earned sufficient income through this trade to comfortably support his family and establish himself in the eyes of his neighbors as a respectable independent farmer and tradesman; some documents even called the aging former slave a “yeoman,” an appellation indicating a social status several notches higher than that of common laborers.⁹⁸

Anthony and Cuba's story illuminates how gender could work in this historical moment among blacks who were embarking on lives as freed people. In the Vassalls' experience, freedom appears to have brought with it a real commitment to patriarchal gender relations. Anthony took the lead in petitioning for land, pleading for housing, and demanding reimbursement for living expenses. He went to great lengths to do this, cultivating relationships with various literate allies and negotiating with the town official in charge of maintaining the Vassall estates. Perhaps most revealing in this entire process is not the fact that Anthony spearheaded the task of providing for the family in freedom, but rather the fact that in his efforts to do so he went so far as to insist that his wife and children, who shared his status as effectively liberated, were in fact firmly ensconced in slavery. By positioning himself as the caretaker of enslaved dependents, Anthony managed to net for himself a tremendous gain, which made a real

⁹⁶ Middlesex Deeds, 110/199.

⁹⁷ Batchelder, 72.

⁹⁸ Several documents in Anthony's probate records refer to the man as a “yeoman.” See Probate #23335, Middlesex County Probate Records, Massachusetts Archives, Boston. Anthony seems to have earned a respectable income from his trade as a farrier. Batchelder included a bill for Anthony's services that was, at the time of his writing, preserved in the Cambridge Public Library. See Batchelder, 72.

difference in his ability to safeguard his family in freedom. But this gain came only when Anthony made much of his own independent initiative and financial outlay—and much of his wife and children’s reliance on his patriarchal provision. The black Vassalls prospered in the revolutionary and post-revolutionary era by developing a family unit that was strongly patriarchal. And the patriarchal skew in gender relations in the Vassalls’ case—at least insofar as it related to financial provision—does not appear to have been an illusion, crafted only for the benefit of onlookers; no evidence indicates that Cuba ever worked outside the home, but the evidence of Anthony’s enterprising endeavors is abundant.

Of course, Anthony and Cuba were unusual in many ways. Their experience points to the upper limit of what was possible for blacks who extricated themselves from slavery in revolutionary New England; most black families could not afford to depend solely on the income of their male breadwinners. Nonetheless, other black families in the region experienced aspects of the transition from slavery to freedom in similar ways, building households that were patriarchal—at least in form, if not in substance—in the post-revolutionary years. Striking evidence of this reality can be seen in the returns of the first federal census, which, taken in 1790, sheds light on the structure of black households in the region.⁹⁹

Census records make it clear that the process by which formerly enslaved people moved out of whites’ homes and set up households of their own was very piecemeal. For all intents and purposes, Anthony and Cuba were free—and had their own autonomous household—in 1774, when the white Vassalls fled Cambridge for the safety of the British army in Boston. But not all people of African descent obtained independent living quarters so quickly. A sizable minority of

⁹⁹ Census records, of course, are problematic in certain ways (as, indeed, all sources are); they portray reality through the biases and (mis)perceptions of census takers. But they nonetheless provide unparalleled insight into the way in which black families were structured at the dawn of freedom in New England.

blacks—39 percent—still lived in white-headed households when census takers walked the streets of eastern Massachusetts in 1790. They may have been “free”—indeed, according to the census records, all of them were, as no slaves were recorded in the entire state—but they nonetheless lived as dependents in Euro-American households.

Not surprisingly, blacks who remained embedded in white families appear to have suffered stunted family lives of their own. Most were the only people of African descent in their respective households, though some lived with one other black, and a very small number lived with more than one other person of African descent. On average, white-headed households with black residents had merely 1.3 blacks, while black-headed households across the region had 3.7 blacks. So blacks who lived in black households cohabited with nearly three times more people of African descent than blacks who lived in white households.

What did these black families look like? Unfortunately, census returns do not provide details on the people who lived in black households; census takers logged neither age nor gender of black household residents, and they neglected to note blacks’ names unless they were household heads.¹⁰⁰ But the scanty information is nonetheless illuminating. Census records reveal that black households were overwhelmingly male-dominated: 551 of the blacks enumerated in Cambridge and the surrounding towns lived in black-headed households, and only ten of these 551 blacks lived in families governed by female heads—that is, less than 2% of people in black households lived in families that were headed by black women.¹⁰¹ The ten blacks

¹⁰⁰ Gender and approximate age of white inhabitants were noted, but black inhabitants were all enumerated together and recorded in one column.

¹⁰¹ To assess the shape and structure of black families in the Bay Colony in 1790, I read line by line through the census records of Boston and four neighboring towns: the Vassalls’ Cambridge; Medford, where Cuba had lived on Isaac Royall’s estate; Roxbury; and Charlestown. In total, 907 blacks were enumerated in these towns, 551 of which lived in black-headed households and 356 of which lived in white-headed households. Unfortunately, a significant

living in families headed by black women were divided up into six households. Three of these households were composed simply of one woman: Dinah Jenkins, Deb Sewall, and Lucy Payne governed nobody besides themselves. And three of these households were composed of multiple people: Mrs. Underwood and Molly Reed headed households of two people (that is, themselves and one dependent), and Rose Morris headed a household of three people (herself and two dependents). Of the 551 blacks living in black-headed households, then, merely four were subordinate to female family heads. Black female household leadership was essentially nonexistent; it was more common, in fact, to find *whites* who lived as dependents in households run by black *men* than it was to find *blacks* who lived as dependents in households governed by black *women*.¹⁰²

Two questions follow naturally the observation that black households were uniformly patrifocal in structure in the post-revolutionary era. First, were these households *actually* male-headed, or is the apparent skew toward male leadership the result of biases encoded in the census data? The answer, the sources suggest, is that these households were indeed male-headed: the officials who canvassed the region operated from a worldview that allowed for women-run households, as they recorded white female household heads with regularity. The patrifocal tendency apparent in black families, then, is not an artifact of census takers' ideas about proper gender norms but instead appears to be a reflection of the reality for people of African descent on the ground in post-revolutionary New England.

minority of blacks in Boston lived in households that were described very poorly by census takers. Of Boston's 748 blacks, 113 lived in households that were labeled "Negroes" or "Negroes & Mulattoes" rather than attributed to a specific household head. Often these households were quite large, composed of as many as 14 members. Apparently the census taker came upon dwellings with many black inhabitants and did not bother to try to sort out who belonged to which family. This sloppiness with record-keeping makes it impossible to discern what the households of these 113 people were like.

¹⁰² Seven whites lived as subordinates in four households headed by black men: those of Will[ia]m Clarke, James Morris, Will[ia]m Phillis, and Cato Clapham. All of these households were located in Boston.

But *why* were black households so consistently headed by men? Why were the families of blacks emerging from slavery more patrifocal in form than the families of the whites who lived in their neighborhoods? The question becomes particularly perplexing when considered in light of the fact that enslaved families in New England were unusually matrifocal in structure—more matrifocal than enslaved families just about anywhere else in the Atlantic world, and far more matrifocal than white families in New England.¹⁰³ With the advent of freedom, though, the mother-centered trend among families of color rapidly reversed. Why did this happen?

Anthony and Cuba's story offers clues. Left behind by their owners in 1774, Anthony and Cuba countenanced—perhaps for the first time—a life of freedom. The first thing they did was cohabit: Anthony moved across Brattle Street to live with his wife and children. He assumed the role of household head; the census taker for Cambridge would scrawl “Anthony Vassall” in the column reserved for the “Names of heads of families.” And so, the family became patrifocal in form. The next thing the family did was assign to Anthony the role of public advocate. The internal negotiations that led to this allocation of power are invisible. Did Cuba persuade Anthony to advocate for their family to the authorities—to Thomas Farrington, to the educated men who helped him pen petitions, to the members of the Massachusetts General Court? It is certainly possible. Or did Anthony insist that he take on these responsibilities himself? We do not know. But it is clear that Anthony assumed publicly the task of promoting, protecting, and providing for his family.

The decision on the part of the black Vassall family—whoever made it—to have Anthony perform the role of patriarchal provider was strategic; Anthony deftly played on his

¹⁰³ Gloria McCahon Whiting, “Power, Patriarchy, and Provision: African Families Negotiate Gender and Slavery,” *Journal of American History*, forthcoming December 2016.

family's ambiguous status and his society's patriarchal presumptions to net a handsome profit for himself and his dependents. Other blacks in revolutionary New England no doubt understood the power of patriarchy in the region and disbursed authority within their households accordingly: black men could make arguments for their family's welfare in ways that black women could not. The intensity with which newly-freed blacks appear to have embraced patrifocal households is remarkable. Anthony and Cuba's black neighbors, so long denied the right to build father-centered households in slavery, seem to have seized with particular passion the patrifocal family form in freedom. Unfortunately, many would learn in the decades to come that their male household heads could do little to protect them from the ravages of poverty and discrimination. Patriarchy, they would find, was a feeble defense against racism. Indeed, even the black Vassall family, whose transition to freedom had every mark of success, would falter in the years to come.

