Recommendation to the President of Harvard University and to the Dean of the Faculty of Arts and Sciences on the Proposal to Dename John Winthrop House

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Executive Summary

The report we submit here owes its impetus to a student proposal to dename John Winthrop House, one of the 12 residential Houses at Harvard College. The authors of that proposal gave the committee a complicated problem, and it was not straightforward to sort through the issues raised. It was even more difficult given the tense period during which the committee did its work. Just one measure of this tension is the administrative turnover during the last year and a half here at Harvard: the student proposal was submitted under one University President, the committee was constituted under a second, and it delivers its recommendations to a third.

But the question of how we name our institutions is tied up with a broader history too. The denaming process at Harvard, specifically, is governed by several recent reports. In 2021, a committee led by President-emerita Drew Faust submitted a final report to then-President Bacow articulating principles on renaming at Harvard University. A corresponding process for considering requests to dename items overseen by the FAS was established in May 2022, under then-FAS Dean Claudine Gay. In accordance with the FAS procedures, a student group submitted a proposal to dename John Winthrop House in March 2023. Because of the transition in the University Presidency and the FAS Deanship at that time, that request was not taken up until the beginning of the fall semester in 2023. The committee tasked with considering the request to dename John Winthrop House, hereafter referred to as "the committee," was constituted on October 1, 2023, at the direction of FAS Dean Hopi Hoekstra and then-President Claudine Gay.

The committee comprised three senior faculty members including the committee chair (two from FAS and one from HLS), one high-ranking FAS administrator, and one high-ranking University administrator. It was ably staffed by first one, and then another, staff member from the Office of the President and Provost. It had the excellent assistance of a researcher with extensive background and experience in the study of early American history, and it commissioned one official report from an outside institution. The committee, or subsections of it, convened for conversations more than 75 times over the course of the year. Its primary remit was to make a recommendation to the President of the University and the Dean of FAS about whether to dename John Winthrop House.

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It is typically understood that John Winthrop House was named after two men named John Winthrop. This long-held belief, we were able to establish, is not correct. Of the two John Winthrops, the first and more famous is Governor John Winthrop (1588-1649), one of the original founders of the Massachusetts Bay Colony. The second, and less well-known, is Governor Winthrop's great-great-grandson, whom we will refer to as Professor John Winthrop (1714-1779). Professor Winthrop was the Second Hollis Professor of Mathematics and Natural Philosophy at Harvard College; on two occasions he served as interim President of the College.

In accordance with the principles articulated in the 2021 Faust report, the committee looked closely into the considerations brought to bear in the original decision regarding the House's name. The House system was established under the administration of President Abbott Lawrence Lowell in the late 1920s and early 1930s, and John Winthrop House opened in 1931. Archival research reveals that President Lowell's intention, and the intention of the Corporation, was to name John Winthrop House after Professor Winthrop, not Governor Winthrop. President Lowell did recognize at the time, however, that the House was likely to become associated with the professor's more famous ancestor.

Although the House was intended to be named after Professor Winthrop instead of after Governor Winthrop, we discuss the legacy of each in this report. Both men are complicated, and both are associated with the House. Though occupying a significant role in early American history, Governor Winthrop had

difficult and perhaps abusive relations with local Native American tribes, including especially the Pequot, and his relation to the laws regarding slavery at the time, and to the practice of taking Native Americans into slavery, was not unmarred. The main concern about naming the House after Professor Winthrop is that he is accused of having been an enslaver. Whether holding people as slaves, at a time when slavery was legal in Massachusetts, is sufficient to recommend denaming is a question the committee did not come to certainty about.

Though the question of whether to dename John Winthrop House was at the center of its remit, the committee came to find that other factors such as placemaking and belonging were as important. Discussions with stakeholders, including students, faculty, staff, and alumni, revealed a population—largely Black, Native American, and Indigenous—who feel a serious lack of belonging at Harvard. The sense of alienation that some students feel at Harvard came to focus, in this instance, on the name of John Winthrop House. The work that was done by the petitioners to uncover aspects of the legacy of Governor Winthrop and Professor Winthrop was excellent, and advocacy for the denaming initiative was driven by a selfless commitment to the broader community and a desire to improve this institution. The committee agreed that the alienation experienced among populations with whom the University has a long and complicated history demands attention.

After intensive historical and archival research, and after extensive feedback from stakeholders across a large demographic range, the Committee recommends to remove the given name “John” from the House and to retain the Winthrop name. This step is intended to widen the aperture through which Winthrop House can pursue a menu of contextualization and placemaking strategies. It is the committee’s hope that Winthrop House will, through such initiatives, serve as a model for other Houses and residential communities at Harvard to explore ways to deepen the connection between people and place as the University prepares to enter its fifth century. These recommendations, and the process and findings that led to them, are discussed in greater detail below.

1. Introduction

Background

In spring of 2023, the Faculty of Arts and Sciences received a request submitted by individuals associated with the Generational African American Students Association, in collaboration with Natives at Harvard College, to dename John Winthrop House. One of twelve residential Houses for Harvard College students, Winthrop House, as it is typically known, is home to more than 400 sophomores, juniors, and seniors who are guided by a community of faculty, staff, graduate students, and others who provide a constellation of academic, social, and administrative support intended to enliven the residential college experience.

The petition to dename Winthrop House was written and received at a time of increased consciousness around the naming of Harvard's spaces and entities, and heightened awareness of the significance and complexity of naming more broadly. Colleges and universities have been among the most visible institutions grappling with questions of how names are selected and used, and what role they play in shaping the environment and lived experience of community members.

At Harvard, this heightened awareness has taken shape alongside and in some instances owing to multiple institutional initiatives. In 2016, then-President Drew Gilpin Faust issued a clarion call to the Presidential Task Force on Inclusion and Belonging where she observed:

> "To realize the community's full promise, and to foster the personal and intellectual transformation at the heart of our mission, we must also work affirmatively and collectively to advance a culture of belonging."

Eighteen months of stakeholder and academic community engagement and research culminated in the 2018 release of the *Pursuing Excellence on the Foundation of Inclusion* report which offered a robust set of recommendations in response to this profoundly important charge. Since then, several cross-institutional, school-based, and unit-specific working groups, task forces, and committees helped to concretize the recommendations of the report and provide guidance and resources to foster a greater sense of belonging. Throughout this process, our committee returned consistently to the frameworks, tools, findings, and recommendations leveraged as part of these critical initiatives.

The 2021 Report of the Committee to Articulate Principles on Renaming put forth a set of standards for considering denaming proposals and set in motion the development of processes for formally considering requests. Relatedly, 2022 saw the release of *The Legacy of Slavery at Harvard*: Report and Recommendations of the Presidential Committee (hereafter the *Harvard and the Legacy of Slavery Report*), which brought into focus the University's historic ties to slavery, bringing attention to where and how those ties are reflected in names across the University, including Winthrop House.

Denaming Request

Citing the *Harvard and the Legacy of Slavery Report* and other archival and secondary sources, the Winthrop denaming petition brings to light many elements of Harvard's early history and offers a thought-provoking set of arguments in support of its request. Centrally, it charges that both Governor John Winthrop and Professor Winthrop "were instrumental in creating, maintaining, and defending slavery," and emphasizes in particular

- Governor Winthrop's views and actions toward Indigenous populations, notably during the Pequot War and its aftermath. This period saw the killing of Pequots, distribution of captives as slaves, and the attempted extermination of the Pequot as a tribal entity.

- Governor Winthrop's perceived role in the adoption of the Body of Liberties, a legal code established for Massachusetts Bay Colony containing several clauses pertaining to slavery
- Professor John Winthrop's actions as a purported enslaver

The petition argues that in highlighting the legacy of both John Winthrops, the Winthrop House name creates an environment that harms Black, Native American, and Indigenous community members and undermines their ability to participate fully in University life.

Contemporary Context

In accordance with the process for considering denaming requests, following an administrative review of the request, a committee was appointed to review it. Given the centrality of Winthrop House and all residential spaces to the University, it was decided that the review committee would be convened at the University level and would make a recommendation to both the President and the Dean of the Faculty of Arts and Sciences whether to dename, keep the name, or keep the name and contextualize it.

Just as the petition was affected by the context in which it was authored, so too was the process of evaluating it. The committee tasked with considering the request was constituted by Harvard's first Black president, and carried out its work against the backdrop of a geopolitical crisis, local and national campus unrest, and mounting tensions over a wide range of cross-cutting issues, including Diversity, Equity, and Inclusion (DEI), academic freedom, free speech, and civil discourse. This period saw not only an abrupt leadership change, but heightened attention directed at the University as community members sought to navigate a constellation of intersecting challenges.

This context was inseparable from the committee's work, and it underscored the vital importance of adhering to its charge and approaching its work with humility, generous listening, and substantive discussion, motivated by care for members of the community. What follows is the committee's articulation of how it carried out this charge, what it found in the process, and how those findings contributed to a consensus concerning the question of whether to dename Winthrop House.

2. Methodology and Approach

The committee's approach to considering the question of denaming was shaped by the guiding principles of the denaming process, outlined as follows:

- As appropriate for an academic institution dedicated to research and teaching, all efforts should be grounded in historical inquiry and in careful deliberation and investigation.
- The decision to remove a name should be the result of deep examination and learning, one that reflects reason, persuasion, and discussion.
- Judgment about whether to undertake a review should rest primarily on the completeness of the submitted request rather than the number of identified proponents.
- The process should encourage generous listening and substantive discussion, motivated by care for the members of our community and a commitment to their full participation in our mission.
- The process should approach our history with humility and through the lens of reckoning and not forgetting.
- Action on a request does not depend on achieving community consensus, but there is an expectation that any request that moves forward to review will be subject to an inclusive process, broadly soliciting views from our community.

To carry out these charges, the committee sought to engage a wide range of stakeholders to illuminate the array of perspectives around the question of whether to dename.

Shortly after the committee was formed, an interview with committee chair Sean Kelly was published in the *Harvard Gazette* and distributed to students, staff, faculty, and alumni via email. The interview, which was viewed over 10,000 times, provided background on the committee's charge and included a link for Harvard affiliates to weigh in anonymously with their views on denaming through an online survey. This tool generated over 100 substantive responses from students, faculty, staff, alumni, and Winthrop House affiliates. The comments helped the committee to understand the wealth of perspectives on the topic from individuals for, against, and unsure about denaming.

In-person conversations offered a critical means of further exploring perspectives on the question of denaming and the historical context and impact of the name. The committee participated in a variety of discussions that served this end. Petition authors shared their views in multiple conversations and helped to convene discussions. Student affinity groups participating in the process included the Generational African American Students Association, the Black Students Association, and Natives at Harvard College. Winthrop House students and leadership lent their perspectives in multiple conversations, including several convened at Winthrop House. Conversations with faculty, members of the Mashantucket Pequot Tribal Nation, and Winthrop descendants furthered the committee's understanding of the vast array of perspectives on the Winthrop name.

In keeping with the FAS denaming guidelines, the committee embarked upon an expansive research process to construct an understanding of Governor John Winthrop (1588-1649), Professor John Winthrop (1714-1779), and the considerations that went into naming Harvard's early residential Houses. In its extensive review of pertinent literature and primary sources, the committee also engaged the New England Historical Genealogical Society to examine archival records. And an historian of colonial New England finishing PhD requirements at Harvard was hired to bolster collective information gathering efforts.

Ongoing research efforts were supplemented by conversations with historians—in many instances authors of resources consulted and referenced in the following sections. These conversations offered a variety of lenses on the history of both John Winthrops, helping the committee to better understand their life and times and the evolution of their legacies in the Harvard community and beyond.

In its regular meetings, committee members debriefed these conversations and discussed emergent themes and findings. In all, the committee met as a group 22 times over the course of twelve months and participated in over 35 outreach conversations, in addition to many conversations between subsections of the committee and hours spent working asynchronously. Together, these efforts underpinned a deliberative process informed by collective expertise and curated to inspire trust, transparency, historical curiosity, and intentional engagement.

