

The Westport Historical Society presents this chapter of an unpublished manuscript to Westport and the wider world on the 250th anniversary of independence. Written by Sally Loomis, these pages will immerse the reader in culture, politics, and religion as navigated by Paul Cuffe during the American Revolution.

With special thanks to the family of Sally Loomis and to the New Bedford Whaling Museum for allowing us to share a portion of her work.

About the Author: SARAH [“SALLY”] MARCIA LOOMIS (b.1905 – d.1985)

Sarah Marcia Loomis, called “Sally,” was born in 1905 in Ann Arbor, Michigan. She graduated Phi Beta Kappa from Wellesley College, Massachusetts, in 1928 and then went on to receive a Masters Degree from Radcliffe College in 1932.

Sally began her career as a teacher at Pine Mountain Settlement School in the poor mountain area of Kentucky. She continued to teach English at various secondary schools and colleges.

In 1957, Sally began another career at the Fogg Museum of Harvard University. She served as administrative and financial secretary for the Harvard-Cornell Archeological Exploration of Sardis.

During her retirement Sally devoted her energies to extensive original research and writing on the subject of Paul Cuffe. She was able to publish an article in the *Negro History Bulletin* in 1974. Her goal of publishing a book on Cuffe, however, never came to pass. Sally died in February of 1985. Her archives and unpublished manuscript are held in the collection of the New Bedford Whaling Museum.

<https://www.whalingmuseum.org/research/research-resources/manuscripts/mss-101/>

<https://pinemountainsettlement.net/biography-a-z/sally-loomis/>

The following chapter is presented without corrections to the author’s punctuation. Handwritten notes have been omitted. Original manuscript pages should be consulted for accuracy.

CAPTAIN PAUL CUFFE (1759 - 1817)

CHAPTER II: THE REVOLUTIONARY WAR

by Sally Loomis

At sixteen Paul had never been to school, nor had he ever been away from home. Now, all at once, there began his introduction to life on water and his education by participation in the ways of men engaged in a dangerous calling. There began also the Revolutionary War, of which no one could foretell the outcome.

We shall assume that Paul was off to sea soon after he turned sixteen in January 1775, for the voyage was a southern one suitable for winter and it was safely completed, as many later whaling voyages were destined not to be. When Paul sailed from southeastern Massachusetts, Boston, ~~the capital~~, was under British rule, her port and shipyards closed; the rest of Massachusetts was virtually independent, under an illegal convention organized by the Committees of Correspondence. In Philadelphia the First Continental Congress had already proclaimed an end to imports from Britain and threatened to cut off exports as well if George the Third's ministers did not repeal the Coercive Acts.

While Paul was "learning the ropes", standing his watch, and keeping a lookout for whales, the British Parliament was debating a bill (introduced February 10) to punish New England by restricting her trade to Great Britain, Ireland and the British West Indies, and prohibiting her fisheries on any part of the North American coast. British merchants and traders petitioned against the bill; English Quakers petitioned on behalf of their Nantucket brethren, who would have no means of support on their barren, unprotected little island if their fleet of 140 whaling vessels stood idle.

Paul was perhaps lowering for a whale, manning his oar in the whaleboat, taking care that the line ran free for the "Nantucket sleighride", and closing in for the kill, as Edmund Burke rhetorically asked Lord Bathurst (March 22), "Pray, Sir, what in the world is equal to it?":

...look at the manner in which the people of New England have of late carried on the whale fishery. Whilst we follow them among the tumbling mountains of ice, and behold them penetrating into... Hudson Bay and Davis Strait... we hear that they have pierced into the opposite region of polar cold, that they are at the antipodes and engaged under the frozen Serpent of the South... Nor is the equinoctial heat more discouraging to them than the accumulated winter of both the poles... whilst some of them draw the line and strike the harpoon on the coast of Africa, others run the longitude and pursue their gigantic game along the coast of Brazil... Neither the perseverance of Holland nor the activity of France nor the

dexterous and firm sagacity of English enterprise ever carried this most perilous mode of hardy industry to the extent to which it has been pushed by this recent people—a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood.

When I contemplate these things—when I know that the colonies in general owe little or nothing to any care of ours... but that through a wise and salutary neglect a generous nature has been suffered to take her own way to perfection... when I see how profitable they have been to us, I feel all the pride of power sink... I pardon something to the spirit of liberty.”