Before the years of darkness, though, the black Vassalls would have much to celebrate. Cuba and Anthony's family would expand as their children found spouses. Flora would be the first; in 1787, she married a black man named Bristol Maranda in a ceremony presided over by John Clarke, minister of Boston's First Church.¹⁰⁴ The couple settled in Boston, where Flora bore Cuba and Anthony's first grandchild: a girl, probably named Susanna, whose birth was not recorded by the town or local churches but who would turn up in later records. In 1790, Bristol Maranda headed a family of three persons of African descent in a Boston home.¹⁰⁵ Census

¹⁰⁴ Edward W. McGlenen, *A Volume of Records Relating to the Early History of Boston Containing Boston Marriages from 1752 to 1809*, vol. 30 (Boston: Municipal Printing Office, 1903), 126.

¹⁰⁵ See U.S. Census, 1790, Boston, Suffolk County, Massachusetts, p. 56.

records reveal that they cohabited with a black man named Robert Jackson and with Jackson's unnamed black dependent, perhaps his wife or child. Sharing living quarters with others was a common strategy for people on the edge of survival—both black and white. It was not easy for an unskilled “laborer”—and a black one at that—to support a family.¹⁰⁶ But Bristol had family: Flora's brothers would soon step in to help. After all, as Darby would later put it, “[Bristol's] wife was my sister.”¹⁰⁷

By the mid 1790s, both Darby and Cyrus had followed their sister to Boston. Perhaps it seemed a more auspicious place to conduct business than their parents' sleepy Cambridge. It was certainly a better place to find a spouse. Boston had more blacks than any other town in New England, and its black population ballooned in the aftermath of the Revolution, when newly mobile people of African descent descended en masse, looking for economic opportunity and black community. In 1796, Darby and Cyrus pooled their resources to purchase land in the port. They bought a parcel from Josiah Danforth on May Street on “the Hill”—that is, Beacon Hill—and divided it in half: Cyrus took the east portion and Darby the west. Almost immediately, Darby made it possible for Flora's family to join them. Less than a year after the original purchase, he sold to Bristol the southern half of his half. So Cyrus owned one half of the property, Darby one quarter, and Bristol one quarter. The lot, measuring 4,000 square feet in total, was not ideal for building; “it hung like the eve of an old fashioned house,” Darby would

¹⁰⁶ For a description of Bristol as a “Labourer,” see Boston, Massachusetts Taking Records, 1800, ward 7, p. 18.

¹⁰⁷ Suffolk Deeds 387:251.

colorfully remember. But, slope and all, the piece was a sizeable investment. It would be valued by the city at \$400 in 1798.¹⁰⁸

Bristol was the first to build. He “erected a house there,” Darby later recalled, “perhaps a year and a half after he purchased of me.”¹⁰⁹ It was a humble dwelling. In 1800, Boston’s tax assessor would describe it as “small” and value it at merely \$100: the value of the land on which it stood.¹¹⁰ Soon after, Cyrus constructed a home as well. His dwelling was probably still unfinished when the tax collector ambled down May Street to appraise Bristol’s residence in 1800, as Cyrus apparently did not yet live there at that time; he resided instead at the home of a merchant named John Sullivan, who owned property valued at \$3000 on Milk Street in the south end of town.¹¹¹ Cyrus worked as a “Serv[an]t” for the man, presumably putting his earnings toward funding the project on May Street. Darby was employed similarly: the tax assessor described him in 1800 as a “Serv[an]t” to Peter Brooks, who owned a house and office not far from John Sullivan.¹¹² So Cyrus and Darby worked, serving men of great means on extravagant estates, just like their father before them. Some things had changed little. But others had changed much. There was a meaningful distinction between the slave labor of Anthony and the servant labor of his sons; Cyrus and Darby’s work would fund, at least for a while, their upward mobility

¹⁰⁸ The city assessed the property, bounded by May Street and “formerly Byfield,” in 1798, stating that “Derby Vassall & Cyrus Vassall” were the owners, though Bristol Maranda had purchased a portion. See returns of Boston’s Direct Tax of 1798 in William H. Whitmore, *A Report of the Record Commissioners of the City of Boston, Containing the Statistics of the United States Direct Tax of 1798, as Assessed on Boston...* (Boston: Rockwell and Churchill, 1890), 45. For Maranda’s purchase, see Suffolk Deeds 189:288.

¹⁰⁹ Darby Vassall left extensive testimony about the property and its division in Suffolk Deeds 387:244-253. See p. 247.

¹¹⁰ Boston, Massachusetts, Taking Records, 1800, ward 7, p. 18.

¹¹¹ Boston, Massachusetts, Taking Records, 1800, ward 10, p. 14.

¹¹² Boston, Massachusetts, Taking Records, 1800, ward 9, p. 9. Brooks’s real estate holdings were valued at \$4000.

in the expanding port, and it would secure, at least for some time, the welfare of the growing Vassall clan.

For the black Vassall family did grow. In the spring of 1802, Darby married a woman named Lucy Holland.¹¹³ Lucy, like her husband, was of African descent. She was born of free black parents who had migrated throughout the greater Boston region for years. Jupiter Holland had been free since 1758 at least, when he had been baptized at the church in Rumney Marsh, north of Boston, as a “free negro.”¹¹⁴ Sometime after his baptism, he moved northwest to Woburn, where he married Phillis Ridgeway in 1772. Perhaps the Hollands had known Darby when he lived as a slave in George Reed’s Woburn household during his childhood. Perhaps not. But one thing seems certain; the Hollands planted deep roots in the quiet Massachusetts town. It was there that they bore Lucy, their first child, a few years into their marriage.¹¹⁵ And they developed relationships with their neighbors in Woburn, white as well as black. A local Euro-American widow named Anna Johnson, aged and heirless, would decide in 1781 to leave her small stash of worldly possessions to little Lucy: “I Give & Bequeath all my Estate that I shall Die Siezd of both Real and Personal To Lucy Holland Daughter of Jupiter and Phillis Holland,”

¹¹³ A minister at the Church of Brattle Square performed the nuptials. The Brattle Square Church the dated the marriage to April 4, 1802. The couple registered their intention to marry on July 14, 1801. For the marriage record, see *The Manifesto Church: Records of the Church in Brattle Square Boston, 1699-1872* (Boston: The Benevolent Fraternity of Churches, 1902), 269. For the intention, see McGlenen, *Boston Marriages*, 477.

¹¹⁸ Jupiter Holland was baptized on May 29, 1758. For the record of his baptism, see Mellen Chamberlain, *A Documentary History of Chelsea Including the Boston Precincts of Winnimmet[,] Rumney Marsh, and Pullen Point, 1624-1824*, 2 vols (Boston: Massachusetts Historical Society, 1908), II, 593.

¹¹⁵ Based on Lucy’s recorded age at death, she would have been born in or around 1776. Lucy died in 1828 at the age of 52. Thomas W. Baldwin, *Vital Records of Cambridge Massachusetts, to the Year 1850*, 2 vols (Boston: no publisher, 1915), II, 772.

she pledged.¹¹⁶ But before Anna died, the Holland family would leave their Woburn community, moving east to Lynn, then north to the town of Danvers, where in 1784 they stayed at least temporarily with a man named Amos King.¹¹⁷ By 1790, Jupiter's family had relocated south to Malden, and, by 1798, further south to Roxbury.¹¹⁸ At some point in their wanderings, Phillis birthed another child. This little one, never named in extant records, died in 1798; a Roxbury record keeper would scrawl, "Jupiter Holland's child" on a list of the town's deaths for that year.¹¹⁹

As Bristol Maranda began building on the plot of land that his brother-in-law Darby had sold him, the Hollands made their way to Boston. Finally, after living in more than half a dozen

¹¹⁶ Will of Anna Johnson, Probate #12622, Middlesex County Probate. It is not clear that this bequest amounted to anything, as Anna's personal estate was not sufficient to meet her obligations after her 1785 death. Her probate inventory leaves open the possibility that she retained rights to the rent of a certain property, but there is no evidence that that issue was resolved. Anna Johnson died in 1785, apparently by being "burnt." See Edward Francis Johnson, *Captain Edward Johnson of Woburn, Massachusetts and some of his descendants*. (Boston: Press of David Clapp, 1905), 20.