3. History

Naming of the House

As part of Harvard President Abbott Lawrence Lowell's broad-ranging reforms of Harvard College, money raised from Edward Harkness was put toward residential halls to house Harvard's upperclassmen, modeled principally on the college system at Oxford and Cambridge. The first two Houses completed were named Dunster and Lowell, while names for the remaining Houses were discussed in private and in correspondence. The Corporation received suggestions, including an extensive memorandum prepared by Harvard Professor of History and author of several historical works on Harvard College, Samuel Eliot Morison, who suggested, among others, the name Winthrop.[1] It was understood by the first faculty dean

[1] Letter (with memorandum) from S. E. Morison to A. Lawrence Lowell, 17 January 1930, UAI 5.160, Box 270, Folder 733, Records of the President of Harvard University, Abbott Lawrence Lowell, Harvard University Archives.

of Winthrop House, President Lowell, and the Corporation that the eponymous Winthrop was Professor John Winthrop (1714-1779), the second Hollis Professor of Mathematics and Natural Philosophy and a Fellow of the Royal Society. Each of the faculty deans (then called masters) were solicited for input; Winthrop House's first faculty dean, Ronald Mansfield Ferry, a biochemist by training, was particularly taken by Winthrop's scientific connection.[2] President Lowell, aware of Professor Winthrop's understated reputation in the years since his death, noted that "if a House were named after John Winthrop, everyone would think it was named after the Governor, for although the astronomer was a good man, he was hardly a very eminent scientist."[3]

Nevertheless, the Corporation voted on 8 May 1930 to name a House "John Winthrop," and Ferry was informed that as he had "expressed a preference for the name" his house would bear that moniker.[4] The first press release revealing the House names makes this association clear: Winthrop House was named for "the first Harvard scientist and one-time acting President John Winthrop," although later, added to the release in smaller font, was that "His ancestor, John Winthrop, the first Governor of Massachusetts, held an equally close relationship to Harvard."[5] Over the years, the very conflation Lowell warned of occurred again and again, obscuring the John Winthrop for whom the House was originally named.

The legacy of both John Winthrops is tied up in various ways with the history of slavery in New England. To put their legacies in context, therefore, we thought it important to outline this history briefly here.

Slavery in New England

New England—Massachusetts in particular—has long existed in the national imaginary as "the cradle of liberty." Its indelible ties to critical historical events and movements, including the American Revolution (1763-1783) and early abolitionist movements, center the region in the vanguard of shaping foundational notions of nationhood, democracy, and freedom in the 18th and 19th centuries. Focusing on such watershed episodes and its towering figures is seductive, but the chords of memory and history require a more nuanced understanding of our national and regional stories. In many ways, juxtaposing New England during the 1600s with the halcyon periods that dominate our national memory is an exercise in historical nuance. Doing so creates a dialectic between the discourses of "freedom" and "liberty" that anchor perceptions of the region in the 18th and 19th centuries and the "unfreedom" and nascent forms of Indigenous and African enslavement that evolved in the 17th century.

Slavery in New England was not a static institution and did not evolve into the plantocracies that defined the American South in the 18th and 19th centuries. And slavery in 17th, 18th, and 19th century New England was distinct. The social, political, and economic milieu of slavery in New England during the 17th century, particularly during Winthrop's twelve terms as Governor of the Massachusetts Bay Colony between 1631 and 1648, was defined by:

- Indigenous slavery and land dispossession
- African slavery
- The commercial ambitions of colonial leaders—including Winthrop—signaled by 19 documented voyages between the Massachusetts Bay Colony and West Africa
- "Slave society"—a satellite network of plantations outside the region

[2] Letter from S. E. Morison to A. Lawrence Lowell, 14 January 1930, UAI 5.160, Box 270, Folder 733; Letter from Hans Zinsser to Ronald M. Ferry, 15 May 1930, HUG 4390.5; Letter from A. Lawrence Lowell to Ronald M. Ferry, 8 May 1930, UAI 5.160. Box 269, Folder 675.
[3] Letter from A. Lawrence Lowell to S. E. Morison, 16 January 1930, UAI 5.160, Box 270, Folder 733.
[4] Letter from A. Lawrence Lowell to Ronald M. Ferry, 8 May 1930, UAI 5.160. Box 269, Folder 675.
[5] Harvard University News Office, "Harvard Names the Remaining Five Houses: Eliot, Kirkland, Leverett, John Winthrop and Adams" press Release, 13 May 1930.

- Transatlantic trade systems, particularly with the West Indies

18th Century New England Slavery and Transatlantic Ties

In a broad hemispheric context, Princeton historian Wendy Warren asserts in her book, *New England Bound: Slavery and Colonization in Early America,* that "between the 16th and 19th centuries—a period that roughly coincides with the colonial periods of North and South America—nearly 13 million Africans were enslaved and shipped West to cross the Atlantic, while two to four million Native Americans were enslaved and traded by European colonists in the Americas."[6] The history of slavery in New England is situated within this comprehensive network of the transatlantic geographies of Africa, North America, and the Caribbean. The *Harvard and the Legacy of Slavery Report* provides a chapter on "Slavery in New England and at Harvard."[7] The report maps a timeline of slavery in New England that begins in 1641[8] with the enslavement of the Indigenous then subsequent African populations and ends with the

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[6] Wendy Warren, *New England Bound: Slavery and Colonization in Early America* (Liveright Publishing, 2017), Chapter 1.

[7] *The Legacy of Slavery at Harvard: Report and Recommendations of the Presidential Committee* (Harvard University Press, 2022), 5, 25. The inextricable ties between the institution of slavery, Harvard, and New England's broader 17th and 18th century economies were documented in rigorous detail in the report. More specifically, the report brings into sharper focus the liminal position that New England—thus Massachusetts and Harvard—occupy in the trafficking of people and materials to anchor the global enterprise of slavery. More than seventy persons were purportedly owned by Harvard-affiliated presidents, faculty, or staff prior to 1783.
Healing the Wounds of Slave Trade and Slavery: Approaches and Practices (The UNESCO Slave Route Project/GHFP Research Institute, January 2021), 23-5. Similarly, in 2021 the United Nations Educational, Scientific and Cultural Organizations (UNESCO) published its research findings in a report entitled *Healing the Wounds of Slave Trade and Slavery: Approaches and Practices*. Published one year shy of the release of *The Legacy of Slavery at Harvard*, UNESCO's publication would not have the opportunity to include Harvard in its findings but focused on Georgetown University as an example of an academic institution involved in an "engaged healing process." In a now familiar story, in the year 1838, Georgetown's President Thomas Mulledy and William McSherry (superior of the Maryland Jesuits), "sold 272 slaves into the deep South to pay off debts accumulated from a significant expansion of the university in the previous decade." One hundred and seventy-eight years later in 2016, the *Working Group on Slavery, Memory, and Reconciliation* submitted a report to the administration recommending "a public apology, a memorial, a permanent renaming of Mulledy and McSherry Halls, and offering scholarships…to the descendants of the 272 slaves sold in 1838." Working Group members and advocates agreed that "without structural changes to make such commitments possible, atoning for its past wrongdoing might seem insufficient."

[8] Historian Wendy Warren locates the historical establishment of slavery in Massachusetts under the leadership of Governor John Winthrop and in an NPR interview states, "…several of his [Governor John Winthrop's] sons were involved in West Indian slavery. Some of them were trading with the West Indies pretty aggressively. Samuel Winthrop, I think, was his 12th son and owned a plantation in Antigua. I think when he died, he owned 60 slaves. John Winthrop Jr., who stayed in New England mostly, owned slaves. And Henry Winthrop, who was kind of the family ne'er-do-well, went early to Barbados and tried to get into cash crops and slavery. At no point did John Winthrop Sr. object to any of this, and nor is there any reason he should have, according to the temper of the times." See link: https://www.npr.org/2016/06/21/482874478/forgotten-history-how-the-new-england-colonists-embraced-the-slave-trade. Historian Jared Ross Hardesty states, "As the attorney [Winthrop's brother-in-law Emmanuel Downing] conceded and Winthrop knew 'verie well,' the colony could 'maynteyne 20 [slaves] cheaper then one English servant.'" Furthermore, "…New England patriarchs, such as John Winthrop, sent second sons to start plantations in the Caribbean. Such deep connections helped to foster and develop slavery as an institution in New England, including slave law and labor structures, and shaped the lives of enslaved people, many of whom were Indian captives sold to the West Indies in exchange for African slaves, or Africans who spent significant time in the Caribbean before arriving in New England." Hardesty concludes, "Thus Winthrop and his family are the embodiment of early New England's connection to the epicenter of New World slavery and source of enslaved laborers." See Jared Ross Hardesty, *Black Lives, Native Lands, White Worlds: A History of Slavery in New England* (University of Massachusetts Press, 2019), xvi, 1, 17.

aftermath of emancipation in 1783.[9] The percentage of enslaved inhabitants in New England prior to 1783 remained relatively low. Numbers of enslaved and labor expectations ranged according to local geography and economy in the 18th century. At any given time, the presence of enslaved persons never exceeded 3% percent of the total population in New England; by comparison, the enslaved population in the American South constituted 37.9% of the total population by 1750.[10] In New England, the number of enslaved inhabitants peaked at 16,034 in 1774.[11]

Yet, despite the relatively small presence of enslaved populations, the vast majority of New England's local economy was dependent upon goods produced by slave labor and the trans-Atlantic trade in human commodities. According to the *Harvard and the Legacy of Slavery Report*, "by 1700, New Englanders had made at least 19 voyages to Africa and then to the West Indies, the chief route of the slave trade, as well as many more voyages between Massachusetts Bay and the Caribbean."[12] For example, Rhode Island "trafficked more than 60 percent of all the North American trade in African slaves."[13] By the 1740s, "Rhode Islanders owned more than 120 vessels, which were 'all constantly employed in trade'; all but 10 of them were employed in the slave trade."[14] Cognizant of Rhode Island's strategic role in commercial activity and slave commerce in particular, and of its influence on bordering New England colonies, Governor Samuel Ward remarked in 1740:

> The neighboring governments have been in a great measure, supplied with rum, sugar, molasses and other West Indian goods by us brought home and sold to them here. Nay, Boston, itself, the Metropolis of Massachusetts, is not a little obliged to us for rum and sugar and molasses which they distil into rum, for the use of the fisherman &c. The West Indies have likewise reaped great advantage from our trade, by being supplied with lumber of all sorts suitable for building houses, sugar works and making casks; beef, pork, flour and other provisions we are daily carrying to them, with horses to turn their mills and vessels for their own use; and our African trade often furnishes them with slaves for their plantations.[15]

For most of New England, "no cash crop ever developed," such that its local economic participation was disproportionately located in the commercial repercussions of the slave trade rather than in the amassing of a free labor force.[16] Similarly, historian Mark M. Peterson argues that because New England was a primary source for supplying provisions to the Caribbean islands in exchange for goods produced by enslaved African labor, "this effectively made Boston a slave society…but one where most of the enslaved toiled elsewhere…."[17] Between 1768 and 1772, Massachusetts alone imported 8.2 million gallons of molasses from the West Indies, and its 63 distilleries produced millions of gallons of rum, mostly for export and to trade for enslaved people.[18]

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[9] *The Legacy of Slavery at Harvard,* 5-6, 15-16. During this period, the Report traces a complex financial relationship between slavery and Harvard through donors, profits from plantation slavery in the U.S. South and Caribbean, trade in the sale of slave goods and their manufacture, and a third of private donations derived from acquired "fortunes from slavery and slave-produced commodities."

[10] "Slavery & the Slave Trade in New England," Dartmouth & Slavery Project, Dartmouth College, accessed July 2024.

