

## Laws, Orders, and Advice Concerning Captives, Servants, and Slaves in the Era of King Philip's War, 1672-1727

Compiled by Jenny Hale Pulsipher for John Wompas Digital Archive, 2018. This is not a comprehensive listing. It represents information encountered in the course of my research on *Swindler Sachem*.

Date	Location	Incident	Source
1672	Massachusetts Bay Colony	Law on slavery (renewed, originally from 1641 Body of Liberties): "There shall never be any bond slaverie, villinage or Captivitie amongst us unles it be lawfull Captives taken in just warres, and such strangers as willingly selle themselves or are sold to us. And these shall have all the liberties and Christian usages which the law of god established in Israell concerning such persons doeth morally requir. This exempts none from servitude who shall be Judged thereto by Authoritie."	<i>CLM</i> , 91
13 Aug. 1675	Massachusetts Bay Colony	Rev. John Eliot writes to Massachusetts officials protesting against the sale of Indians as slaves.	MAC, 30:173
2 Sept. 1675	Plymouth Colony	Plymouth Council of War condemns surrendered Indians to perpetual servitude.	<i>PCR</i> , 5:174
23 Sept. 1675	Connecticut Colony	Wm. Leete writes John Winthrop Jr. concerning Indians who surrendered to Native allies of the English, urges that those who surrendered themselves be treated more mercifully than those taken in war, warns that too much insistence that Native allies deliver Indian captives to be sold as slaves will inflame the country.	<i>MHSC</i> , 4:7:578-584
13 Oct. 1675	Massachusetts Bay Colony	Indians banned from Boston, messengers not admitte w/o gov or Council permission, not allowed to lodge in town, unless in prison	MBR, 5:46-47
21 Feb. 1675/76	Massachusetts Bay Colony	Indians in Eastern parts have begun to surrender and come in. Majors Waldron and Shapleigh empowered to treat with Indians for peace. If successful, they may "shew such favour as shall be a rationall furtherance to such a desireable end." If not, authorized to sell those who have already come in.	MBR, 5:72
23 Feb. 1675/76	Massachusetts Bay Colony	Massachusetts Council debates the fate of Christian Indians exiled on Deer Island. Some propose destroying all or selling them out of the country as slaves	<i>HAcc</i> , 497
March 1675/76	Rhode Island and Providence Plantation	Rhode Island Colony declares no Indian is to be enslaved for any reason "but only to pay their debts or for their bringing up, or custody they have received, or to performe covenant as if they had been countrymen not in warr."	<i>RICR</i> , 2:535

7 Aug. 1676	Massachusetts Bay Colony	Order of Council that boys and girls among Indians surrendering to the colony be "disposed to serve among the English, but not to be sold or bartered away for any price" until Council declares its mind. Any previous sales void.	MAC, 30:209
10 Aug. 1676	Massachusetts Bay Colony	"The termes and conditions upon which they [children of Indians who surrendered to the colony] are to serve is to be ordered by the General Court who are to provide that the children bee religiously educated & taught to read the English tounge."	Salisbury, 142-144
19 Aug. 1676	Connecticut Colony	Mr. William Jones advises Gov. Leete on the disposal of surrendered Indians in colony, addresses questions on the rights of Pequots and Mohegans to surrendered Indians.	CCR, 2: 470-71
24 Aug. 1676	Connecticut Colony	William Leete writes Massachusetts Council for advice about the "surrendering Indians, that we might be informed in that matter, as a thing of much importance in the Cuntry, both as to God's honor & the safty of the Cuntry for ye future."	CCR, 2:477
24 Aug. 1676	Connecticut Colony	Council Meeting, Uncas present. Uncas agrees that English have the right to captives and to dispose of them. Committee of John Mason, James Avery, Daniel Witherell assigned to secure the captives in the hands of the Pequots, Mohegans, and Narragansetts and to dispose of them to rightful claimants.	CCR, 2:472-73
28 Aug. 1676	Massachusetts Bay Colony	Order of Massachusetts Council: Indians who surrender to mercy will have "lives given ym & freed from foreign slavery."	MAC, 30:214
Aug.-Sept. 1676	Rhode Island and Providence Plantations	RI orders that captive Indians under 5 yrs serve until 30, between 5-10 serve until 28, between 10-15 serve until 27, between 15-20 serve until 26, from 20-30 serve 8 yrs, over 30 serve 7 years. Slavery forbidden. Limited time of service prescribed for paying debts, fulfilling covenants, defraying expenses of being brought up.	ACR, 3
6 Sept. 1676	Massachusetts Bay Colony	Massachusetts orders that Indians who have "imbrued hands in English blood" be executed, not sold out of the country.	MCR, 5:115
7 Sept. 1676	Plymouth Colony	Plymouth Colony declares that all Indians who come into the colony in a clandestine way will not have the benefit of "the indemnity" given to Indians who came in in an orderly way, but will be disposed of like other captive Indians; further orders that no male captives above 14 years of age will be allowed to reside in colony. Any remaining to be sold for benefit of colony.	MPMRC, Mss 179