¹¹⁷ King dutifully reported to the town that "Jupiter Holland and Phillis, his wife, daughter Lucy, and Meriah Holland," all "negroes from Lynn," had come to Danvers. Lucy seems to have been her parents' only child at this time; Meriah Holland, who does not appear to have been a daughter, may have been Jupiter's sister. See list of "Persons Come in to Danvers," which includes "Jupiter Holland and Phillis, his wife, daughter Lucy, and Meriah Holland, negroes from Lynn, taken in by Amos King, May 31, 1786." *Historical Collections of the Danvers Historical Society*, vol. 3 (Danvers, Mass: Published by the Society, 1915), 84.

¹¹⁸ George Walter Chamberlain, "Warnings-Out in Malden, Mass.," *New England Historic Genealogical Register* (Boston: The Society, 1938) vol. 92, p. 60. Curiously, the warning out record warned "Jupiter Holland a negro who came from Danvers" and "Lucy Holland with her children" separately. Lucy was only 16 at the time, so it is not likely that she had already born multiple children, though it is certainly possible. It is also possible that the record keeper intended to write "Phillis Holland and her children" rather than "Lucy Holland and her children." Lucy and the sibling who died in 1798 would have been the "children" warned under Phillis.

In Roxbury, the Hollands shared a dwelling with one Thomas Shurburne (and perhaps with his family; records do not specify). The house was owned by William May and valued at £250. See Direct tax list of 1798 for Massachusetts and Maine, 1798, Volume 8, unpaginated. R. Stanton Avery Special Collections, New England Historic Genealogical Society, Boston, MA, www.AmericanAncestors.org.

¹¹⁹ The child was born sometime after the family arrived in Danvers in 1784, as Amos King mentioned only "daughter Lucy," not two children. For the child's death, see Record for Dec. 6, 1798, Roxbury Births and Publishments, 1785-1844, *Massachusetts, Town and Vital Records, 1620-1988*, Ancestry.com

towns across eastern seaboard of Massachusetts, the family had found a place to stay.¹²⁰ Lucy, now a woman, had obtained a husband. The future looked promising. Darby was an enterprising young man, a hard worker, an owner of land. He could afford to give the minister who married him a twelve-shilling gratuity, more than the other blacks who were wed in the Brattle Street Church that year.¹²¹ And he had already helped his brother, Cyrus, build on their May Street lot. When “Cyrus erected the first of the houses,” Darby would later recall, “I contributed to... the partition wall” along the side of Cyrus’s house that abutted Darby’s property. He also “contributed... to the two stacks of chimniey in the wall.” It was a thoughtful thing to do, helping Cyrus build before he was ready to construct his own home. But it was also expedient: “I did [this],” Darby would later declare, “because I contemplated building myself and it was more convenient to build together and the partition walls & stacks of chimnies were made us[e] of by me when I built there afterwards.”¹²² Darby would construct his own home a few years later. “I built my present house in the year Eighteen hundred and six,” the man recalled nearly three decades after the fact. The magnitude of his accomplishment no doubt seared the date into his mind, but so did something else: it was “the year of the Eclipse of the sun,” he said.¹²³

By that year, the year in which day turned to night in the city of Boston, Darby and Lucy needed a home. In the four years since their marriage, Lucy had given birth to four children, and

¹²⁰ Both Jupiter and Phillis would die in Boston: Jupiter in 1808, and Phillis in 1815. A number of Massachusetts newspapers broadcast Jupiter’s death, referring to him respectfully as “Mr. Jupiter Holland.” See *New-England Palladium* (Boston): Nov. 25, 1808; *Boston Mirror*: Nov. 26, 1808; *Columbian Centinel* (Boston): Nov. 26, 1808; *Democrat* (Boston): Nov. 26, 1808; *Boston Commercial Gazette*: Nov. 28, 1808; *Statesman* (Newburyport, Mass.): Nov. 28, 1808; *Repertory*: Nov. 29, 1808; and *Boston Courier*: Dec. 1, 1808. Phillis’s death would be recorded in the records of the Church of Brattle Square. See *Manifesto Church*, 284.

¹²¹ *Manifesto Church*, 269. James Barch and Margret West contributed six shillings; Moses Ben and Jane Raymond four shillings, six pence.

¹²² Suffolk Deeds 387:245-6.

¹²³ Suffolk Deeds 387:246

she was now expecting a fifth; come November, the couple would welcome Frances Holland Vassall, a girl named to honor Lucy's family.¹²⁴ Old Jupiter Holland, now in his eighties, no doubt watched the baptism of his granddaughter from a pew in the Brattle Square Meeting House, his wife, Phillis, beside him.¹²⁵ Darby and Lucy would have been there as well, of course, along with Francis Holland's older siblings, Charles Ward and Rhoda Goosby, who appear to have been twins. But two of the children who had come before Frances Holland were already gone. Little William, the first of Lucy and Darby's children, born in early 1703, had died young; and the couple's fourth child, born in the spring of 1805 and also named William, had suffered "Internal Fits" and survived only into the summer.¹²⁶

Frances Holland was but one of many added to the extended Vassall family during the first decade of the eighteenth century. It was a time of incredible expansion for the black Vassall clan. After Frances's mother bore William, Charles Ward, Rhoda Goosby, William, and Frances

¹²⁴ Frances's name would be spelled Francis in the birth records kept by the town of Boston, and she would be mistaken for a boy. But a plethora of later records indicate that Frances Holland Vassall was female, and, when she wrote her own name, she rendered it "Frances." I have therefore used that spelling throughout.

¹²⁵ For Frances Holland Vassall's birth on November 9, 1806, see Record Commissioners 24:354; for her baptism on December 7, see *The Manifesto Church: Records of the Church in Brattle Square Boston, 1699-1872* (Boston: The Benevolent Fraternity of Churches, 1902), 210.

¹²⁶ The first William was born on January 30, 1803, a year and a half after Lucy and Darby married. About a year and a half after William's birth, Darby and Lucy baptized Charles Ward and Rhoda Goosby, who may have been twins, in King's Chapel. The first William died sometime before April 1705, as Lucy bore another child at that time, whom Darby named William. This William appears to have died in August of 1705, at just under four months. The records of the Church of Brattle Square state that "A child of Derby Vassall (black)" died on August 26, 1805, due to "Internal Fits." The record states that this child was only five weeks old, which does not match up with William's age at nearly four months. However, it is not possible that Lucy could have birthed another child so soon after William. Perhaps the record-keeper intended to state that the child was five *months* rather than five *weeks*, as five months would have been quite close to William's actual age. For the first William's birth, see *Boston Births* 352. For Charles Ward and Rhoda Goosby's baptisms, see Records of Kings Chapel in Boston, p. 163 of "Boston Church Records" The Records of the Churches of Boston. CD_ROM. Boston, Mass.: New England Historic Genealogical Society, 2002. The King's Chapel records render the children's names "Charles-Ward" and "Rhoda-Goosby," but this seems to have been the stylistic preference of the scribe, who regularly placed dashes between children with both first and middle names, rather than the preference of Lucy and Darby, who did not place similar dashes between the names of their other children. For the second William's birth, see *Boston Births*, 353. For the second William's death, see *Records of the Church of Brattle Square*, 278.

Holland, she would birth, in 1810, Sally Campbell.¹²⁷ Meanwhile, Darby’s sister, Flora, who had delivered Susanna soon after her 1787 marriage to Bristol Maranday, would bear Margaret and John sometime in the years leading up to 1804, when the two young children were baptized in Boston’s King Chapel.¹²⁸ And Darby’s brother, Cyrus, would marry a “colored” woman named Lucy Jenkins in 1805, fathering Eliza Flagg Vassall in 1806 and Cyrus Anthony Gunther Vassall in 1809.¹²⁹ That latter year, Darby’s other brother, James, would wed a “black” woman named Abigail Hill in Boston, and they apparently had a child the year after.¹³⁰ By 1810, then, all but one of Anthony and Cuba’s living children had married, and the aging couple, pensioners on the estate Anthony had built in Cambridge, had welcomed at least 12 grandchildren—perhaps more, as record-keeping in the era was inconsistent.¹³¹ The enormous expansion of the family can be glimpsed in census records of 1810. James headed a household of three free blacks on Belknap

¹²⁷ Sally Campbell Vassall was born on March 18, 1810 and baptized on May 6, 1810. For her birth record, see *Boston Births*, 355. For her baptismal record, see *Manifesto Church*, 231, which renders her name Sally Kimball Vassall.