As is so often the way of wars, conciliation (in the form of Lord North's Conciliatory Resolves) came too late. Perhaps Paul, "still in the gristle, not yet hardened into the bone of manhood", was still at sea, stripping blubber from a dead whale fast to the ship, rendering it at the try pots or stowing it in casks, when General Gage sent British troops to Concord to capture patriot munitions, and the embattled farmers fired the shot heard round the world. It was the knell of the whale-fishery. A Nantucket tradition has it that the first Nantucket ship to "cross the line" returned that very day. As ships bespoke each other, spreading the news, they turned their prows toward home, many to be moored, stripped of sails and rigging, to crowded wharves for the duration.

Where was Paul when he heard the news, and did he (how could anyone) grasp its significance? For the later years of the war we shall know more of what happened to Paul and what initiatives he took. At this time our young subject remains an enigma. We would like to know whether and where Paul went ashore on this voyage to the Gulf of Mexico, what he saw and thought of the land and its people: of Florida's Indians now ruled by England, of New Orleans' blacks and French now under Spain.

Everything was new—how could he sort it out? One imagines that a "common hand", part black, part Indian, did not ask questions—and who was there to ask?—but that Paul kept his eyes and ears open. For lack of his own words we cannot tell the story from his point of view. From our own perspective, young Paul "was there", or close in time and place, to events that changed history and affected us all. We need to recall the spirit of '76, but my justification for including events and thoughts this young mustee did not directly share is that they explain the climate in which he lived, introduce characters he would know, and affected his later actions. He was being educated for his life: to go ahead, even though you do not know the outcome; to stand up for your rights; to organize "committees of correspondence"; to make your wants known at "the seat of government"; and, if you are chased by a privateer, to play it cool. Paul's character, too, was going to be much like that of his Yankee, Quaker neighbors.

We do not know when Paul's ship, aided by the Gulf Stream, returned up the coast. The war had come to Buzzards Bay. Ships that could not return to Boston, traders from Connecticut and

Rhode Island turned privateer and brought their prizes into the protected harbor of New Bedford. Only a few weeks after the battle of Concord and Lexington the British cruiser Falcon captured three vessels in the bay. A schooner fitted out in Bedford, or in the more warlike village of Fairhaven across the harbor, recaptured two of them. Quakers Joseph Rotch, Edward Pope and others were in favor of returning the prisoners, but their captors took them to the county jail at Taunton.

We do not know how or where Paul heard the news of the Battle of Bunker Hill in June, a victory so costly for the British as to be counted one for the Americans. He may not have heard that it was a (New Bedford?) black man, Peter Salem, who killed Major Pitcairn, nor that black Salem Poor was commended for heroism. He was more likely to have read in the Newport Mercury (for July 12, 1775) that Negro Cesar, aged 17, who "understands something of the rope making business", had run away from Nantucket, and wondered how Cesar ran away from an island, and wished him well.

In June the Provincial Congress at Watertown resolved that Nantucketers could import provisions for their own use only, and only if written permits from the Committee of Safety were procured by the exporters. The pacifist Quakers of Nantucket were not trusted not to deal with the enemy, but Massachusetts was sympathetic to whaling, and in August allowed permits for voyages on \$2,000 bonds: all oil and bone was to be brought back to Massachusetts' ports, exclusive of Boston (and later Nantucket). About 50 ships, mostly from Nantucket, filed bonds before early January 1776, none appearing after that date. Some whalers left Dartmouth early in the war, but the risk was too great, and Paul's second voyage was in pursuit of trade, not whales.

If I read correctly the date (January 26, 1776?) of Paul's scribble in the family Exercise Book, "Paul Cuffe of Dartmouth in the country of Massachusetts, musto is mye witness that I Paul... and so do hope to remain", Paul was at home in January, and already calling himself Paul Cuffe, rather than Slocum? It was a cold winter, as Washington knew when he crossed the Delaware at Christmas; the new Continental navy was icebound in the Chesapeake. At Paul's first homecoming he doubtless had much to tell and something to bring for the family support, and all the local news to hear. There was also news that Falmouth (Portland, Maine), as well as Norfolk, Virginia had been destroyed. Now came word of the American defeat at Quebec, and soon of the Act of Parliament (December 22) prohibiting British trade with the colonies and declaring all colonial vessels lawful prize and their crews subject to impressment in the Royal Navy: January brought also Thomas Paine's Common Sense, which convinced Washington and many another that independence must now be the object. Paul, just 17, although unschooled and not much exposed to the printed page, may have heard of Paine, who was proud of his

Quaker descent. Even the Dartmouth Quakers, though opposed to revolution as well as war, could read his message and feel which way the wind was blowing.