16 Sept. 1676	Massachusetts Bay Colony	General Court recommends to the Council that Indians who have "imbrued their hands in English blood" should be executed, not sold into foreign parts.	<i>MBR</i> , 5:115
Oct. 1676	Rhode Island and Providence Plantations	Committee orders that any Indian captives on island who cannot show a certificate granting permission for them to be there may be "disposed for the benefit of the Collony."	<i>RICR</i> , 3:552
23 Oct. 1676	Massachusetts Bay Colony	Revenue from sale of Indians reported to committee examining accounts of deceased Massachusetts Colony treasurer Richard Russell for years 1675/76.	<i>MAC</i> , 100:209
24 Nov. 1676	Connecticut Colony	Gen Court order. Deadline for surrendering to mercy: 2nd Wednesday in Dec. Afterwards, any Indians captured that were in hostility "may be dealt wthall as enemies, and likewise those that hide and harbor them." Captives to pay yearly tribute of 5s, acknowledge subjection to colony; young single persons to be apprentices to English for 10 years as proofs of fidelity, to be sold at end of term if they and parents prove unfaithful. Messengers declare order to Indians, explaining that it is not punitive, but necessary for English safety: "We must have more than words to binde them to fidelity, they having forfeited their lives by warring against us."	<i>CCR</i> , 2:481-82
12 Dec. 1676	Jamaica	Council of Jamaica prohibits the landing of any Indian slaves from New England or elsewhere.	<i>CSPC</i> , 9:512
29 March 1677	Massachusetts Bay Colony	Council orders that all persons within colony are prohibited from keeping or entertaining any Indian over the age of 12 years without permission of authority.	<i>MAC</i> , 30:239
24 May 1677	Massachusetts Bay Colony	General Court orders that Native youth serving in English homes remain until 24 years of age. Children of hostile Indians taken in war to be at disposal of masters [ie, perpetual slaves to be sold or retained], provided they are instructed in Christian religion. All other Indians, including Christian Indians, that remain in jurisdiction are to be settled in Natick, Punkapoag, Hassanamesit, or Wamesit.	<i>CLM</i> , 251-252; <i>MCR</i> , 5:136; <i>MBR</i> , 5:327-328
9 Oct. 1677	Connecticut Colony	Order in response to recent attack on Hatfield. Council orders enemy and "runigadoe" Indians, "some of which have runn from their English masters and forfeited the mercy promised them," to be surprised, brought in "to be disposed of for the security of the country."	<i>CCR</i> , 2:507-8
12 Oct. 1681	Massachusetts Bay Colony	General Court order: Indians not servants to live in one of 3 plantations under Indian rulers.	<i>MCR</i> , 5:327