[11] Dartmouth, "Slavery and the Slave Trade in New England."

[12] *The Legacy of Slavery at Harvard*, 5. In this instance, the Report is citing Warren, *New England Bound*, 45-46.

[13] Christy Clark-Pujara, *Dark Work: The Business of Slavery in Rhode Island* (NYU Press, 2016), 4.

[14] Clark-Pujara, *Dark Work*, 21.

[15] Clark-Pujara, *Dark Work*, 21.

[16] Wendy Warren "Forgotten History: How The New England Colonists Embraced The Slave Trade," interview by Terry Gross, *Fresh Air,* NPR, June 21, 2016. Transcript, https://www.npr.org/2016/06/21/482874478/forgotten-history-how-the-new-england-colonists-embraced-the-slave-trade

[17] *The Legacy of Slavery at Harvard*, 19.

[18] Ronald Bailey, *The Slave(ry) Trade and the Development of Capitalism in the United States: The Textile Industry in New England* (Cambridge University Press, 2016), 380, 385-86.

New England Slaveholders and Domestic Slavery

Those who served as bondservants in 18th century New England primarily labored as "family domestics" in a system of "household slavery" and/or as skilled workers[19] rather than as "plantation field slaves."[20] Unlike other British plantocracies that relied on a monocrop agricultural labor force, "New England's diversified economy required a more skilled and versatile slave population than was needed for…plantation agriculture stressed elsewhere in the Americas."[21]

What do we know about the enslaved persons who populated 18th century New England? According to historian William Piersen, "the majority of the slaves shipped from the West Indies in New England were native-born Africans, however long they may have resided in the islands" and "it is probable that more than three quarters of New England's Black immigrants were African by birth."[22] Corroborating the geographical origins of the enslaved, Wendy Warren similarly asserts, "in the 17th century, if you ended up in New England, you had almost certainly been taken from West Africa…You had undergone a traumatic removal from your own family in a war or a raid, already sort of a life-altering experience most people would have a hard time recovering from."[23]

Within the system of domestic slavery, Piersen maintains that "New England masters…expected to personally train their servants for specialized business or family roles, thus they were often willing to buy juvenile slaves who might not be immediately productive, but who could be more effectively assimilated."[24] Relatedly, "New England slave owners bought young slaves in order to train the children entirely within their own families so that the children would grow up anticipating their masters' wants and needs, likes and dislikes;" while keeping in mind that "black children who were paternalistically integrated into white families had first to be taken from their own natural parents."[25]

Within New England domestic slavery, enslaved and slaver often dwelled residentially within close proximity while simultaneously adhering to social norms of separation, creating a social environment where "emotional attachments within Yankee families between white and black were a complex and contradictory fabric."[26] Therefore, it was possible within the intimate domestic settings of New England to "mourn" the enslaved "as one of the family" or to acknowledge that one's slave "died like a saint" or as part of "my family" or even to have instances when enslaved persons attested to being "treated just the same as the other children."[27] Yet, in the end, Piersen concludes that "the artificial laws of paternalistic ownership could never successfully be reconciled to the innate laws of human spirit" and "chattel slavery, even in a New England family environment, could not resolve the basic contradictions inherent in treating humans as property."[28]

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[19] "A suggestive listing of such jobs would include: anchor maker, baker, barber, blacksmith, bloomer, bookbinder, brick maker, butcher, carpenter, chairmaker, chimney sweep, cook, cooper, ditch digger, distiller, doctor, dye maker, ferryman, fisherman, fox hunter, grocer, iron worker, joyner, mason, miner, nailor, porter, potash maker, pressman, rope maker, sailmaker, sawyer, seaman, sexton, shipwright, shoemaker, stave maker, soap boiler, spinner, tailor, tallow chandler, tanner, teamster, tinker, type setter, washerwoman, watchmaker, weaver, whitesmith, woodsman, and worsted comber." William D. Piersen, *Black Yankees: The Development of an Afro-American Subculture in Eighteenth-Century New England* (The University of Massachusetts Press, 1988), 43.

[20] Piersen, *Black Yankees*, 26, 31.

[21] Piersen, *Black Yankees*, 41.

[22] Piersen, *Black Yankees*, 7.

[23] Warren, *Fresh Air*.

[24] Piersen, *Black Yankees*, 5, 25.

[25] Piersen, *Black Yankees*, 36, 26.

[26] Piersen, *Black Yankees*, 26-32.

[27] Piersen, *Black Yankees*, 32.

[28] Piersen, *Black Yankees*, 35-36.

Finally, the Medford Historical Society offers a glimpse into those who possessed slaves in the colonial North, stating they were broadly "owned mostly by ministers, doctors, and the merchant elite."[29] Moreover, Charles Sullivan, Executive Director of the Cambridge Historical Commission, offers data more locally that "in 1749, 12 people owned a total of 15 slaves, ranging from ages 12 to 50 years old, in Cambridge;"—a statistic, however, in which enslaved "children were not counted."[30] This local slaveholding class constituted "six percent of taxpayers" or numerically "12 out of 208 in Cambridge."[31] Furthermore, archival materials show that five years later, Massachusetts Governor William Shirley "ordered…an enumeration of all slaves, both male and female, over the age of sixteen," resulting in the 1754 Massachusetts Slave Census, the very first[32] census conducted in Massachusetts.[33]

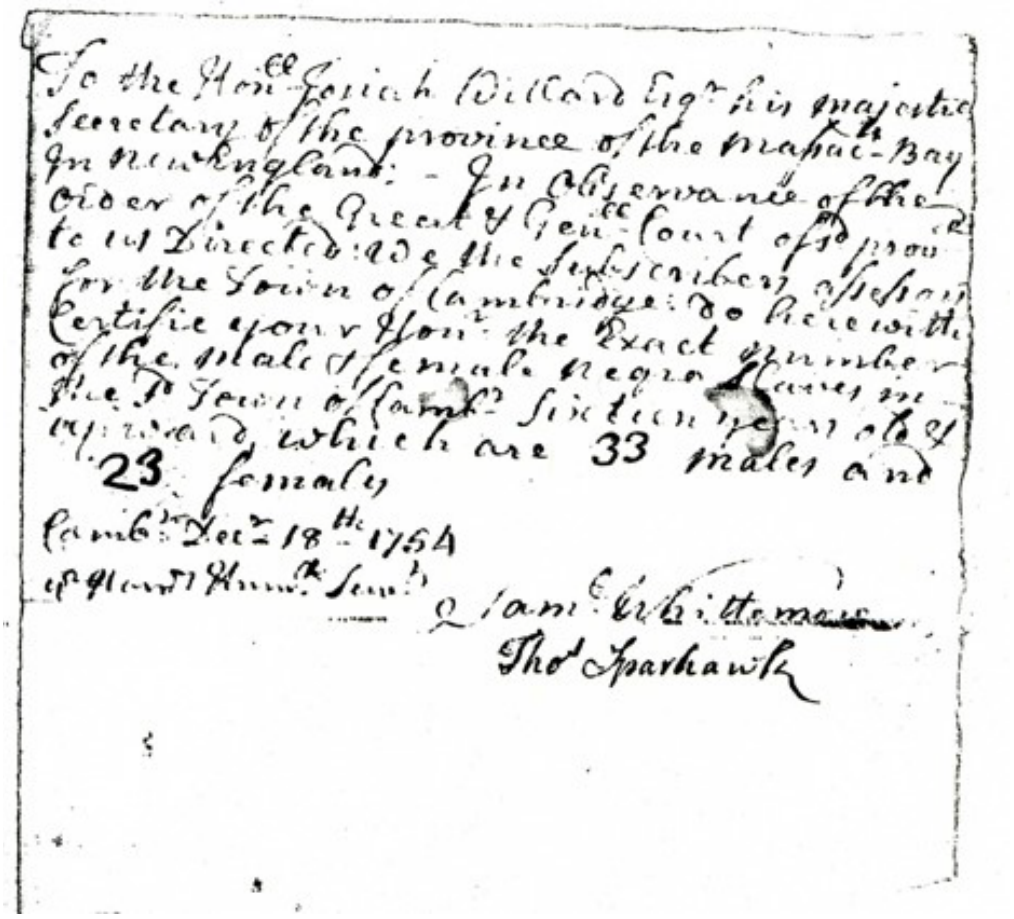

Figure 1 Excerpt from Cambridge Census Data, 1754

[29] "Slaves in New England," Medford Historical Society & Museum, accessed July 2024, https://www.medfordhistorical.org/medford-history/africa-to-medford/slaves-in-new-england/

[30] Christopher Gavin, "Slave owners' legacies may live on Cambridge streets. The city is working to find out where.," *Boston.com,* July 2, 2019, https://www.boston.com/news/history/2019/07/02/slave-owners-cambridge-streets-monuments/

[31] Jules Long and Eshe Sherley, "Stories of the early African American community in Old Cambridge are found on a self-guided tour," *Cambridge Day,* July 5, 2021, https://www.cambridgeday.com/2021/07/05/stories-of-the-early-african-american-community-in-old-cambridge-are-found-on-a-self-guided-tour/

[32] "Population in the Colonial and Continental Periods," 5. See link: https://www.census.gov/history/pdf/colonialbostonpops.pdf; https://web.archive.org/web/20240920201739/https://www.census.gov/history/pdf/colonialbostonpops.pdf

[33] "1754 Massachusetts Slave Census," See link: https://primaryresearch.org/slave-census-all/

Census data reported on December 18, 1754, indicates that there were 33 male and 23 female enslaved persons, totaling 56 "in all three parishes of Cambridge."[34] At the time, the slave census chronicled a total of 2,720 enslaved individuals in Massachusetts in 1754. By 1765, Cambridge was reportedly residence to 597 white individuals male and female and 90 "Negroes male and female."[35]

With this background in place, we turn now to a discussion of each of the two John Winthrops.

Governor John Winthrop (1588-1649)

Governor John Winthrop's legacy is substantial. In the national imaginary, and certainly the imaginary of Massachusetts, his significant governmental role (four separate terms as governor and three as deputy governor totaling a combined 18 years) as well as his substantial support for the settlement of the Massachusetts Bay Colony mean he is oft commemorated. He served intermittently as a member of the Harvard Board of Overseers, especially ex officio in his role as Governor, but he appears to have had no particularly close relation to Harvard.

An epitaph written for him shortly after his death by Benjamin Tompson, one of the colonial poet laureates of the British colonies, recalled his "Greater Renown than Boston could contain."[36] Of the two statues in Massachusetts's contribution to the National Statuary Hall Collection in the U.S. Capitol, one is John Winthrop (the other is Samuel Adams). In literature he appears in both Nathaniel Hawthorne's *The Scarlet Letter* (in a minor role) and in Catharine Sedgwick's *Hope Leslie* as a more substantial character. His immediate descendants were instrumental in shaping the development of New England and the broader British Atlantic World, while his descendants through the centuries have included Charles Eliot (the longtime President of Harvard) and former Senator, presidential candidate, and Secretary of State John Kerry.

Winthrop's most significant legacy, however, may be his writings. His journal, published first as *The History of New England,* remains one of the most significant sources on the early development of the Massachusetts Bay Colony—historians have been mining it productively for over two hundred years. No piece of writing by Winthrop (or perhaps any colonial official) is more famous contemporarily, though, than his lay sermon "A Modell of Christian Charitie," which, in its invocation of the colony as a "city upon a hill" remains a favorite of politicians since its deployment in the midst of the Cold War.[37]

It is from all this context that historian and Winthrop biographer Francis Bremer's derives the subtitle of his biography of Winthrop, "America's Forgotten Founding Father."

For the purposes of our discussion here, however, two difficult aspects of Governor Winthrop's legacy are worth exploring. These are his actions during the Pequot War of 1636-1638, and his contributions to the Massachusetts Bay Colony's laws regarding slavery. We turn to those issues now.