The winds were contrary for trade, yet it went on. The early accounts say that Paul's second voyage, which could also have been in the sloop Union from Westport, was to the West Indies. That was a big market for cod and mackerel, the poorer fish going to the slaves. Fish had to be preserved in salt, for which the West Indies (with Portugal) were a source. Some whalers went into cod and mackerel fishing near home; others attempted West Indian trade. As the war progressed, West Indian produce became dear, with salt at \$2 to \$4 a bushel and molasses at \$1 a gallon; the West Indians, with their concentration on a single crop, were in dire need of provisions, and Yankee farmers and fishermen in need of markets.

Possibly Paul's ship sailed before the West Indian trade was forbidden in August 1775, or had a letter of marque and reprisal, which Massachusetts issued to merchantmen from the fall of 1775; more likely she sailed without one and unarmed, and in hope of beating the war. Paul's second voyage was more pertinent to his future, as he was to be a trader rather than a whaleman, with much of his life spent in details of cargoes, markets, prices, and payments. The cargo for the West Indies, besides fish, was sure to include white oak staves for molasses, red oak staves for sugar, with cask headings and hoops; it might include spermaceti candles, lard, onions, butter, cheese, hogs, sheep, poultry, beef, pork, bread, bricks, shingles, axes, oak and pine boards, and Narragansett pacers. The West Indian trader often peddled rum down the coast and picked up flour, corn, beef, and pork at Philadelphia, and perhaps rice in South Carolina and Georgia. We do not know the time of Paul's voyage, but traders often left early in the year with an early start to be in the West Indies for the cane harvest and before the hurricane season (August to October) and to anticipate competitors; an early start and a miscellaneous cargo were also insurance against glut and falling prices. The arrangement for Paul's pay may have included privilege to bring back some molasses on his own. If he was on his way down the coast in February, his ship may have sighted the Continental Navy, and like the Navy, made a fast run south.

To avoid British ports and the Royal Navy, Paul's ship may have put in at the Dutch Island of St. Eustatius for news of markets. Much had to be left to the discretion of the captain, who got a commission on the sales, and deserved it. As Capt. Esek Hopkins (now Commodore of the Continental Navy) had written Nicholas Brown and Co. of Rhode Island in 1767 from Dutch Surinam, "I bleve thair is more honner and honesty in so many highwaymen in England then in the marchants of this place". There were some honest factors helpful in supplying return cargo (for a large commission); sometimes the captains dealt with the plantation owners, and crews were sent up rivers with casks for the molasses. Was Paul, a black man, sent ashore? Did he see the slaves, in groups of ten, each with its man with the whip, men and women with bare backs

that bore its mark, harvesting cane, and running to the boiling sheds where the best slaves boiled the syrup and dropped with the heat? Did he see Africans unloaded and sold in the market place? Did he walk in the town markets where blacks sold tropical produce such as he had never seen? Or did he stay aboard ship, marveling at the colorful water and the clustered gay houses of the port, the lush vegetation, the mansions on higher ground? Surely the experience became part of his concern for all black people.

Sometimes there were long waits in port while barter was arranged: cash payment was rare; foreign bills of exchange and promises to pay could result in losses. If the pork went bad and the bread musty, it was still saleable for the slaves. Return cargoes included not only molasses, sugar, and rum, but cotton, cocoa, indigo, coffee, limes, and some imported luxury products. The ship may have gone to French Saint Domingue (later the black republic of Haiti); for salt, ships went to Salt Tortuga, Bonaire, Anguilla, or to Turks Island between Saint Domingue and the Bahamas. It is most unlikely that Paul's ship brought back any slaves—his captain may have been a Quaker, and slavery was on its way out where Paul came from.

Again, he may have seen some naval action, for in March the American Navy, with Lt. John Paul Jones in the flagship flying the Continental flag with thirteen stripes but still the Union Jack as field, captured Nassau and a valuable munitions store. The Navy had a rough passage north, beating its way up the coast against north wind and rain—perhaps Paul did too. Or Paul might conceivably have been in the neighborhood of Fort Moultrie, South Carolina, when the Americans drove off the British fleet of Cornwallis on June 28. Or in the neighborhood of Philadelphia when the Liberty Bell and the Declaration of Independence proclaimed all men free and equal—but for the sake of unity with South Carolina and Rhode Island, did not condemn slavery or the slave trade. Or Paul may have been on his way north when the ubiquitous Jones returned to Philadelphia in August, after taking prizes to New London and sending 100 men from Narragansett to General Washington in New York. Jones' 12-gun, 70-foot sloop Providence, formerly Katy of the Rhode Island Browns, would be hard to miss with her "whale of a gaff-rigged mainsail", her long boom overhanging the stern, her bowsprit almost as long as the deck, a ship dangerous to handle but beamy, speedy, and able to sail about as close to the wind as a modern cup defender.