¹²⁸ The two, described as “infants,” were baptized on September 23, 1804. On the same day, their older sister, Susanna Marandy, an “adult,” was baptized. See Records of Kings Chapel in Boston, p. 164 of “Boston Church Records” The Records of the Churches of Boston. CD_ROM. Boston, Mass.: New England Historic Genealogical Society, 2002.

¹²⁹ Eliza Flagg Vassall was baptized in Trinity Church on September 28, 1806. She was sponsored by her parents and a “Mrs. Alexander.” Cyrus Anthony Gunther Vassal was baptized in Trinity on November 12, 1809. His sponsors were his father and Frances Gardner. See *Trinity Church Records*, 680, 682.

¹³⁰ The two, described as “blacks,” filed their intention to marry on March 1, 1809. See *Boston Marriages, 1751-1809*, 502. No marriage record survives, but the marriage was indeed made official, as Abigail Vassall was treated in Anthony Vassall’s probate records as one of the deceased’s five heirs. See Anthony Vassall’s probate file, #23335, Middlesex County Probate. It seems that Abigail and James bore a child soon after their wedding, as the census taker in 1810 recorded James as the head of a household of three—not two—persons of African descent. See U.S. Census, 1810, Boston Ward 6, Image 11 of 17.

¹³¹ Catherine was the only living child who had not yet married. In the second decade of the eighteenth century she would marry Adam Lewis of Cambridge. See Bell, 34.

Street in the sixth ward: in all likelihood, himself, his wife, and their child.¹³² Darby, though, had nine black persons in his household, and Cyrus eleven.¹³³

But the growing Vassall clan was about to be cut down. Death would pile upon death soon after the celestial bodies aligned so alarmingly to darken the day. Looking back, the eclipse—which Darby later remembered with such clarity—may have seemed an omen of sorts. It was certainly an ominous occurrence. The darkness “came on very suddenly” on a brilliant morning in mid June, a Boston observer would recall. Those on the streets could scarcely make out “the countenances of persons well known,” and, for those “within doors,” the darkness was “almost equal to midnight.”¹³⁴ The temperature dropped. Dew fell. Birds, “sensible of the transition,” fluttered uneasily “from place to place.”¹³⁵ Bostonians knew what was happening—a local printer named Andrew Newell had for weeks marketed *Darkness at Noon*, his able explanation of the coming solar event—but watching “the splendors of noon day changed into the darkness of night” was nonetheless disquieting.¹³⁶ A Massachusetts minister would use the occurrence as a reminder of the fleeting nature of human life. Though eclipses need not excite

¹³² James Vassall shared a dwelling with Peter Wilcox, who had 5 blacks in his household, so there were a total of eight in that home. See United States Census, 1810, Massachusetts, Suffolk County, Boston, Ward 6, Image 11 of 17.

¹³³ Of course, some of these persons may not have been related to the two brothers. But the numbers, together with the fact that the Vassalls were marrying and birthing children regularly, suggest that the families were quite large. Darby and Cyrus lived on their May Street property in the 1810 census. Their homes were somehow separated by one house: that of John Henderson, who headed a household of three blacks. Bristol Maranday apparently did not retain his property on May Street; Darby later recalled that he “exchanged” it with one Mr. Makepeace (though it is not clear what Bristol obtained from the exchange). See Suffolk Deeds: 387:250. For Darby’s 1810 census record, see United States Census, 1810, Massachusetts, Suffolk County, Boston, Ward 7, Image 6 of 9. For Cyrus’s 1810 census record, see United States Census, 1810, Massachusetts, Suffolk County, Boston, Ward 7, Image 6 of 9.

¹³⁴ *Columbian Centinel*: June 21, 1806.

¹³⁵ *Columbian Centinel*: June 21, 1806; *Massachusetts Spy*: June 18, 1806.

¹³⁶ On May 30, for instance, Boston’s newspaper the *Repertory* informed readers that “a Pamphlet, entitled, *Darkness at Noon; or the total Eclipse of the 16th of June,*” was “Now published, and for sale at the Bookstores in Boston” for 25 cents. See the *Repertory*: May 30, 1806. For quote, see *Massachusetts Spy*: June 18, 1806.

“Superstitious terrors,” they nonetheless have “their moral uses,” the Reverend Joseph Lathrop declared. “Here is an emblem,” he said, “of... approaching death.” The time, he advised, “is coming... when the sun and the light will be darkened; the eyes... will be bedimmed... and ‘we shall go to our long home.’”¹³⁷

The following May, Darby’s brother-in-law, Bristol Maranday, went to his “long home.” Darby’s father-in-law, Jupiter Holland, followed the next year, in 1808. Darby’s sister-in-law, Lucy, succumbed to consumption in July of 1811, and her infant son, Cyrus Anthony Gunther Vassall, died around the same time. The indomitable Anthony, onetime Jamaican slave, now Massachusetts proprietor, who was reputed to have reached 98 years, died of consumption in September of 1811. Darby’s daughter, Sally Campbell, not yet two, followed that October. Darby’s brothers, Cyrus and James, died just a month apart the next spring, and Darby’s mother, old Cuba, was brought down by consumption later that year. Darby’s mother-in-law, Phillis Holland, and his sister, Flora, both passed in March of 1815. In 1816, his son Richard Chardon—the last child his wife, Lucy, would bear for him—died at 17 months. And his sister-in-law, Abigail, the widow of James, passed of “Apoplexy” that same year. It was an incredible, nearly unfathomably painful stretch for Darby and the survivors of the Vassall family. In less than a decade the man had lost his mother and his father, his wife’s parents, his two brothers and their wives, his sister and her husband, two of his children, and his nephew. It was a blow from which the extended Vassall family would never recover.

¹³⁷ Joseph Lathrop was a pastor of the Congregational Church in West Springfield. Seventy five when he preached this sermon, its lessons may well have been personal. He would pastor the church until his retirement in 1818. He died in 1820. See *A Sermon Containing Reflections on the Solar Eclipse which appeared on June 16, 1806* (Springfield, Mass.: Henry Brewer, 1806), 6-8.

In 1810, Darby's household had numbered nine persons. In 1820, it numbered only three: Darby, his wife Lucy, and their daughter, Frances Holland.¹³⁸ Darby's sole surviving child was the girl named for Jupiter and Phillis, her mother's now-deceased kin. At the time, the Vassalls still lived in the house on May Street—theirs was the only household of Anthony and Cuba's descendants left in Boston—but, before long, Darby would lose both his wife and his home.¹³⁹ He would come to live as a dependent in the household of the man his daughter Frances would marry in 1828: Jonas Clark. Darby had lost independence, status, property, and family, but still the black Vassalls were proud. Frances Holland's two children were given their father's last name according to custom, but they took as well the surname of their mother's family. Jonas Whitney Vassall Clark and Francis Jane Vassall Clark would carry the name that had in the eighteenth century been associated with high-flying slaveholders on the road to Watertown and was now, in the nineteenth century, linked in Boston's black community to a stalwart defender of hope and freedom. For Darby, the aging black man living in his son-in-law's household, had become something of a legend.

Upon his death, Darby would be hailed as a “worthy colored man” who “was universally respected for his general intelligence and excellent character.” He was, Boston's newspapers would enthuse, “well known to many of our best citizens.” Well known, indeed. Darby had assumed positions of leadership in the port town for decades. He and Cyrus had been founding members of Boston's “African Society,” pledging in 1796 to “mutual[ly] benefit... each other”

¹³⁸ For Darby's 1820 census record, see United States Census, 1820, Massachusetts, Suffolk County, Boston, Ward 7, Image 2 of 13.

¹³⁹ Some of Anthony and Cuba's grandchildren remained in Boston, though in the households of unrelated persons. A local black leader named Primus Hall had assumed guardianship of Flora's children. Cyrus's sole remaining child, Eliza Flagg Vassall, was living with a guardian. She would marry in Boston in 1827. The whereabouts of James's child, if indeed he had one, are unknown.

and behave “as true and faithful Citizens of the Commonwealth in which [they] live[d].” With a subscription of 25 cents each month, they had purchased for themselves care in case of sickness, burial in case of death.¹⁴⁰ Darby had also cultivated relationships with several area churches, coming to know—and becoming “well known” by—both blacks and whites throughout the city. His closest association was with the Church of Brattle Square, which baptized and admitted him 1796. He would marry Lucy in that church in 1802, and she would join the church in 1805. They would baptize most of their children in the meetinghouse, and their one child to marry, Frances Holland, would choose to be wed by the church’s minister. Frances would continue the association with Brattle Square into the next generation, owning the covenant in 1828, so that her newborn son, Jonas Whitney Vassall, could be baptized in the church. But Darby was active in other churches as well. He baptized two of his children in King’s Chapel, which appears to have been the church that his sister, Flora, attended with her family. And he maintained ties to Trinity Church, which was the church of Cyrus’s family, and may well have been the spiritual home of his wife, Lucy, prior to their marriage.