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[34] Long and Sherley, "Stories."

[35] *Early Census Making in Massachusetts 1643-1765* (Charles E. Goodspeed, 1905), 78. https://archive.org/details/earlycensusmakin00bent/page/n5/mode/2up?view=theater

[36] Peter White, ed, *Benjamin Tompson, Colonial Bard: A Critical Edition* (The Pennsylvania State University Press, 1980), 110.

[37] Daniel T. Rodger, *As a City on A Hill: The Story of America's Most Famous Lay Sermon* (Princeton University Press, 2018). There is some debate as to whether or not Winthrop actually wrote the sermon. See Jerome McGann, "Christian Charity", A Sacred American Text: Fact, Truth, Method," *Textual Cultures* 12, no. 1 (2019): 27–52.

Winthrop and the Pequot War

Between July 1636 and September 1638 English colonists from the Massachusetts Bay, Plymouth, and Saybrook (Connecticut) colonies joined forces with Mohegan, Niantic, and Narragansett allies against the Pequot people. The series of military skirmishes, battles, and massacres that occurred over this period are collectively known as the Pequot War, and ultimately led to the attempted extermination of the Pequot as a tribal entity. John Winthrop, the once and future Governor of the Massachusetts Bay Colony, played a significant leadership role in determining the course of colonial aggression toward the Pequots. Winthrop was not serving as governor during the leadup to the Pequot War (1634-36) when many critical decisions were made. He was, however, Deputy Governor and a commander of one of the militia regiments sent to Mystic. He was re-elected Governor after war had been declared on the Pequots, nine days before the Mystic Massacre (May 17, 1637). He did not engage in armed hostilities himself, nor was his role in the overall saga distinctive or atypical in comparison to the actions of his peers in colonial government.

Bremer writes that "it is difficult to determine John Winthrop's personal attitude" towards Native American people, as "his writings contain few generalizations about Indians so for the most part his views must be deduced from his recorded behavior."[38] Winthrop entertained Indigenous leaders in his Boston home, but he was hardly a bastion of enlightened tolerance. Winthrop was willing to treat Native persons as deserving of dignity, but only if they accepted English standards of civility. According to Bremer, Winthrop "never sought nor found any merit in Native customs and values." At the same time, he ensured equal access to the colonial justice system for Indigenous residents and European settlers alike. Under Winthrop's leadership the General Court of the Massachusetts Bay Company "sought to protect the natives from unscrupulous colonists or visitors by ordering that . . . any natives who had been forced into servitude should be released." [39]

The origins of the Pequot War can be traced to a series of interactions involving Puritans (and other English colonists), Pequots, Dutch colonists, Narragansetts, and Niantics. But the initial incident that set the Pequots and English on a course of potential conflict was the killing of John Stone and seven other Englishmen by Pequot men in January 1634.[40] When news of the killing reached Governor Winthrop he did not respond with aggression or a declaration of war; he believed the Pequots when they explained that Stone had been killed "in a just quarrel."[41]

Five months later Winthrop was ousted as governor of the Massachusetts Bay Colony, entering a period of relative powerlessness between May 1634-May 1636. During these years he was rejected for the governorship and deputy governorship two elections in a row.[42] Early in this period Pequot envoys visited the Massachusetts Bay Colony, endeavoring to enter into a "treaty of peace and friendship."[43] But following a disappointing attempt to trade in 1635, Winthrop castigated the Pequots as "a very false people" and indicated that the Massachusetts Bay colonists "mean to have no more to do with them."[44]

Winthrop returned to public office in May 1636, when Henry Vane was elected governor of the colony and Winthrop as deputy governor. In June, Governor Vane and Winthrop sent John Winthrop Jr. to parlay with the Pequots. The younger Winthrop was to "demand a solemn meeting" with tribal leaders "in a

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[38] Francis J. Bremer, *John Winthrop: America's Forgotten Founding Father* (Oxford University Press, 2003), 263.
[39] *The Journal of John Winthrop, 1630-1649*, ed. Richard Dunn, James Savage, and Laetitia Yeandle (Harvard University Press, 1996), 47; Bremer, *Forgotten Founding Father*, 263.
[40] Winthrop diary, 21 January 1634; Alfred A. Cave, *The Pequot War* (University of Massachusetts Press, 1996), 72.
[41] Winthrop *Journal* 1:138-39; William Bradford, *Of Plymouth Plantation 1620-1647* (Rutgers University Press, 1952), 291.
[42] Bremer, *Forgotten Founding Father*, 269.
[43] Letter of John Winthrop to William Bradford; *History of Plymouth Plantation, 1620-1647*, vol. 2 (Massachusetts Historical Society, 1912), 233-34.
[44] Ibid.

friendly manner." If they refused to grant him an audience, Winthrop Jr. was instructed to return gifts given by the Pequots in 1634, signaling the termination of their treaty with the Massachusetts Bay Colony. There is no evidence of the Pequot response to this demand, but Winthrop Jr. did return the treaty gifts.[45]

One month later another English trader, John Oldham, was killed off the coast of Block Island. Oldham's murder on July 20, 1636 is conventionally recognized as the formal start of the Pequot war. While the identity of his assassins remains shrouded in speculation, scholars agree that this was not the work of Pequots; more likely it was Narragansetts. Seeking to deflect English vengeance, a Narragansett sachem "suggested that Oldham's assailants had taken refuge with the Pequots."[46]

In late August 1636, Governor Vane and the council of the Massachusetts Bay Colony sent a force of 90 men to Block Island under the command of John Endecott. Their orders were to "take possession of the island by force, kill all of its adult male inhabitants, and enslave their women and children." After meting out punishment on Block Island, Endecott's force was to sail on to a Pequot village, capture the murderers of Stone and his crew, exact a remuneration of one thousand fathoms of wampum, and capture Pequot children to ensure the tribe's cooperation in the future. If the Pequots refused to relinquish the children to Endecott, he was authorized to take them "by force."[47]

Endecott burned the Pequot village and destroyed their corn harvest. Thirteen Pequot victims were reportedly "slain and many wounded." Many English settlers were critical of Endecott's actions at the time, including Plymouth's William Bradford and Lion Gardener of Saybrook. Bradford wrote to Winthrop to voice his displeasure. And while Bremer claims that "it is hard to discover Winthrop's views on the turmoil in the Connecticut River Valley in the years leading up to this point," Winthrop did defend Endecott's conduct, claiming that the troops had been sent "not to make war on them, but to do justice."[48]

In subsequent months the violence increased, with Pequots attacking the English settlement of Saybrook in response. The colonists responded in kind. In the Massachusetts Bay Colony, Governor Vane had recently reorganized the militia, dividing the troops into three regiments commanded by Winthrop, Endecott, and John Haynes respectively, under Vane's overall command. Winthrop's regiment was led by Captain John Underhill, and on April 10 Underhill set sail for Saybrook with a small force while the Colony made preparations for war with the Pequots.[49]

On April 18, 1637 the Massachusetts Bay Colony General Court, under the direction of Governor Vane, authorized the conscription of 160 men to wage war against the Pequots. Less than one month later the Connecticut General Court declared "an offensive war" against the Pequot tribe.[50] The next day (May 17, 1637) Winthrop was elected Governor of the Massachusetts Bay Colony for the second time. And the day after that, 77 English militiamen under Underhill's command set sail from Saybrook, gathering 100 Mohegan and 300 Narragansett and Niantic allies along the way.

A force of troops from Connecticut, marching under the command of Captain John Mason, attacked the fortified Pequot village at Mystic on May 26, 1637. Underhill led his troops into the settlement from the other side. But inside the palisade, the labyrinthian layout of the village confounded the colonists' efforts. Out of breath, Mason fretted that his forces would not win fighting with swords and fists. He entered a Pequot home, grabbed a burning stick from the hearth, and set the settlement ablaze. From the south end

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[45] Bremer, *Forgotten Founding Father*, 266.
[46] Cave, *Pequot War*, 104-7.
[47] Cave, *Pequot War*, 108; Winthrop, *Journal* 1:86.
[48] Bremer, *Forgotten Founding Father*, 268-69.
[49] Bremer, *Forgotten Founding Father*, 261.
[50] Cave, *Pequot War*, 136-37.

of the fort Underhill lit a fire as well, and the two fronts met at the center of the fort, which "blazed most terribly, and burnt all in the space of half an hour." An estimated 500-700 Pequots perished in the blaze, including children, women, and elderly residents as well as warriors.[51]

During the Pequot War English colonists captured—and held—approximately 319 Pequots as captives.[52] In keeping with the policy the English hewed to in their prosecution of the war, the vast majority of these captives were women and children. Men were, by and large, killed instead of being taken prisoner. Most of these Pequot captives were distributed into English and Indigenous households around New England. The process by which this was done is unclear given the paucity of records from early 17th century New England. In the records of the Massachusetts Bay General Court in between a tax list and an order to recall soldiers is the sole official mention of the disposition of captives: "It was referd to the counsel to take order about the Indian [women]."[53] Given his role as Governor (and, by extension, a member of the General Court) Winthrop was clearly involved to some extent in distributing Pequot prisoners.[54]

A variety of English colonists of high status claimed captives for themselves in correspondence sent to Governor Winthrop. Israel Stoughton, who served in the war, "dispatched "48 or 50 women and Children" to Winthrop in Boston for distribution," noting "that "ther is one . . . that is the fairest and largest that I saw amongst them to whome I have given a coate to cloath her: It is my desire to have her for a servant. . . . There is a little [Native woman] that Steward Calacot desireth . . . Lifetennant Davenport allso desireth one, to witt a tall one that hath 3 stroakes upon her stummach thus − ///+."[55] Roger Williams even requested "the keeping and bringing vp of one of the Children." Though he had "fixed [his] eye on this litle one with the red about his neck," he acknowledged that he was at the mercy of Winthrop's "loving pleasure," for that boy "or any."[56] Winthrop himself also took a number of Pequot captives into his house, chief among them the wife of the Pequot sachem Mononotto who, when captured by the English, had entreated them to "not abuse her body and that her children might not be taken from her."[57] Two years later, Roger Williams reported that she was seemingly free and, because of Winthrop's "Experimented Kindnes toward [her] informes all Pequts and [Narragansetts] that Mr Govrs," believed no Pequot men "should die."[58]

The exact nature of the servitude Pequot women and children faced is unclear—as Winthrop's leading biographer puts it, "it is not clear what slavery meant in these cases."[59] It is apparent that captive taking was an important aspect of the war (Newell contends it was *the* purpose of the war), but once in English hands most appear to have been used for domestic service in households.[60] Captain Richard Morris's

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[51] Cave, P*equot War*, 150-51.
[52] This number does not include those Pequots taken captive by Indigenous allies of the English or taken by the English and immediately handed over to their Indigenous allies.
[53] Nathaniel B. Shurtleff, ed. *Records of the governor and company of the Massachusetts bay in New England* (William White, 1853), 1:201.
[54] The definitive scholarly work on Pequot captives is Michael L. Fickes, "'They Could Not Endure That Yoke': The Captivity of Pequot Women and Children after the War of 1637," *The New England Quarterly* 73, no. 1 (2000): 58–81.
[55] Recounted in Margaret Ellen Newell, *Brethren by Nature: New England Indians, Colonists, and the Origins of American Slavery* (Cornell University Press, 2015), 33.
[56] Letter from Roger Williams to John Winthrop, 30 June 1637, vol. 3, Papers of the Winthrop Family, Massachusetts Historical Society.
[57] Letter from John Winthrop to William Bradford, 28 July 1637, vol. 3, Papers of the Winthrop Family, Massachusetts Historical Society.
[58] Letter from Roger Williams to John Winthrop, August 1639, *The Correspondence of Roger Williams*, vol. 1 (Brown University Press/University Press of New England, 1988): 200.
[59] Bremer, *Forgotten Founding Father*, 273.
[60] Michael Guasco, "To 'Doe Some Good Upon Their Countrymen': The Paradox of Indian Slavery in Early Anglo-America," *Journal of Social History* 41, no. 2 (2007): 389–411; Newell, *Brethren by Nature*, Ch. 1.