19 Oct. 1677	Virginia	Articles of Peace between Indians and English in Virginia. Article 13 orders that Indians not be held in service longer than English servants "and shall not be sold as slaves."	<i>APCE</i> , #1169
21 May 1683	Massachusetts Bay Colony	John Hull warns shipmaster Richard Rook against any involvement in "guilt of innocent blood; for truly we fear the taking Indians by force is man-stealing, and to kill any of them in that design will involve in the guilt of blood, which I would have you and us keep far from, and walk humbly and mournfully under a deep sense of what passed formerly; although, indeed, we ourselves are but very darkly acquainted with what the wrackmen did."	<i>JHD</i> , 251
11 June 1695	Massachusetts Bay Colony	General Court sets maximum reward of £25 for any Indian woman or young person under 14 years taken captive or killed in King William's War.	<i>MAC</i> , 30:368
4 July 1700	Massachusetts Bay Colony	Bill [probably in response to Mashpee Indians' petition, <i>MAC</i> , 30:456] to prevent abuses of Indians being indentured for unreasonable periods of time for satisfaction of debt. All contracts to be under supervision of justices of the peace.	<i>MAC</i> , 30:458a
Jan. 1703/04	Rhode Island and Providence Plantations	Act to prevent any importation of Eastern Indians, lately taken in Massachusetts Province, into RI to prevent "stirring up other Indians in said Collony, to do mischief." Justices of Peace or other officers authorized to seize any Eastern Indians, transport them out of country, proceeds to go to treasury.	<i>RICR</i> , 3:482
23 Aug. 1712	Massachusetts Province	Act Prohibiting the Importation or Bringing into this Province any Indian Servants or Slaves, passed 23 August 1712.	<i>MPR</i> , 1:698
July 1715	Rhode Island and Providence Plantations	RI orders any Indian transported into the colony to be forfeit to colony and sold for its benefit. Reason provided: fears of crime and insurrection, discouragement to importation of white servants.	<i>RICR</i> , 4:193
1727	Rhode Island and Providence Plantations	"An act for the preventing illegal and clandestine purchases of the native Indians, in this colony."	<i>RICR</i> , 4:396

Sources:

*APCE*      *Acts of the Privy Council of England, Colonial Series*, vol. 1, 1613-1680, ed. W. L. Grant and James Muro (Liechtenstein: Kraus Reprint, 1966 [1908]).

*CCR*      J. Hammond Trumbull, ed., *Public Records of the Colony of Connecticut*, 3 vols. (Hartford: F.A. Brown, 1852).

- CLM William H. Whitmore, ed., *The Colonial Laws of Massachusetts, reprinted from the edition of 1672, with the supplements through 1680* (Boston: 1887).
- CSPC W. Noel Sainsbury and J. W. Fortescue, eds., *Calendar of State Papers, Colonial Series, America and West Indies*, 16 vols. (Vaduz: Kraus Reprint Ltd., 1964).
- HAcc Daniel Gookin, *An Historical Account of the Doings and Sufferings of the Christian Indians in New England, in the Years 1675, 1676, 1677*, in *Archaeologia Americana, Transactions and Collections of the American Antiquarian Society* 2 (1836): 430-532.
- JHD John Hull, *Diary of Public Occurrences*, in Vol. 7, *Puritan Personal Writings: Diaries* (New York: AMS Press, Inc. 1982).
- MAC Massachusetts Archives Collection, Massachusetts State Archives, Columbia Point, Massachusetts
- MCR Nathaniel B. Shurtleff, ed., *Records of the Governor and Company of the Massachusetts Bay in New England*, 6 vols. (Boston: William White, 1854).
- MHSC *Collections of the Massachusetts Historical Society*
- MPMRC Mashantucket Pequot Museum and Research Center, Special Collections, Mashantucket, Connecticut
- MPR *The Acts and Resolves, Public and Private, of the Province of the Massachusetts Bay*. 21 vols. Boston: Wright & Potter, 1869.
- RICR *Records of the Colony of Rhode Island and Providence Plantations*, 10 vols. (Providence: A Crawford Greene and Brother, 1856).
- Salisbury Neal Salisbury, ed., *The Sovereignty and Goodness of God, by Mary Rowlandson, with Related Documents* (Boston: Bedford Books, 1997).