Darby would become revered by the city’s blacks not simply because he knew many Bostonians and knew them well; he also advocated for the welfare of his neighbors of African descent. In the midst of his darkest stretch, while still mourning his father and child and both of his brothers, Darby roused himself to meet with his friend and neighbor, Primus Hall, and seven other black men of the city. Their purpose? To petition the men who governed Massachusetts. They were concerned about the fragility of the city’s educational system for blacks: the “blessings of education have been extended to the children of themselves and other people of

¹⁴⁰ *The Liberator*: August 4, 1832, p. 124. The Liberator published in 1832 the founding document of this organization, as well as a list of the 44 men of color who had established it. Darby was one of only five surviving founders in 1832.

colour in this town,” they wrote gratefully, “but not in so general a manner as is believed to be practicable.” The education offered to children of color in the city had been the result of the efforts of their “African School association,” which was funded primarily by “a few benevolent gentlemen in Boston.” Might the Senate and House of Representatives pass an act to incorporate this association? This, they hoped, would result in “permanent support” for the endeavor of educating the city’s blacks.¹⁴¹

Other clues point to Darby’s activism among Boston’s black community. In 1825, the man, who now lived with just the little remnant of his family in the house on May Street, was one of three Boston blacks to “preside” over a celebration of Haiti’s independence in 1825. More than two decades after Haiti proclaimed its independence, France had finally acknowledged its former colony as an independent nation. It was, for Boston’s Africans and their descendants, as for people of African descent throughout the Americas, a moment of great hope and enormous pride. Boston’s black leaders gathered in the African School-House and feasted, toasting, among others, Haiti’s President Jean-Pierre Boyer, the Haitian government, and the Haitian army. Darby, who had been declared the “*2d Vice President... of the Day*,” had raised his glass to “Freedom”: “May the freedom of Hayti be a glorious harbinger of the time when the color of man shall no longer be a pretext for depriving him of his liberty.”¹⁴²

It was a magnificent hope, but one that would go unrealized. In the final months of his life, Darby, sustained by the charity of the Brattle Street Church, and living with his

¹⁴¹ Massachusetts Anti-Slavery and Anti-Segregation Petitions; Senate Unpassed Legislation 1812, Docket 4522, SC1/series 231. Massachusetts Archives. Boston, Mass. Petition of Primus Hall <<http://nrs.harvard.edu/urn-3:FHCL:11148848>>

¹⁴² *Columbian Centinel*: August 31, 1825, p 1-2.

impoverished kin, would join with Boston’s blacks to stand for freedom.¹⁴³ The state legislature was considering a motion to repeal the state’s Personal Liberty Law, which had been enacted to protect escaped slaves in Massachusetts from being returned to slavery in the South as the Fugitive Slave Act directed. The “Colored Citizens of Boston” could not sit idly by. They keenly felt “the danger to which the Fugitive slave Bill exposes them though free & citizens of Massachusetts,” they wrote; they were “bound,” after all, “by ties closer in many instances than those of race to fugitives from slavery.”¹⁴⁴ Intimate bonds united those, like the Vassall descendants, who had been born free in Massachusetts, with those who had fled slavery in the South for freedom in Boston; ties of kin and camaraderie crossed divisions of status and geographic origin. Allowing Bostonians to be hauled back to slavery in the South was not just a strike against liberty but also a strike against family. Darby, who had become known endearingly to Boston’s black community as “Daddy Vassal,” would stand with the oppressed.¹⁴⁵ Along with his daughter, Frances, and his son-in-law, Jonas, the former slave, now nearing 92 years old, would seize the petition and boldly ink his name: Darbe Vassell.

¹⁴³ Darby Vassall in 1860 was listed in census records as a 91-year-old “Waiter” living with his middle-aged daughter, Frances, and her husband, Jonah. Like Darby, Jonah worked—his recorded occupation was “Clothing”—but none of the three had any property, either real or personal. (And their lack of property cannot be attributed to sloppy record keeping, as others listed near them in the census had sizable assets.)

¹⁴⁴ Massachusetts Anti-Slavery and Anti-Segregation Petitions; Passed Acts; St. 1861, c.91, SC1/series 229. Massachusetts Archives. Boston, Mass. Petition 36. Petition “To the Senate and House of Representatives of the Commonwealth of Massachusetts” from “The Colored Citizens of Boston” <<http://nrs.harvard.edu/urn-3:FHCL:10512596?n=200>>

¹⁴⁵ As for the moniker “Daddy Vassall,” a Philadelphia newspaper reported in 1858 that “Of the Slaves of Massachusetts...who were made free by the Supreme Court of the State upon the Constitution of 1781, by which slavery in the state was declared to be illegal, only two survive... [one of whom] is Mr. Vassal, familiarly called Daddy Vassal, who is now 92 years of age.” See *Dollar Newspaper*: Mar. 3, 1858. Note that the newspaper got the history of the state’s emancipation wrong in light of this chapter’s findings.

With the Civil War at hand, the Revolution seemed a distant past. Famed abolitionist William Cooper Nell would hail Darby near the end of the man's life as a "living relic of the colored population of Revolutionary days."¹⁴⁶ A survivor of that tumultuous era, Darby was a "relic," an artifact, a piece of history himself. The "Revolutionary days" had become "the olden time," and probably neither Nell nor his black compatriots could recognize from their nineteenth-century vantage how powerfully that era had shaped Boston's community of African descent. The Revolution had marked indelibly Darby's kin and community, and it had marked, as well, the lives and families of other blacks in the Bay State; it had brought with it freedom, and with freedom had come a radical reorganization of black households. The saga of the black Vassalls points to the war's powerful influence on black kin in Massachusetts.

Long after Darby died, the story of a little black boy asking the perturbed General of the Continental Army for wages was repeated with laughter by Bay Staters.¹⁴⁷ It was an ironic anecdote—a six-year-old slave reproaching the General of the Continental Army? But the people who found the story amusing did not understand its context, and they missed entirely its broader

¹⁴⁶ Dorothy Porter Wesley and Constance Porter Uzelac, eds., *William Cooper Nell: Selected Writings, 1832-1874* (Baltimore: Black Classic Press, 2002), 516.

¹⁴⁷ The story was first printed in 1871, ten years after Darby's death, in an article about John Vassall's home (which became Henry Longfellow's house in the nineteenth century) published in the *New England Historic Genealogical Register*. In the early twentieth century, local Cambridge historian Samuel Batchelder would again call attention to the story in a work prepared for the Cambridge Historical Society titled "Colonel Henry Vassal and His Wife Penelope Vassal." This would later be published as *Notes on Colonel Henry Vassall (1721-1769), His Wife Penelope, His House at Cambridge, and His Slaves Tony & Darby* (Cambridge, Massachusetts: 1917). (The original *NEHGS* version of the anecdote called the little boy "Tonie Vassall"; Batchelder pointed out this "obvious error." See page 75.) It is hard to imagine the story about Darby's request for wages being told by white Bay Staters without amusement. Batchelder emphasized the irony of the exchange for greater effect: "What must have been [George Washington's] astonishment when the pickaninny coolly inquired as to the rate of compensation," he asked rhetorically. And, though Batchelder rightly called attention to the "spirit of liberty" that no doubt influenced Darby's response, he treated the boy as a slave in search of a master rather than a boy who had deserted his master to return to his family. After Darby's Woburn master had died, Batchelder wrote, "Little Darby... wandered back to Cambridge, only to find his first master as effectually beyond recall as his second. To fill the gap a third was unexpectedly offered in no less a personage than George Washington himself." Batchelder clearly did not grasp the transitions occurring on the ground in Massachusetts at that historical moment.

meaning. At precisely the moment that Darby had refused to labor without pay, blacks all around him were seizing their freedom. Careful archival investigation shows that, counter to scholarly consensus, slavery ground to a halt at the outset of the Revolution, not in 1780, when the state's constitution declared all men "free and equal," or in 1783, when an enslaved man named Quock Walker was released from bondage on the grounds of that constitution. By placing in context Darby's decision to desert his master's Woburn household and his refusal to serve Washington without compensation, this chapter reorients historians' understandings of emancipation in Massachusetts. It suggests that the emancipatory process was largely a bottom-up rather than a top-down revolution in social relations, and shows that this revolution happened earlier than historians have recognized. The question that the little boy put to the towering Virginian General was not a childish retort; it was, instead, a legitimate query—indeed, a perceptive one.