"Indean mayde sarvant" fled, leaving his wife "in great destres for want of a survant."[61] Winthrop's 1639 will left his property on Governor's Island and enslaved Indigenous people who labored there to his son; their work must have involved agricultural tasks that would have changed seasonally or even day-to-day.[62]

In his private writings Winthrop always uses "we" when referring to decisions about the captives, as when "we sent fifteen of the boys and two women to Bermuda, by Mr. Peirce; but he, missing it, carried them to Providence Isle," further obfuscating the exact process of dispersal.[63] Although they never arrived in Bermuda, the Puritan minister Patrick Copeland wrote to Winthrop explaining what was intended for the Pequot captives sent to the Caribbean. "If they had safely arrived" in Bermuda, Copeland described how he would "have trained them vp in the principles of Religion; and so when they had been fit for" the Massachusetts Bay Colony he then would "haue returned them againe to haue done God some service in being Instruments to doe some good vpon their Country men."[64] While their labor was much wanted as servants in the undermanned islands, there was also a sense that their captivity was temporary—a period of acculturation and Christianization that could end with their return to New England as English subjects and laborers. Copeland promised that if Winthrop sent "any more of [Massachusetts's] Captive Indians," he would "see them disposed of" in Bermuda "to honest men." Alternatively, he followed up, he would settle for "a couple a boy and a girle for [his] selfe," for whom he promised to pay passage.[65]

Unfortunately, available records offer little insight into what happened to Pequots on Providence Island. Described as "the Cannibal Negroes brought from New England," they were likely used as agricultural and household laborers who may have never been granted freedom.[66] After seven months in the Caribbean, the "Mr. Peirce" who had delivered the Pequots to their final, albeit incorrect, destination returned to New England without any Pequots. He bore on his ship "cotton, and tobacco, and negroes, etc., from thence," which it appears had been exchanged for the Pequots.[67]

Most of those Pequots who remained on the mainland ultimately spent little time in captivity. As soon as the Pequots were allocated to colonial families, "some of them ran away and were brought again by" Indigenous allies and neighbors, and the escaped Pequots were "branded on the shoulder."[68] Many Pequot captives fled English households, primarily finding sanctuary among other southern Algonquian groups. One of Winthrop's Pequot "Runawayes" was aided in her escape by Mohegans acting at the direction of Uncas, the Mohegan sachem.[69] As Fickes puts it, "in fleeing from New England towns to Mohegan and Narragansett communities, the runaway captives exhibited their preference for relatively familiar living

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[61] Letter from William Baulston to John Winthrop, Jr., 22 May 1647, *Winthrop Papers*, vol. 5, 165.
[62] For thinking about rural (and women's labor), albeit a few decades later, see Laurel Thatcher Ulrich, "Martha Ballard and Her Girls: Women's Work in Eighteenth-Century Maine," in *Work and Labor in Early America*, ed. Stephen Innes (Chapel Hill: University of North Carolina Press, 1988), 70–105; and Marla R. Miller, *Entangled Lives: Labor, Livelihood, and Landscapes of Change in Rural Massachusetts* (Baltimore: Johns Hopkins University Press, 2019), 81–107.
[63] *Winthrop's Journal*, 1:227–8.
[64] Letter from Patrick Copeland to John Winthrop, 4 December 1639, vol. 4, Papers of the Winthrop Family, Massachusetts Historical Society.
[65] Letter from Patrick Copeland to John Winthrop, 4 December 1639, vol. 4, Papers of the Winthrop Family, Massachusetts Historical Society.
[66] On slavery and the Pequots on Providence Island see Karen Ordahl Kupperman, *Providence Island, 1630-1641: The Other Puritan Colony* (Cambridge University Press, 1993), 172–79 (quote on 178).
[67] *Winthrop's Journal*, 1:260.
[68] *Winthrop's Journal*, 1:225–6.
[69] Letter from Roger Williams to John Winthrop, 23 July 1638, *The Correspondence of Roger Williams*, vol. 1 (1988), 168.

patterns," while the loss of Pequot labor helped drive English colonists toward the implementation of African slavery.[70]

Winthrop and The Body of Liberties

During the Pequot War there was no legal code in the Massachusetts Bay Colony. In 1641, however, the Body of Liberties was adopted. Described by legal historian John Witte as "a new Magna Carta for colonial Massachusetts," it contains roughly one hundred wide-ranging clauses and would go on to provide a model for other New England colonies and to influence the drafting of the 1780 Massachusetts Constitution.[71] On slavery, clause 91 declared that:

> 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 require. This exempts none from servitude who shall be Judged thereto by Authoritie.[72]

As Brian Tobin observes, while "not a ringing endorsement of slavery, the Body of Liberties nevertheless admits of it, opening the way for the official sanction of slavery."[73] It may also have placed new limits on slavery. It is possible that the passage dealing with slavery, clause 91, might be best understood by reading it in context with the other two sections that precede it also dealing with "Liberties of Forreiners and Strangers:"

> 89. If any people of other Nations professing the true Christian Religion shall flee to us from the Tiranny or oppression of their persecutors, or from famyne, warres, or the like necessary and compulsarie cause, They shall be entertayned and succoured amongst us, according to that power and prudence god shall give us.
>
> 90. If any ships or other vessels, be it freind or enemy, shall suffer shipwrack upon our Coast, there shall be no violence or wrong offered to their persons or goods. But their persons shall be harboured, and relieved, and their goods preserved in safety till Authoritie may be certified thereof, and shall take further order therein.[74]

Read in this context, clause 91 sounds more like a limitation on slavery, villeinage, and captivity, villeinage referring to a form of unfree tenure that was already defunct in England by this time.[75] Some English common-law treatises, such as Edward Coke's *Institutes*, spoke approvingly of the enslavement of enemies taken in war.[76] Enslavement was fairly widespread in the sixteenth and seventeenth centuries in the context of war and otherwise.[77] Yet the slavery clause in the Body of Liberties hints at some attempts to limit the spread of the status of slavery. "By designating slaves as 'strangers,'" Bremer notes, "this law did not pass the status of slavery on to children born in the colony."[78] Bremer also observes that

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[70] Fickes, "They Could Not Endure That Yoke," 81.
[71] John Witte, "A New Magna Carta for the Early Modern Common Law: An 800th Anniversary Essay," *Journal of Law and Religion* 30, no. 3 (2015): 438.
[72] Body of Liberties, §91, in *Colonial Laws of Massachusetts*, 53.
[73] Brian G. Tobin, "Body of Liberties," in *Civil Rights Movements: Past and Present*, 2nd ed. (Ipswich: Salem Press, 2020), 93.
[74] Body of Liberties, §§89-90, in *Colonial Laws of Massachusetts*, 53.
[75] Bremer, *Forgotten Founding Father*, 312 (indicating that villeinage, "an unfree status of subjection of individuals to others," had "disappeared in England by the sixteenth century").
[76] See Bremer, *Forgotten Founding Father*, 313.
[77] See Bremer, *Forgotten Founding Father*, 313.
[78] See Bremer, *Forgotten Founding Father*, 314.

the practice of punishing Englishmen with enslavement ended at this time, although he attributes this to "the increasing identification of slavery with Indians and African Americans."[79]

The Body of Liberties, conceived in fits and starts, was ultimately drafted by "a committee of one", Calvinist minister and lawyer Nathaniel Ward, who worked as a barrister in England before migrating to New England in 1634.[80] In his broader journal entry, one senses Winthrop's growing discomfort with the direction of the draft of a legal code, as he set out his sense of the kinds of challenges that were slowing progress on the adoption of a body of fundamental law, including an observation that the fundamental laws of England had arisen organically, beginning as lived custom, such that a similar, slow path toward a fundamental body of law might be appropriate in this instance, too:

> Two great reasons there were, which caused most of the magistrates and some of the elders not to be very forward in this matter. One was, want of sufficient experience of the nature and disposition of the people, considered with the condition of the country and other circumstances, which made them conceive, that such laws would be fittest for us, which should arise pro re nata [i.e., naturally] upon occasions, etc., and so the laws of England and other states grew, and therefore the fundamental laws of England are called customs, consuetudines. 2. For that it would professedly transgress the limits of our charter, which provide, we shall made [sic] no laws repugnant to the laws of England, and that we were assured we must do. But to raise up laws by practice and custom had been no transgression; as in our church discipline, and in matters of marriage, to make a law, that marriages should not be solemnized by ministers, is repugnant to the laws of England; but to bring it to a custom by practice for the magistrates to perform it, is no law made repugnant, etc.[81]

In any event, Ward's model won the day and came to be known as the Body of Liberties.[82] Bremer notes that Winthrop was no longer governor when the General Court took up the text of the Body of Liberties in 1640, although he did make known his opposition to the codification.[83] Winthrop, "recognizing that his stand was unpopular," still "tried to deflect adoption of the code by arguing that such laws were prohibited by the charter, which required that the colonists make 'no laws repugnant to the laws of England.'"[84]

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[79] See Bremer, *Forgotten Founding Father*, 314. But see John Donoghue, "Transatlantic Discourses of Freedom and Slavery during the English Revolution," *Storicamente* 10, no. 32 (2014): 3-4 (describing the punishment of religious dissident Samuel Gorton and others with "a year of bondage and hard labor in chains"; it is not clear whether this form of penal servitude was understood to be slavery). Having fled to London, Gorton would describe Winthrop as "the 'Great and Honoured Idol General' who by the 'sleights of Satan' endeavoured 'to subject and make slaves' of all those within and without his jurisdiction."

[80] Witte, "A New Magna Carta," 438. For the reference to Ward as a "committee of one", having been appointed by Governor Winthrop and the General Court to draft a statement of rights and liberties, see James C. Heigham, "The 1641 Body of Liberties and Capital Punishment in Seventeenth-Century Massachusetts," *Massachusetts Legal History* 10 (2004): 47.

[81] *Journal of John Winthrop, 1630-1649*, 314-315.

[82] *Colonial Laws of Massachusetts*, 8. On the fate of the drafts by Cotton and Ward, see Daniel R. Coquillette, "Radical Lawmakers in Colonial Massachusetts: The 'Countenance of Authoritie' and the Lawes and Libertyes," *The New England Quarterly* 67, no. 2 (1994), 188-89.. See also *Journal of John Winthrop, 1630-1649*, 380, n. 32 (indicating that some of Cotton's draft made it into the 1641 enactment).

[83] Bremer, *Forgotten Founding Father*, 306.

[84] Bremer, *Forgotten Founding Father*, 306.

Notwithstanding Winthrop's reservations, copies of the draft *Body of Liberties* were sent to all the towns, and the Body of Liberties "was voted to stand in force" at a session of the General Court on December 10, 1641.[85]

Professor John Winthrop (1714-1779)

Professor John Winthrop was a polymath scientist and the Hollis Professor of Mathematics and Natural Philosophy at Harvard College. Winthrop, alongside David Rittenhouse, was one of the first American scientific thinkers to be taken seriously in European circles. He was described by one author as, next to Benjamin Franklin, "the greatest American scientist of the 18th century."[86] Other historians of science we spoke with, however, were less impressed by his scientific contributions. Winthrop also served as acting president of Harvard College on two occasions, although he declined the permanent office due to his age and health. He was an astronomer of some note in 18th century America, taught at Harvard from 1738 until near his death in 1779, and served for two short periods as interim President of Harvard College.

Early American slavery was not a monolith, and other forms of unfreedom existed along a continuum in Professor Winthrop's era. Nonetheless, given the domestic slavery practices and census figures previously discussed, it is more likely than not that Professor Winthrop enslaved two people: George and Scipio. George appears in the 1759 almanac, where he was infected with measles during an outbreak in the city; he died "of a hectic," on 13 May at the age of 24 years and 1 day old (making his date of birth 12 May 1735).[87] As of now, no additional sources about George have been discovered. Scipio also appears in an almanac annotated by the Winthrops in 1759, when his height is recorded as 3'11" with shoes; given his size, John Winthrop estimates the boy's age as 8 ½ years old.[88] Records from December 1759 and 1760 again record his height, with Scipio having grown to 4'1.5" by December 1760.[89] No records of Scipio after this date have been found, suggesting that he was freed, transferred to another family member or outside the family, or died in the intervening years (in a year no Winthrop family almanac survives). John Winthrop's second wife, Hannah Winthrop (née Fairweather/Fayerweather) had many family connections to other enslaved men named Scipio, but there is no evidence for how the Winthrops came to hold Scipio.

Hannah outlived her husband by over a decade. In her will, she left "to Phillis a Negro Woman who now lives with me five dollars over & above her wages due; also, some of my common cloaths such as my Sister shall think proper & suitable for her." Phillis may have begun her life and service to Winthrop enslaved, although it seems clear she was not in 1790. Seven years previously in 1783, courts had legally ended slavery in Massachusetts, although the practice persisted in some cases.

4. Perspectives on Winthrop Denaming in the Harvard Community

Over the course of its process, the committee embarked upon a rigorous cadence of consultation within and beyond the campus context that surfaced a wide variety of feedback on the topic of denaming. Individuals with strong feelings for and against denaming lent their perspectives, alongside others for whom the matter was not clear cut. It was not uncommon to hear from individuals who held no strong views about the denaming question, nor was it uncommon to encounter individuals who simultaneously

[85] *Colonial Laws of Massachusetts*, 9. Bremer dates the adoption of the code to May 1641. Bremer, *Forgotten Founding Father*, 306.

[86] John Langdon Sibley *Biographical Sketches of Graduates of Harvard University, in Cambridge, Massachusetts*. Cambridge, [Mass.]: Charles William Sever, University Bookstore, 1873. Vol. 9, Graduates of the Classes of 1731-1735, 240.

[87] Almanac, 1759, Papers of John and Hannah Winthrop, Harvard University Archives, seq. 5.

[88] Almanac, 1759, Papers of John and Hannah Winthrop, Harvard University Archives, seq. 5.

[89] Almanac, 1760, Papers of John and Hannah Winthrop, Harvard University Archives, seq. 8.

found common ground with arguments both for and against denaming. While difficult to capture the breadth and richness of perspectives shared, the below sentiments related to denaming emerged regularly in conversations and correspondence:

- Objection to the John Winthrop name stemming from perceptions of its namesakes' connection to behaviors and attitudes toward marginalized communities
- Fondness for the Winthrop name because of its association with elements of early American history
- Attachment to the Winthrop name among current and former residents because of its association with their residential experience
- Isolation from elements of the residential experience related to discomfort with the Winthrop name and legacy
- A view that removing the Winthrop name would be a symbolic gesture that would not address day-to-day obstacles to belonging faced by students from marginalized and underrepresented backgrounds
- That denaming would be a basic means of signaling Harvard's commitment to advancing a culture of inclusion and belonging
- Dissatisfaction toward the Winthrop name in the context of the broader naming ecology at Harvard in which marginalized communities are underrepresented
- A sense of solidarity with and admiration for individuals who led the denaming effort
- Concern that denaming might be interpreted as an act of historical erasure and seen as an attempt to sanitize, rather than reckon with, Harvard's complex legacies.
- Uncertainty about what denaming might entail on a practical level
- Questions of whether denaming Winthrop House would precipitate further denaming activities, and varied views on whether that hypothetical development would be positive or negative
- A feeling that how the Winthrop name and legacy is represented within the residential space should be considered in tandem with—or in lieu of—denaming
- A view that naming is an honor that should not uplift legacies that include behaviors or beliefs that we would condemn
- Emphasis on the importance of symbols and naming, and their interaction with the lived experience on campus and beyond

5. Findings and Recommendations

<u>The Winthrop Name</u>

The depth of the committee's research, outreach, and deliberations reflected the complexity of the central question of whether to dename John Winthrop House. Committee members remained open to all perspectives and moved through the process without any preconceived notion of a rightful outcome. The final proposal, to keep the name "Winthrop" but remove the given name "John" was hard won.

In adhering to its charge of approaching history with humility, the committee found the full picture that emerged to be complex. Aspects of Governor Winthrop's legacy are certainly worth embracing. Among other things, his famous aspiration that the new colony should become a "city upon a hill," the goodness of whose way of life could become a model for the world, has become a central feature of the American identity. One historian of the period told the committee that, even if Governor Winthrop's legacy was in some ways marred, she took inspiration from re-reading "A Modell of Christian Charitie" each year. Especially over the course of the last year, when Harvard has been mired in such difficult conversations concerning racism, antisemitism, and Islamophobia, the reminder of that noble aspiration is worth emphasizing, even if the full substance of the goodness to which we should aspire must remain obscure. At the same time, Governor Winthrop had no particularly close relation to Harvard, and he was not the person after whom Winthrop House was intended to be named.

Professor Winthrop, for his part, did have a long connection with the University, and his contributions to science were probably the greatest to have come out of Harvard College in the 18th century. There are certainly some things worth celebrating in his legacy. That said, many scholars agree that he was not among the most important of colonial scientists during his period, and his contributions as acting President of Harvard College were not particularly noteworthy.

We are left with the sense that the Winthrop name in general has positive associations that push in favor of retaining the house name, although there are complications associated with restricting it to these two individuals. Indeed, through community engagement, committee members encountered ample evidence that the John Winthrop name, in the full context of broader obstacles to belonging, contributed to an environment that undermined the ability of some community members to participate fully in the life of the University—most notably in the residential experience. And in its extensive research, the committee found evidence that both Governor John Winthrop and Professor John Winthrop likely held some beliefs and engaged in some behaviors that we now regard as abhorrent and would have been considered objectionable by some even in their own time. Still, the degree to which those beliefs and behaviors are a significant component of the life and legacy of both John Winthrops is a question that invites reasonable disagreement.

Elements of Governor Winthrop's role in the Pequot War might rightly be questioned today, but clear and convincing evidence that the Governor played a singular role in the conflict or was directly involved in the Mystic Massacre was not uncovered in the committee's research. Moreover, the committee came across little to suggest that his actions were widely objected to by his peers within the context of war and accompanying norms at the time.

The assertion that the expansion of slavery in New England was attributable to Governor Winthrop in view of his perceived role in developing the Body of Liberties was also considered by the committee. But given differing interpretations of the intent and ultimate impact of clause 91, and the evidence that Governor Winthrop held reservations about the document's adoption as a whole, the committee could not attribute to Governor Winthrop a seminal role in the expansion of slavery based on his stature in the Massachusetts Bay Colony during the period that the Body of Liberties was debated and adopted. Even so, both these legacies attract concern by some scholars today.

While the evidence available to the committee about Professor John Winthrop was not ample, the committee concluded that he was more likely than not an enslaver. His likely enslavement of George and Scipio took place at a time and in a context far different than that of Governor Winthrop, within the last three decades before the practice of slavery was legally ended in Massachusetts. Opposition to slavery—spanning the hierarchical spectrum from prominent colonists to enslaved persons themselves—was not uncommon in Massachusetts during Professor Winthrop's era. While being an enslaver would not have been abhorrent to all at the time, the committee grappled with what this behavior meant in Professor Winthrop's lifetime, whether direct participation in the practice merits denaming in the full context of a person's legacy, and how the legacy of the Winthrop name has evolved over time.

The reasons for proposing to take the given name "John" off the name of the House, therefore, are driven more by context than by principle. We could not agree that the overall legacy of these two men demanded removing their names from the House. Governor Winthrop was not the intended referent of the name at all, and Professor Winthrop's place in the naming of the House and his contributions to Harvard and to the scientific community have long been obscured. Because of this, the moral complications in their legacies seemed a more decisive factor. These two Winthrops in particular, therefore, did not seem worth singling out.

Still, the Winthrop name itself has many positive associations. In addition to the contributions of the two John Winthrops, other Winthrop family members may have lived lives worth reflecting upon. One family member associated with the College for instance, Robert Charles Winthrop (class of 1828), was celebrated by Frederick Douglass as "the beloved Winthrop" for his support of the Union cause. No doubt there are others—the committee itself had the benefit of hearing the reflections of Winthrop descendants who underscored the spectrum of legacies tied up with their lineage. The Winthrop name therefore mixes elements worth embracing with those worth repudiating; all are worth remembering. Perhaps this is the most that one can hope for from an almost four-century long history of a family.

Ultimately, the process of thinking through these questions resulted in something richer for the committee than straightforward answers. The deep engagement with Harvard and its history that we pursued did generate some pride. But it also produced a fitting discomfort with the question of what it means to be a part of an institution whose past is long, complicated, and at times dark, and whose present cannot be untangled from the whole of its past. This rich and complicated involvement with our place seems both appropriate and fulfilling. Bearing in mind its charge to approach history "through a lens of reckoning and not forgetting," the committee agreed that to completely dename Winthrop House would reduce the likelihood that the broader Harvard Community might be afforded the opportunity to reckon with the institution's history in a similarly profound way.

Another issue factored into discussions as well. John Winthrop House is unique, among the twelve Harvard Houses, in having a given name associated with it. In this way, its naming practice is out of line with the rest of the Houses at Harvard. The chance to reflect on an entire family, whose contributions to Harvard and to the country will no doubt be mixed but nevertheless will have substantial positive connotations, seems an opportunity that is precluded by the addition of a given name. The chance that students and community members will discover and celebrate other members of the family in the future, as Lowell House has come to focus on the legacy of Amy Lowell, seems an important one for engaging with the history of the House and learning to find a way of belonging to it.

For all these reasons, we recommend that John Winthrop House become Winthrop House hereafter.

Spiritual Renewal: Contextualizing the Winthrop Name and Preparing for Harvard's Fifth Century

As one of the earliest denaming committees convened, the committee recognizes that the scope of its recommendation options—to "take no action, dename, or to keep the name but contextualize it"—was predetermined by the process put in place in 2021. Yet, the committee is in full agreement that no single option stated above can fully capture the depth of its work, the layers of nuance and complexity unearthed, and the substance of its inner wrestlings and deliberations. Thus, the committee's biggest collective concern is that its recommendation to retain the Winthrop name is not flatly interpreted nor one-dimensionally understood.

The honest reflections and the range of perspectives elicited from this process brought into sharp focus the interplay between Harvard's vast memorial ecology and perceptions of belonging within our shared campus and communal spaces. These enduring fault lines cannot be mitigated through the singular act of denaming; it will require a multi-pronged approach that engenders courageous inquiry about the complexities of our past in the present—and future—and a more profound commitment to the virtues of belonging. Only then can we advance and sustain a "culture of belonging" integral to how we learn, work, teach, and live at Harvard.

Placemaking—a concept often used in the domains of public history, civic engagement, and community-centered initiatives—is an inherently participatory approach to advancing a culture of belonging that promotes citizenship, resilience, pride, and creative solutions to improving the quality of life in shared spaces. In short, placemaking works to deepen the connection between people and place. Given the breadth of the information amassed over the course of a year and the meticulous investigation of voices

across and beyond the Harvard community, the committee strongly urges that its recommendation to retain the Winthrop name be considered and implemented in tandem with the following placemaking recommendations.

Winthrop House Placemaking

As a residential campus, Harvard's housing system is foundational to undergraduate students' personal, intellectual, and social lives and fosters lifelong ties for alumni, faculty, visiting scholars, and residential staff. During committee listening sessions, students emphasized how rituals, dining traditions, visual culture, nomenclature, the historic built environment, proximity, and collateral—including housing day videos and other paraphernalia (i.e., tee-shirts, hats, etc.)—impacted their morale and sense of belonging. In addition, many students posed questions about campus naming conventions and memorialization practices, and others balanced their advocacy for denaming with concerns about historical erasure and high-profile incidents that impaired some students' sense of safety and belonging.