The Vassalls' story also sheds light on how emancipation influenced black family life in the Bay State. Once blacks extricated themselves from slavery, they reorganized their living arrangements as soon as they were able, in order to cohabit. In the process, the structure of black families altered markedly; enslaved families in New England had been strikingly matrifocal, or mother-centered, prior to the Revolution, but, with the onset of liberty, black families became almost uniformly patrifocal. By 1790, nearly all people of African descent who lived in households headed by blacks were subject to a male head rather than a female one. This was a rapid change, and an intentional one, adopted on the part of freed people in a bid to protect their kin. The case of the Vassalls shows how male leadership could strengthen and succor black families in Massachusetts. By insisting that his wife and children—who were effectively free—were enslaved dependents, and by positioning himself as their caretaker, Anthony gained for his

family a large financial reward. And by petitioning the state's leadership for aid, the man obtained support for years to come. Patriarchy had power.

But the power of patriarchy had limits. Blacks in the Bay Colony suffered from discrimination, poverty, and poor health. Despite their best efforts, Anthony's sons could not provide for their families as their father had done for them. Cyrus and James died young, while Darby, despite a long life and an auspicious beginning in Boston, eventually lost all of his property and most of his family. And yet, even when Darby became dependent for survival on the charity of others, he sought to practice the lesson he had learned as a young man heading a growing household on May Street: the lesson that patriarchs must provide. He could no longer, at that point, shelter his heirs in life, but he could still impart to them safe haven in death. And so, in 1743, he managed to acquire from Catherine Russell, the granddaughter of Henry and Penelope Vassall, a document "promis[ing]" him "that he and his family shall be placed in [her] grandfather's tomb." Darby may have asked Catherine to list his family members in order to ensure that each would be given access to Henry's resting place, for the woman stipulated: "Darby Vassal's family consists of two grandchildren and one daughter." Darby wanted his grandchildren, Frances and Jonas, and his daughter, Frances, to have the distinction of burial in the chamber of their ancestors' masters.

It was an eighteenth-century notion in a nineteenth-century world. Darby's "family," according to the agreement—and according to the worldview of his nineteenth-century Boston neighbors—was composed of his blood descendants: his grandchildren and his daughter. But the man on some level also considered himself part of the family of Penelope and Henry: the people who had once enslaved him, his siblings, and his parents. And so, his remains ought rightfully, as

one of his contemporaries put it, to “mingle with theirs.”¹⁴⁸ Those who knew the former slave would later say that Darby had thought with care and at great length about the prospect of being buried alongside the black Vassalls’ white owners. William Cooper Nell put it this way: “The idea of this tomb being his last resting-place was often the subject of his meditation, and he was eloquent in grateful expressions towards her [Catherine] whom he had always regarded as a considerate, rare, and valued friend.”¹⁴⁹

Catherine Russell was no longer living when Darby passed away, but the document she gave him in 1843, which he apparently called his “pass,” was honored by those who interred him. On the 15th of October, 1861, Darby was “buried in the Vassal tomb under Christ Church.”¹⁵⁰ Newspapers made much of the event, which coincided with a celebration at the meeting house: Darby’s funeral took place 100 years to the day after the white Vassalls had helped found Christ Church, and Darby’s afternoon interment interrupted the church’s anniversary exercises. Most missed altogether the irony of the overlap. Many of the people attending the Christ Church festivities “were not cognizant” of Darby’s plan to rest with his family’s masters, and to them the interment “seemed strange indeed.” Meanwhile, according to the local newspapers, the burial of the former slave was “An interesting incident, though not connected with the [anniversary] celebration.”¹⁵¹ Darby, perhaps, was the only one who would

¹⁴⁸ *Boston Traveler*: Oct. 16, 1861.

¹⁴⁹ *The Liberator*: Nov 22 1861, p. 188.

¹⁵⁰ She died in 1847 and was buried in the Vassall tomb.

¹⁵¹ *Liberator*: Nov 22 1861, p 188. A number of Boston newspapers reported essentially the same story of Darby’s funeral and the church’s anniversary celebration. For one example, see the *Boston Traveler*: Oct. 16, 1861.

have understood how closely connected the two memorials actually were. But, like nearly all his family before him, he had now “go[ne] to [his] long home.”¹⁵²

Darby’s few remaining kin—daughter Frances Holland, son-in-law Jonas Whitney, granddaughter Frances Jane Vassall, and grandson Jonas Whitney Vassall—would have watched the bearers place the old man’s body in the tomb of the family’s ancestral masters. They did not know then that Darby’s would be the final corpse committed to the vault; the town of Cambridge would “permanently” close it in 1865. Contrary to the deceased man’s desire, therefore, his descendants would have to be buried elsewhere. But Darby’s body would decay, as he wished, with those of Henry and Penelope, of their daughter and their granddaughter. Death brought a certain equality to those whose prospects had differed so drastically in life: all would return to dust beneath the Christ Church in Cambridge. But the distinctions were not fully erased, even among the “broken” coffins, “detached bones,” and mouse-gnawed “cherry stones” of Henry’s tomb.

Darby’s final resting place, after all, would never be marked with his own name. It was instead emblazoned with the name of the man who had, in life, held his family in bondage. And it was decorated by emblems of the old master’s status, a status that would ever elude Darby’s descendants. A chalice and the sun. They adorned the coat of arms of the Vassall family—the white Vassall family, that is.

¹⁵² *Sermon Containing Reflections on the Solar Eclipse*, 8.

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Not long before the outbreak of the Revolution, somebody sent a message to Isaiah Thomas, a Boston printer. The message was a short one. “You are requested to publish,” the unknown person wrote, “the following Address of the Africans.”

It was late August, 1774. The white Vassalls still occupied their seven estates on the road to Watertown. Little Darby was yet held as a slave up in Woburn. Anthony, Cuba, and their other children remained bound to Penelope and John on the bank of the Charles River. Thomas Bedunah’s descendants carried on in Roxbury, or many of them did—increasingly indistinguishable from their white neighbors. Mark’s body still languished above Charlestown’s common: Paul Revere would come upon the man’s remains less than a year later on his famous “midnight ride” to warn the countryside of the British troops’ advance. “I saw two men on horseback,” Revere would later recall, “nearly opposite where Mark was hung in chains.”¹ Under Mark’s watch, the patriot narrowly evaded interception by the British officers.

By August of 1774, Phillis’s charred remains had long since scattered. Phoebe had probably died in the Caribbean, as the prospects of slaves on sugar plantations in the West Indies

¹ Revere’s ride would be immortalized on the eve of the Civil War by Henry Wadsworth Longfellow’s “Paul Revere’s Ride,” penned from John Vassall’s Cambridge mansion, which, in the nineteenth century, was the poet’s home. For Paul Revere’s encounter with Mark’s body, see the letter Revere penned to Jeremy Belknap around 1798: “A Letter from Col. Paul Revere to the Corresponding Secretary,” *Collections of the Massachusetts Historical Society* (Boston: Samuel Hall, 1798), 107-8.

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were dismal.² Of Phoebe's sister and husband, Quaco, we know nothing. And no clues survive to shed light on the lives of Mark's wife and child.

By 1774, only aged Bostonians would have remembered Sebastian, who had been "follow'd... to the Grave" by a "long train" of mourners nearly half a century earlier. Jane and the six "Basteens" may all have died as well; on them the documentary trail had long ago run cold. And the Menenies had passed beyond living memory, surviving solely in fading scribbles: a magistrate's notation here, a clerk's record there. Dorcas, the remarkable African woman who had built a life for herself in the tiny, homogenous colony during its earliest years, came to mind only when ministers stumbled upon her name while perusing the old record books: *Dorcas ye blackmore*.