Such lines of inquiry in mind, the committee recommends that Winthrop community members be supported in new and existing efforts to democratize storytelling and narrative-based practices and in promoting historical inquiry and constructive dialogue to deepen a culture of belonging in the House. As the first residential space to undergo a denaming review, Winthrop House could serve as a vanguard in this respect. The committee could envision a variety of student-centered undertakings to contextualize the Winthrop name, such as:

- Considering how the House's memorial ecology impacts the lived experience of community members and finding ways to enhance the relationship between Winthrop House's spaces and its people
- Seeking out creative opportunities for residents and other community members to learn about the House's history and engage with its complexities
- Centering belonging in the evolution of House rituals and visual culture. Tradition is dynamic, shaped by the past but also by our intentionality in the present. In revisiting and revitalizing traditions with a view toward meeting the needs of the 21st century, Winthrop can model how to grapple with complexity through tradition.
- Opening up space for more expansive interpretation and exploration of the Winthrop name and legacy in light of the recommendation to remove the given name "John" from the name of the House.
- Evaluating the merits of co-naming—the pairing of a traditional name with a more contemporary one from within the Harvard community—to symbolize a community where tradition is neither fossilized nor static but instead evolving, continuous, and dialogical.

While the Winthrop House community should play a leading role in considering whether and how to implement these recommendations, the many possibilities through which these ends could be pursued captured the committee's imagination. Ideas included:

- Establishing a dedicated resident tutor position to explore and record the House's history and to share and pass down findings to future generations of Winthrop community members
- Employing class gifts and other senior traditions as a means of feeding the House's archive and cementing a commitment to proud stewardship of the House's evolving traditions
- Developing a seminar about Winthrop House and its history that residents and other students can take for credit
- Incorporating Winthrop alumni into historic inquiry and placemaking efforts to further enliven the links between the House's present and past
- Drawing on existing inter-House traditions like the House Cup to explore how competition—when applied to concepts like history and placemaking—can draw in other residential communities

- Exploring the possibility of a book series—authored by students—on each of the residential communities

The committee imagines that while Winthrop House might be first in such efforts, other Houses and residential communities would in time develop their own means of engaging with their unique histories. The committee recommends the President and FAS Dean consider offering financial and other support to bolster programming. The proliferation of such efforts would, in the committee's opinion, foster spiritual renewal as the University approaches the milestone of its 400th anniversary.

Acknowledgements

This process was strengthened immeasurably by the contributions of many individuals and groups. Experts in early American history and other subjects at Harvard and beyond helped to illuminate the life and times of both John Winthrops, enabling the committee to fulfill its charge of grounding its process in intellectual inquiry and approaching history with humility. The assistance of the Harvard University Archives and the New England Historic Genealogical Society was invaluable, as was Camden Elliott's.

Many members of the Winthrop House community were generous in sharing their time, offering their questions and views, and welcoming the committee into their space to understand the House, its history, and its people. The committee appreciated the assistance of Winthrop family descendants who lent their unique perspectives. And the committee is thankful to members of the Mashantucket Pequot Tribal Nation for sharing their insights and experiences, helping the committee to better understand the legacy of Governor Winthrop beyond Harvard.

Support from the Office of the President and Provost and from the Faculty of Arts and Sciences was critical in advancing the committee's efforts. Members are grateful to Alan Garber, Claudine Gay, and Hopi Hoekstra for ensuring that the committee had the resources necessary to meet the rigors of its charge.

And finally, members of the committee are immensely grateful to the students who advocated for denaming, convened conversations, and shared their views throughout this process. Advocates devoted an extraordinary amount of time and labor to this undertaking. Many individuals gave of themselves, not only by offering views on denaming, but by sharing the personal experiences that led them to become involved in the effort. The stewardship of the Generational African American Students Association and Natives at Harvard College was essential in not only bringing attention to vital questions, but to enabling the committee to carry out its work. The leadership and kindness of Clyve Lawrence, Kiersten Hash, and Elyse Martin-Smith is especially appreciated. The committee was humbled by the work of all the individuals involved in the effort, and sought to honor their contributions by amplifying the issues of belonging that were raised in this process. The Harvard Community as a whole is fortunate to have benefitted from their efforts, and the committee hopes that their work and this report will be in service of shaping a future for Harvard that is strengthened by the lessons of its past.

Appendix

I. NEHGS report on George and Scipio

Case Subject: George and Scipio
Case Number: M012224C

Research Report

We first reviewed the wills of John and his second wife Hannah for any mention of enslaved peoples. In his will written in 1774, John does not name any enslaved people, nor do any of the other probate papers. He does request an inventory of his property be included with his wife's papers upon her decease. His will was probated in 1779.[1] Hannah died 6 May 1790. In her will written in 1790, she names "Phillis, a negro woman" who lives with her and leaves her five dollars above her wages due and some clothes. As requested by her husband, there is an extensive inventory included with his wife's probate. Although slavery was abolished in Massachusetts in 1783; and there was no record of an enslaved person in this inventory. Phillis is not included on the record of payments from the estate.[2]

Scipio

All that is known about Scipio comes from a written record in John's 1759 almanac, in which he states having a boy he names Scipio measuring 3 ft. 11 in. with shoes. Comparing the boy to his son, John estimates the boy to be around 8 ½ years old, which puts Scipio 's birth around 1750-1751. Interestingly, John doesn't know exactly how old Scipio is, so it is unclear how he obtained ownership of Scipio or where Scipio may have been born. Based on when this entry was added in the almanac, it seems he received Scipio around November 1759.[3] At this point, John was already married to his second wife, Hannah (Fairweather) Tolman.

We searched for records of Scipio (and various spelling variations) in Massachusetts between 1750 and 1790 vital records but did not find any records naming the location

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[1] *Middlesex County, MA: Probate File Papers, 1648-1871*, AmericanAncestors.org, Middlesex Cases 24000-25999, Probate #25356:1-10.
[2] *Middlesex County, MA: Probate File Papers, 1648-1871*, AmericanAncestors.org, Middlesex Cases 24000-25999, Probate #25353:1-36.
[3] *Annotated almanac, 1759*, Papers of John and Hannah Winthrop, Harvard University Archives, seq. 5, accessed online. **[page 11]**

Cambridge or surname Winthrop.[4] We also checked records of the Church of Christ in Cambridge – where all of John's children were baptized – but found no records for any enslaved people or "servants" of the Winthrop family in church records.[5]

With no initial records, we turned to the papers of John and Hannah Winthrop held at Harvard University and examined the digitized records for any mention of Scipio. In a 1760 almanac, there is a record that Scipio was 3 ft. 11 in. in December 1759, but as of 20 December 1760, he was 4 ft. 1 ½ in. "both times without shoes." At 10 years old, their son James was still below 4 ft.[6] Scipio wasn't listed in any of the baptisms or deaths included in the almanacs for 1761, 1764-1777, 1779-1780, or 1784-1789. Other almanacs were missing from the collection or did not feature information on any deaths.

Although there were no account books listed in the collection at Harvard University, there was a daybook featuring some appointments and family accounting between 1766-1777. This collection is not complete, yet we found in a 1771 and 1772 account that Winthrop lists weights for who we assume are people in the household, but a Scipio is not listed.[7] More weights in 1777 are recorded, but again, no listing for a Scipio.[8]

Thus far, the December 1760 record is the last record of Scipio we can locate. This leaves three possibilities:

1) John freed Scipio/Scipio left the house
2) John gave Scipio to someone else (possibly a son who married)
3) Scipio died in one of the missing almanac years

John Winthrop's sons

John had three sons that out lived him. John Jr. was married but died intestate in 1800. Scipio is not named in this probate record.[9] A second son, James, was unmarried and died testate in 1821. He names his brother William and heirs of his deceased brother John, as well as friends in the document. When he writes the will in 1818, he leaves $50 "to the man and woman, who shall be living with me as domestic help at the time of my decease". When payments were made, one was made to Amos Craig, the father of

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[4] *Massachusetts: Vital Records, 1620-1850*, AmericanAncestors.org.
[5] Stephen Paschall Sharples, *Records of the Church of Christ at Cambridge in New England, 1632-1830, comprising the ministerial records of baptisms, marriages, deaths, admission to covenant and communion, dismissals and church proceedings* (Eben Putnam: Boston, 1906).
[6] *Annotated almanac, 1760*, Papers of John and Hannah Winthrop, Harvard University Archives, HUM 9 Box 6, Volume 5, seq. 8, accessed online. **[page 12]**
[7] *Daily pocket journal of John and Hannah Winthrop, 1766-1779*, Papers of John and Hannah Winthrop, Harvard University Archives, HUM 9 Box 8, seq. 11. **[page 13]**
[8] *Daily pocket journal of John and Hannah Winthrop, 1766-1779*, Papers of John and Hannah Winthrop, Harvard University Archives, HUM 9 Box 8, seq. 20. **[page 14]**
[9] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 20000-21999, Probate #21224:1-27.

Presbury W. Craig, a minor who lived with James as domestic help, but no mention of Scipio in this document.[10] A third son, William, died unmarried and testate in 1825. He left Nabby Allen who "has lived with me many years and has conducted herself much to my satisfaction" a lot of land and a dwelling house. He also left money to another servant, Olive Wakefield.[11] There was a Nabby named on a 1772 weight list in Winthrop records, so there is an assumption that this could be the same person that was in his parent's home.[12]

Land Records

Next, we checked the grantor deed records in Middlesex County from 1639-1799 to see if John, his wife, or his sons sold any land to a Scipio. Following John's death, his family did disperse a bit of land in Cambridge, but none to a Scipio, nor did any of the neighboring land records name a Scipio. We looked for any mention of a Scipio in grantee/grantor records and located two entries with that name. One was Salem Scipio/Sippio in the 1760s in Middlesex and one was Scipio Ladd in Charlestown in the 1780s. Unfortunately, neither matched to the Winthrop family land nor had any connection to the family.

Revolutionary War Records

We thought it possible that Scipio may have served in the Revolution, and based on our earlier mention of him, he would have been about 23 at the start of the war. First, we checked the *Massachusetts, U.S., Soldiers and Sailors in the Revolutionary War* collection, a multi-volume index of transcribed service records. There was no Scipio Winthrop listed, so we expanded our search to just the name Scipio with no last names (and the various spellings in the index). Unfortunately, we did not find any tied to the Cambridge area.

George Quintal conducted a study into patriots of color called *Patriots of Color 'A Peculiar Beauty and Merit,' African Americans and Native Americans at Battle Road & Bunker Hill*, which was published by the National Park Service in 2004. He documented 124 men who fought at the Battle of Lexington and Bunker Hill. There were mentions of people named Scipio, but none were tied to the Winthrop family or Cambridge.

Family Probate Records

We examined the probate records of other family members related to John Winthrop, starting with the three siblings mentioned in John's 1774 will. His brother Samuel was baptized in 1716 and died in 1779, right after his brother John. There was no mention of

[10] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #25354:1-69.
[11] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #25357:1-44.
[12] [see footnote 7]

a Scipio in his probate.[13] His sister Lucy was baptized in 1721, married George Jaffrey in 1758, and died in New Hampshire in 1776.[14] We were unable to locate her probate record. His sister Mary was born in 1724, married John Phillips in 1762, and died in 1794. There was no mention of a Scipio in her probate record.[15]

Hannah Fairweather/Fayerweather's Family

Next, we examined the family of John's second wife, Hannah (Fairweather/Fayerweather) Tollman. Hannah, the daughter of Thomas and Hannah Fairweather, was born on 25 February 1726. She married Farr Tollman on 10 December 1745; he died in 1751. There were no servants or enslaved people named in Farr's probate.[16] Hannah went on to marry John Winthrop in 1756.

Hannah's father died in 1733 and in his probate's inventory, there is a "negro boy named Scipio" and a "negro woman named Maria" named.[17] Hannah's mother died in 1755, the year before her daughter went on to marry John Winthrop. There was no inventory list in Hannah's (mother) probate, nor was anyone mentioned in her will besides family. She left much of her estate to her son Samuel.[18] But since we knew there was now a Scipio in the Fairweather family, we examined more records in Boston. The following were mentions located in records of Boston, Massachusetts:

- 13 May 1734 – Scipio, "negro man of Mrs. Hannah Fairweather" marries Jane, "negro woman of Capt. Edward Tyng," both of Boston.[19]
- 8 August 1735/6 – Scipio, "negro servant to Mrs. Hannah Fayrweather" baptized.[20]
- 29 August 1736 – Prince, child of Scipio, servant to Mrs. Fayrweather, baptized.[21]

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[13] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #17037:1-18

[14] Lucy Jaffrey, *U.S., Newspaper Extractions from the Northeast, 1704-1930*, Ancestry.com, Original data: Massachusetts, Boston: Various Newspapers, Death (Outside Boston), Abbe-Johnson, image 585.

[15] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #20372:1-13.

[16] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #9865:1-5.

[17] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #6511:8. **[page 15]**

[18] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #10944:1-5.

[19] Scipio Unidentified, *Boston, MA: Church Records, 1630-1895*, AmericanAncestors.org, *Records of the First Church in Boston*, p. 396. **[page 16]**

[20] Scipio Unidentified, *Boston, MA: Church Records, 1630-1895*, AmericanAncestors.org, *Records of the Old South Church in Boston*, p. 183. **[page 17]**

[21] Prince Unidentified, *Massachusetts: Vital Records, 1620-1850*, AmericanAncestors.org, Roxbury 1:398. **[page 18]**

- 1 March 1740/1 – Scipio, "negro servant to Mrs. Hannah Fayrweather" admitted to full communion.[22]

The Scipio mentioned in the above records is too old to be the child listed with the Winthrop family. We were also only able to find one child born to Jane and Scipio, but it is possible they had more children that were not recorded. The listed son, Prince, would also be too old to be the Scipio living with the Winthrop family in 1756.

Also important to note is that this Scipio should not be confused with Scipio, the servant of Capt. John Fairweather, who was freed in his 1760 will. Captain Fairweather's Scipio bought land in and around Boston under the name 'Scipio Fairweather'.

To expand on Hannah (Waldo) Fairweather, Hannah's mother, we investigated her life events in records. She was the daughter of Jonathan Waldo, and in his 1731 will, he left to his daughter Anne, "my negro man named Scipio."[23] That same year, Anne married Edward Tyng (the individual who enslaved and owned Jane). Unfortunately, after examination, we were not able to locate a record to see if Anne gave or sold Scipio to her sister Hannah after marrying. In this probate record, it includes an account by Thomas Fayreweather on charges incurred by the estate over a series of years. Specifically, under a sundries list, there is a payment to "James Allen making Scipeos Cloaths."[24] Anne died in 1754 and Edward in 1755. In Edward's probate, we found a record for a "negro John," but no Jane or Prince was mentioned.[25]

This series of records show that John Winthrop's wife's family has a history of enslaved men named Scipio enslaved to them. Unfortunately, we have found no clear indication of where John Winthrop may have acquired the boy he named Scipio in 1759.

George

Based on the information in the 1759 almanac. George survived a measles outbreak in January 1759, but on 13 May, George "died of a hectic," blamed on the measles. He was recorded as dying at 24 years and 1 day old. Based on his exact age of death in this almanac, George was born 12 May 1735.[26] A second recording of the same death is

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[22] Scipio Unidentified, *Boston, MA: Church Records, 1630-1895*, AmericanAncestors.org, *Records of the Old South Church in Boston*, p. 34. **[page 19]**
[23] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #6114:1-49. **[page 20]**
[24] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #6114: 43. **[page 21]**
[25] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #11120:1-48. **[page 22]**
[26] [same as footnote 3]

reported in another 1759 almanac, but this entry is recorded as being mostly in the hand of Hannah, John's wife.[27]

We also searched for any records of George in Massachusetts vital records but did not find any records naming Cambridge or Winthrop, including the 1759 death.[28] Nor did we find any references for George in records for the Church of Christ in Cambridge, Massachusetts.[29]

When examining the digitized records at Hollis, Harvard's Library, we did locate another reference to a George. In the 1757 Almanac, there is an insert in which John documents the weights of "all my family" on 1 January. Above three of his sons appear a *Miss Nancy, Molly,* and *George* (132).[30] We were not able to determine if another George was included in the household previously and if this George matches the deceased George in 1759. A small scrap of paper with weights, including of George (134), appears in the 1766 Almanac with a penciled question of "1766?" We believe this scrap of paper is incorrectly placed in the almanac, particularly if it refers to the same George that died in 1759.[31] After this scrap of paper in 1766, we've found no additional references to a George in any documents so far.

Adam Winthrop, John's father, died in 1743. In his inventory, a "neggro woman" is listed at 50 pounds, as well as "an old negro man, decriped" [likely meaning decrepit] and of no value."[32] There was no George named in Adam's will.

Other Available Records

Rebecca Townsend, John's first wife, was the daughter of James Townsend and Elizabeth Phillips. Rebecca's parents married in 1738, by Rev. Charles Chauncy. James Townsend died in 1738, leaving his estate to his wife, son, and daughter. He also left £500 for Harvard University. James' inventory included a "negro man named Cofer" and "a negro woman named Fillis."[33]

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[27] *Annotated almanac, 1759*, Papers of John and Hannah Winthrop, Harvard University Archives, HUM 9 Box 6, Volume 4, seq. 7, accessed online. **[page 23]**
[28] *Massachusetts: Vital Records, 1620-1850*, AmericanAncestors.org.
[29] Sharples, *Records of the Church of Christ*.
[30] *Annotated almanac, 1757*, Papers of John and Hannah Winthrop, Harvard University Archives, seq. 8, accessed online. **[page 24]**
[31] *Annotated almanac, 1766*, Papers of John and Hannah Winthrop, Harvard University Archives, HUM 9 Box 5, Volume 5, seq. 6, accessed online. **[page 25]**
[32] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #7979:1-8. **[page 26]**
[33] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #7155:1-25. **[page 27]**

Rebecca's mother, Elizabeth, died in 1757 and in her probate, there was an agreement between her and her new husband that he could "have, hold, and use negro, goods, chattel." There was also mention of a payment to "John Gooch for a negro." This record was included on another page and stated that the estate had "paid John Gooch for a negro sold Mrs. Chauncy."[34] After review, we could not locate a deed of sale in Suffolk County to verify this statement.

Phillis, a "negro servant to Rev. Dr. Charles Chauncey" had a marriage intention published to Cato, a "negro servant to John Jones, esq" on 10 Feb. 1757.[35] This is likely the same Phillis named in the probate for James Townsend. Charles died in 1787. There was no record of enslaved people in the probate.[36]

We don't know, however, if that Phillis is also the Phillis named in Hannah Winthrop's will in 1790. The first record for Phillis in the Winthrop house is on a 1787 record for shoes for Phillis.[37] It is possible that Phillis went from Chauncey's house to the Winthrop's.

Historical Language and Context

Slavery remained legal in Massachusetts until 1783, but before then, hundreds of people were enslaved in the Commonwealth. Merchants began importing enslaved people from Africa in 1644, trading and selling them for other goods.[38] But even before then, the first mention of a "Moor" in Cambridge was in the home of Nathaniel Eaton, the master of Harvard College, in 1639.[39]

In many town and church records, you will find enslaved people referred to as "negro servants" of a particular person. These designations appeared in the enslaved person's own marriage, communion, or baptismal record. Servan, as we know it, implies a paid position, but when examining probate records, you will find the "negro servants" included on the inventory lists with an estimate of their monetary value. You can see an example in the probate record of John Winthrop's father Adam where an "old negro man" was given "no value." Records of sale and some manumissions can be found along with land deed records in Massachusetts, further showing how these servants

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[34] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #11511:1-33. **[pages 28-32]**
[35] Phillis Unidentified, *Boston, MA: Marriages, 1700-1809*, AmericanAncestors.org, 2:23.
[36] *Suffolk County, MA: Probate File Papers*, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #18847:1-8.
[37] *Annotated almanac, 1787*, Papers of John and Hannah Winthrop, Harvard University Archives, HUM 9 Box 9 Volume 5, seq. 7, accessed online. **[page 33]**
[38] "The Importation and Sale of Enslaved People," *African Americans and the End of Slavery in Massachusetts*, Massachusetts Historical Society.
[39] *Forgotten Souls of Tory Row: Remembering the Enslaved People of Brattle Street*, HistoryCambridge.org.

were viewed as property. You can also find some records in tax valuation papers, though very few exist or have been located prior to the end of slavery.

Sometimes you will find a record of an enslaved person being freed in someone's will or being passed along to another family member. Oftentimes, though, if an enslaved person was transferred to a family member after marriage, these records were not officially documented. Records may also exist in family papers, letters, or accounting papers. Unfortunately, few records exist to fully encapsulate the life of an enslaved person. If there was no official record of freedom, it would be harder to trace free individuals, as many were given similar names.

Conclusion

With the usage of "had" in the almanac, there is no explicit understanding of what Scipio's relationship was to the family. The only two records that exist for Scipio thus far also don't designate a relationship. As John estimates Scipio's age and gives him that name – it doesn't seem likely that he came from a family or friend. It's also unusual that Scipio didn't have his own name given by a prior enslaver, which could mean that he was sold from a stranger without an identity.

We would avoid implying that he, "was watched over like the white children of the family," as Clifford Kenyon Shipton claimed in his biographical sketches of Harvard graduates.[40] If this were true, it's unusual for us not to have located any record of his death or even transfer to another family member in the almanacs. It's even more unusual to not have any record of him mentioned in John's probate in 1779. If Scipio was alive then and treated like "family," John Winthrop would likely have left him something in his will. Additionally, there's no record of his baptism in the church where John Winthrop baptized his whole family. In those church records other "servants," i.e. slaves, of John's contemporaries were baptized. Additionally, while there was record of George on a list described as "all my family," there is nothing similar for Scipio's case.

The above report was prepared by Anjelica Oswald, a full-time researcher on the NEHGS Research & Library Services team. If you have any questions or would like us to research this case further, please contact us at research@nehgs.org or by calling our Director of Research & Library Services, Sarah Dery, at 617-226-1233.

[40] Clifford Kenyon Shipton, *Sibley's Harvard Graduates* (Boston, Mass.: Massachusetts Historical Society, 1956), Vol 9 (1731-1735), 246.

Attachments for Case M012224C:

Annotated almanac, 1759, Papers of John and Hannah Winthrop, Harvard University Archives, HUM 9 Box 6, Volume 4, seq. 7, accessed online	23
Annotated almanac, 1757, Papers of John and Hannah Winthrop, Harvard University Archives, seq. 8, accessed online	24
Annotated almanac, 1766, Papers of John and Hannah Winthrop, Harvard University Archives, HUM 9 Box 5, Volume 5, seq. 6, accessed online	25
Adam Winthrop, Suffolk County, MA: Probate File Papers, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #7979:1-8	26
James Townsend, Suffolk County, MA: Probate File Papers, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #7155:1-25	27
Suffolk County, MA: Probate File Papers, AmericanAncestors.org, Suffolk Cases 24000-25999, Probate #11511:1-33	28-32
Annotated almanac, 1787, Papers of John and Hannah Winthrop, Harvard University Archives, HUM 9 Box 9 Volume 5, seq. 7, accessed online	33