At this time, in the end of August, 1774, Isaiah Thomas decided that the writer's request was reasonable. The piece he was asked to publish would doubtless interest his readers. And so, he printed "the Address of the Africans" in his weekly newspaper, *The Massachusetts Spy*. It was a remarkable address. Written by a group of unnamed black men, and addressed to the Massachusetts "Council and the house of Representatives," it requested that the colony's legislators "give us the thousands of poor unhappy Africans [our] freedom, which we as men... have a right to demand." They "ask[ed] nothing from your Honours but what you would desire

² A great deal of scholarship deals with slave mortality on Caribbean plantations. A. Meredith John examined records from Trinidad in the early nineteenth century to find that sugar plantation work was more hazardous for male slaves than cotton, cocoa, or coffee plantation work (p. 175); that fewer than half of slave children reached the age of five (p. 180); and that slaves' life expectancy at birth was a mere 17 years (p. 182). These data, collected after the abolition of the British slave trade, represented the mortality of slaves once their owners were invested in protecting them in order to protect their labor supply. During the years when the slave trade was active, conditions were worse. See A. Meredith John, *The Plantation Slaves of Trinidad, 1783-1816: A Mathematical and Demographic Enquiry* (New York: Cambridge University Press, 2003). For a penetrating survey of slave mortality in the Caribbean, see Kenneth F. Kiple, *The Caribbean Slave: A Biological History* (New York: Cambridge University Press, 1984). A recent contribution to the field is Richard S. Dunn's *A Tale of Two Plantations: Slave Life and Labor in Jamaica and Virginia* (Cambridge, Mass.: Harvard University Press, 2014). See also Richard B. Sheridan, *Doctors and Slaves: A Medical and Demographic History of Slavery in the British West Indies, 1680-1834* (Cambridge University Press, 1985).

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yourselves, were you in our situation.” They could not be “happy” without freedom, after all, and “what is life without the enjoyment of it?”³

What about freedom was so crucial to the “enjoyment” of life? Another petition, printed in Thomas’s *Massachusetts Spy* less than six months before—and written, perhaps, by the very same men—sheds light on what made the region’s blacks “groan under the unjust burden” of bondage.⁴ “[W]e are deprived of every thing that has a tendency to make life even tolerable,” they wrote. “The endearing ties of husband, wife, parent, child and friend, we are generally strangers to: And whenever any of those connections are formed among us, the pleasures are imbittered by the cruel consideration of our slavery.”⁵ The pleasures of life came from connections with others. But as long as the region’s blacks were enslaved, the relationships they formed were at risk; those pleasures were “imbittered.” For those who managed to form intimate liaisons, just *considering* the fact of their bondage cast a shadow on their “endearing ties.” *The pleasures are imbittered by the cruel consideration of our slavery.* For others, the realities of a life in bondage kept them from developing the kinds of relationships they wanted in the first place. *The endearing ties of husband, wife, parent, child, and friend, we are generally stranger to.* By threatening their families and imperiling their communities, slavery stole blacks’ joy. *We are deprived of every thing that has a tendency to make life even tolerable.*

In the years leading up to the Revolution, blacks asked the government of the Bay Colony for their freedom many times, and their petitions routinely referenced the problem of family. An appeal of January 1773 proclaimed, “We have no property. We have no wives. No children. We

³ *Massachusetts Spy*: Sept. 1, 1774, p. 2. The petition had been written over six months before; it was dated January 20, 1774, and printed on September 1, 1774.

⁴ *Massachusetts Spy*: Sept. 1, 1774, p. 2

⁵ *Massachusetts Spy*: July 29, 1773, p. 1

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have no city. No country.”⁶ Of course, some did have property; many had wives; and a great number had children. But the point was plain: there were no guarantees for slaves who accumulated goods, entered marriage covenants, bore children. That which mattered most could be taken at a moment’s notice. A petition penned six months later asked, “How can a slave perform the duties of husband or parent, wife or child?”⁷ And an appeal submitted the following year elaborated on the theme: “how can a Slave perform the duties of a husband to a wife or parent to his child”? “How can a husband leave master and work and Cleave to his wife”? “How can the wife submit themselves to there Husbands in all things”? “How can the child obey thear parents in all things”?⁸ The answers were self-evident: as long as they were bound, no blacks could play their familial roles properly. After all, the petitioners lamented, “we are no longer man and wife then our masters or Mestreses thinks proper.” And, just as bad: “Our Children are... taken from us by force and sent maney miles from us wear we seldom or ever see them again to be made slaves of fore Life which sumtimes is verey short by Reson of Being dragged from their mothers Breest.” Slavery compromised family, and family mattered very much to people of African descent in the region. At precisely the time that blacks submitted a barrage of petitions to the legislature demanding freedom in order to right their family lives, they acted on the sentiment by voting with their feet: walking, like little Darby did in 1775, out of bondage. Slavery would fall in Massachusetts at least in part because of the problems it caused for blacks’ families.

⁶ Howard Zinn and Anthony Arnove, *Voices of a People’s History of the United States* (New York: Seven Stories Press, 2004), 54.

⁷ *Massachusetts Spy*: July 29, 1773, p. 1.

⁸ “Negro Petitions for Freedom,” *Collections of the Massachusetts Historical Society*, vol. 3, 5th ser. (Boston: The Society, 1877), 432-433.

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The problems that slavery caused for black families in the region were linked to the peculiar form of slavery in New England. Without a lucrative crop for export, New England's whites had a limited demand for bound labor. Many Euro-Americans thought it was invaluable to own a few enslaved Africans, but most did not want to retain large numbers of slaves; throughout the seventeenth and eighteenth centuries, masters in the Bay Colony's most wealthy and populous county possessed, on average, between one and two bound Africans. The dispersal of blacks in such extraordinarily small numbers throughout Euro-American households had important consequences for African family life in the region: of bound Africans who married other slaves, relatively few were able to cohabit with their spouses. Because most enslaved couples lived apart, and because children born to enslaved women belonged to their mother's owner, the great majority of enslaved fathers were separated from their offspring. As a result, African families in New England may have been more mother-centered in structure than the families of blacks anywhere else in the Anglo-Atlantic world. And they may well have been the most broken. The readiness of owners to sell or give away unwanted infants rendered the divided black families in the region yet more severed.

Despite the relatively small population of blacks in New England and the tiny numbers in which slaves were distributed throughout the region's white households, people of African descent embraced the difficult task of family building: a great many married, bore children, and sought to maintain relations with their kin. The families that Afro-New Englanders built were very different from the enslaved families that have been explored by the great bulk of the scholarship on black family life. While families in plantation settings often cohabited, were patrifocal in form, created sprawling networks of extended kin, and enjoyed a semblance of privacy in outbuildings set apart from their masters' homes, the families of New England's

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slaves were almost always fractured, matrifocal, and lodged in garrets or cellars or the corners of kitchens in Euro-American households. By studying enslaved families who lived in starkly different conditions than those who have been examined by the bulk of the literature, this dissertation helpfully re-orient scholarship on black family life in the broader Atlantic. Though Afro-New Englanders' families were mother-centered in structure, as children and their mothers cohabited far more frequently than children and their fathers, they were not matriarchal in power relations; men of African descent remained active in their families, and those men exerted great influence on the lives of their kin. Some of the patriarchal tendencies evident in Afro-New England families can be traced to patriarchal practices in West Africa, and some can be traced to patriarchal practices in their New England context. But, regardless of its source, the power accorded to African fathers in New England complicates the assumption that the structure of black families defined their normative values—an assumption that undergirds much scholarship on slavery and family in the Atlantic world.

While New England's economy worked to pull enslaved families apart, New England's religion functioned in certain instances to hold those families together, particularly in the seventeenth and early eighteenth centuries. Dorcas's story shows powerfully how Puritan values could stimulate Euro-New Englanders to protect slaves' fragile kin networks. While her case was doubtless an anomaly, some of the region's whites who emancipated slaves were motivated, at least in part, by religious beliefs. And, because white New Englanders of religious conviction valued marriage and feared the presence of sin in their households, many supported the marriages of their slaves. Thousands of bound Africans wed formally before ministers and justices of the peace during the seventeenth and eighteenth centuries, and the colony went so far

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as to encode a provision in law guaranteeing blacks the right to marry each other, whether or not their masters approved of the match.

Still, the support of certain masters, the willingness of prominent ministers and magistrates to perform blacks' marriages, and a legal clause guaranteeing people of African descent the right to marry did not provide the great bulk of enslaved families real protection. The vast majority of black kin groups in the region faced the challenge of geographic division. Indeed, in many ways Mark, Phoebe, and Phillis are probably the most typical of all the people chronicled in this dissertation. Their apparent decision to murder their master was highly unusual, of course, but, in terms of the grievances that appear to have motivated them and the unfulfilled familial ambitions that haunted them, they likely better represent most of the slaves who inhabited their time and place than the Menenies, the Basteens, the Bedunahs, or the Vassalls. That the frustrations of John Codman's slaves crippled the lives of countless blacks in the region is apparent in the onslaught of petitions launched by black men to the Massachusetts legislature in the years leading up to the Revolution.

*[W]e are no longer man and wife then our masters or Mestreses thinkes proper.*⁹

*Our Children are... taken from us by force.*¹⁰

*[W]e are deprived of every thing that has a tendency to make life even tolerable.*¹¹

John Codman's slaves and their spouses used a variety of strategies to obtain access to their kin: they burned their master's outbuildings; Mark attempted to arrange his own sale; Phoebe's husband, Quaco, strove to purchase her freedom; Mark's wife may have deserted her

⁹ "The Petition of a Grate Number of Blackes of this Province"; *Massachusetts Spy*: July 29, 1773, p. 1.

¹⁰ "The Petition of a Grate Number of Blackes of this Province"; *Massachusetts Spy*: July 29, 1773, p. 1.

¹¹ "The Petition of a Grate Number of Blackes of this Province"; *Massachusetts Spy*: July 29, 1773, p. 1.

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owner's home for the Codman estate; Mark sought to hire himself out in Boston; and then, when all this failed, they ostensibly conspired to murder their master. Recognizing that obtaining their freedom would not be possible with such an intransigent master, they worked creatively with great determination to find different ways to obtain proximity to their families. Certain slaves at other times would be more fortunate: Dorcas, Sebastian, Thomas Bedunah, and the Vassalls all extricated themselves from slavery, and, by obtaining freedom, ensured access to their family members. Freedom was crucial to family in seventeenth- and eighteenth-century New England. With the ability to control their whereabouts, blacks could build families in freedom that were much more stable than those they could build under slavery.

But freedom from slavery only went so far. The saga of the Vassall family shows that even when blacks reorganized their kin networks along structurally patriarchal lines in attempt to align their intimate lives with their culture's prevailing norms, they suffered many of the ills—poverty, poor health, hard labor—that they had suffered under slavery. Even Darby, whose family's initial transition to freedom had appeared so promising, was ultimately unable to care for his family in freedom. This was common. Another petition sent by blacks to the Massachusetts legislature, this one in 1798, sheds light on the precarious position of freed slaves—and their families—in the post-Revolutionary period. Though we “are declared free,” the petitioners wrote, “yet there still exists... an invincible distinction of complection, and... a mortifying inferiority.” They went on: “[we are] intitled to freedom by the benevolent provision of the Constitution of the Commonwealth,” yet “it is impossible that [we] should have a fair and equal chance, with the whites in the midst of whom [we] live, for the enjoyment of that Freedom, or the common blessing of life.” After all, “From the earliest childhood,” we “cannot but perceive ten thousand marks of degradation.” Many of the petitioners were “born here,” they

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wrote, but they nonetheless were “strangers in a foreign land, a land, which, so long as [we] continue in it, [we] & [our] children are destined to serve, but not enjoy.”¹² *Our children are destined to serve, but not enjoy.*

The 1798 petition was about racism, discrimination, lack of opportunity, and black poverty. But it was, at heart, about family. Freedom had not solved the problems that black families faced. Achieving freedom had merely helped blacks realize how far there was yet to go. *We are strangers in a foreign land, a land in which... our children are destined to serve, but not enjoy.* Unlike most of the petitions launched by blacks—as well as whites—to the government during the era, this appeal was not signed by a series of independent supplicants: it was signed by a series of black *families*.¹³ “Primis Grant & his family” left their mark first. Then “Lody Grant & his wife.” Then “Samuel Williss & his wife.” And “Deliverance Tason her family.” Followed by pairs of signatures: “Enoch Humphrey Junr” and “Joab Humphrey” signed together, as did

¹² Digital Archive of Massachusetts Anti-Slavery and Anti-Segregation Petitions, Massachusetts Archives, Boston MA, 2015, “House Unpassed Legislation 1798, Docket 4730, SC1/series 230, Petition of Primis Grant” <<http://nrs.harvard.edu/urn-3:FHCL:10935270>>

¹³ The Massachusetts Slavery and Anti-Segregation Petitions Project uncovered over 3500 petitions related to bondage and people of African descent, which were sent to the Massachusetts colonial and state legislatures during the seventeenth, eighteenth, and nineteenth centuries. (The first relevant petition dated from 1649, and the project concluded in the year 1870.) The documents unearthed by this project reveal that contemporary petitions from both whites and blacks tended to be signed by lists of individuals rather than families. It is worth noting, though, that some petitions launched by Native Americans around this time had group signatures similar to the petition referenced here. See, for instance, Massachusetts Anti-Slavery and Anti-Segregation Petitions; Passed Acts; St. 1809, c.70, SC1/series 229. Massachusetts Archives. Boston, Mass. “Petition of Isaiah Johnson” <<http://nrs.harvard.edu/urn-3:FHCL:12208696>> Though the petitioners in this example did not sign for their families or their wives like the 1798 petition from distressed blacks, this appeal was clearly signed by kin groups: for instance, Welthen Wimpe, James Wimpe, and Lucy Wimpe; and Ebenezer Curdudy, Thomas Curdudy, Labon Curdudy, and Anna Curdudy. For another example see Massachusetts Anti-Slavery and Anti-Segregation Petitions; House Unpassed Legislation 1802, Docket 5238, SC1/series 230. Massachusetts Archives. Boston, Mass. “Petition of Zachariah Howwoswe” <<http://nrs.harvard.edu/urn-3:FHCL:10935272>> For a third, see Massachusetts Anti-Slavery and Anti-Segregation Petitions; House Unpassed Legislation 1811, Docket 6902, SC1/series 230. Massachusetts Archives. Boston, Mass. “Petition of Moses Porknit” <<http://nrs.harvard.edu/urn-3:FHCL:10935278>> Though these Native American petitions clearly were signed by groups of kin, they were signed as well by many people who, judging by their names, were unrelated. The 1798 petition launched by the black families is somewhat distinct in that it was signed almost exclusively by kin groups. In my conclusion about the ways in which petitioners of various races signed their appeals to the government around the turn of the nineteenth century, I am relying on my examination of petitions as well as my correspondence with the project archivist of the Digital Archive of Massachusetts Anti-Slavery and Anti-Segregation Petitions. See Nicole Topich, email to author, December 1, 2015.

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“Ceesar Grambel” and “Lear Grambel.”¹⁴ Concerned about the dire prospects for black children in the Bay State, families of African descent lay their grievances before the legislature. What did they want? They “humbly pray[ed] that suitable provision may be made, at the expence of the Commonwealth, for the transportation of such Blacks, as may choose to return, to some proper place in Africa.” There they might have “comfortable establishment” for their families.

Primis Grant & his family. Lody Grant & his wife. Samuel Williss & his wife.

Deliverance Tason her family. One wonders about these people. What happened to Primis Grant and Deliverance Tason after they asked the legislature to send their families away from the state? Did any of them manage to leave Massachusetts? Or did they forge for themselves a place in the “foreign land” of their birth? Were any of their children able to *enjoy* rather than simply *serve*? Their stories are for another historian, but this dissertation nonetheless has something to say about them. By relentlessly following particular persons from the past and telling their narratives with great care, “Endearing Ties” makes an argument for the peopling of the African Diaspora. Not with events or anecdotes or statistics, but with full life spans, carefully and extensively contextualized. With intimate relationships. With groups of kin. This work is difficult, but not impossible. And the rewards are high. By paying attention to the biographies and family trajectories of those caught in the snare of Atlantic bondage, historians can recover a more nuanced understanding of the past. Real lives lived in specific historical contexts illuminate forgotten worlds in ways that composite depictions using aggregates of anecdotes cannot. The stories in this dissertation display in vivid color the fruit of such an approach: the surprise of Jane

¹⁴ Only two people who signed the petition appear to have done so alone: Summons Kimbland and Diamond Elky. Two others signed together, but with names that appear unrelated: “Cato Boston & jack fon austine.” Perhaps they were kin or close friends who did not share the same surname. House Unpassed 1798, Docket 4730: Massachusetts Anti-Slavery and Anti-Segregation Petitions; House Unpassed Legislation 1798, Docket 4730, SC1/series 230. Massachusetts Archives. Boston, Mass.

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Lake's decision to replace her bona fide last name with a distortion of her husband's first name in a bid to adhere to patriarchal sensibilities; the paradox of the Bedunahs' ability to marry whites, acquire property, and claim civil rights at a time when racial lines seemed to have been starkly drawn; the irony of Anthony's attempt to wedge his family more firmly in slavery at the very moment that his black neighbors were engaged in the project of extricating themselves from bondage.

Families like the Menenies, the Basteens, the Bedunahs, the Vassalls, and those of Mark and Phoebe everywhere await their detectives and storytellers. Together their sagas will re-write the past. New England certainly looks different when viewed from their vantage. As does the African Diaspora.