But perhaps Paul was home by then. Actually the waters around Buzzard's Bay continued to be as hot as any. Perhaps he should have stayed home. One reason we know so little of Paul's adventures at this time is that the account (1811) comes from the Liverpool Mercury—Cuffe had not wished to offend the British, nor did they wish to be reminded of a lost war. So we learn only that on his third (voyage) he was captured by a British ship during the American war about the year 1776; after three months' detention as a prisoner at New York he was permitted to

return home to Westport, where, owing to the unfortunate continuance of hostilities, he spent about two years in agricultural pursuits.

The British had evacuated Boston in March, but took New York on September 15 and held it to the end of the war. So the capture of Paul's ship—hardly surprising—must have occurred after September 15. Had the ship already weathered the equinoctial gales, severe in 1776? Was the crew held on a "prison hulk"? Why was Paul not impressed into the Royal Navy? Apparently many sailors taken at sea by the British escaped this fate. While Paul's destiny hangs in the balance, the matter of prisoners deserves our brief attention.

Prisoners of war are a nuisance and expense. The Americans hardly knew what to do with them and did not take many. They were most useful for exchanges the British were glad to make, except that prisoners taken from American privateers were treated as rebels, traitors, pirates with no rights, another reason to assume Paul's ship was an unarmed merchantman. Who had prisoners for exchange was John Paul Jones. An embarrassment to such a prodigious prize-taker as Jones was the constant loss of his own crew to man his prizes. In late October the Providence overhauled the American privateer Eagle at Tarpaulin Cove at Naushon Island—a rendezvous for privateers on Vineyard Sound—to recover two deserters from the Continental Navy which paid lower wages and smaller shares of prize money than the privateers. Jones was so hard up for crew that he took 20 more men besides, and got into trouble, as he so often did. If Jones had anything to do with Paul's release, one would think Paul might have had an opportunity to sail with Jones and the Navy. A reason for thinking Paul may have owed something to Jones was that he named his first large ship The Ranger, but perhaps it was only admiration.

In the Friends Meeting House and Museum at Nantucket is a plaque listing all the Folgers, Macys, Starbucks, etc. who sailed with Jones in the Ranger and the Bonhomme Richard. Supposedly, captured whalers were given their choice between the Royal Navy and the British whale fleet. Early in the war the Renown, on her way to America, captured ten American whalers and sent them back to England. Some of the hundreds of captured whalers appeared on the Brazil Banks in 1779: 15 of the captains of 17 British whaleships were from Nantucket; John Adams proposed sending a frigate to capture them. John Paul Jones found that the whalers he was sent to rescue from the Nova Scotia coal mines had joined the Royal Navy. There were over a thousand American prisoners in British jails and as Jones released them by exchanges, many joined him in the brilliant exploits of the Ranger and the Bonhomme Richard.

Black prisoners, slave or free, had fewer options and much more reason for apprehension. The British carried off slaves in Virginia and Rhode Island, and some were sold as slaves. There were many examples, right up to abolition, of free black seamen sold into slavery (Quakers like the Rotches and free blacks like Cuffe and his friend James Forten of Philadelphia were sometimes concerned for such cases). Americans were at least as likely as the British to commit the crime.

But when two slaves taken on the sloop Hannibal were put up for auction in Boston in 1776, public opinion was so aroused that the Massachusetts House resolved that captured slaves were to be treated as prisoners of war, not contraband. They were put to work on fortifications, pending eventual substantiated claims by their owners.

Free northern blacks were in less danger. James Forten of Philadelphia, who, like Paul, was free and a minor with dependents, likewise escaped both impressment into the Royal Navy and sale in the West Indies, when he was captured toward the war's end. One would like to have heard James and Paul reminiscing about their war experiences. James had enlisted as powder boy on the privateer Royal Louis, whose captain was Stephen Decatur the elder. It is said that when she was captured by the British Amphion, the son of the British commander was on board, and got his father's promise that young James Forten would not be enlisted in the navy; he was, however, imprisoned on a pestilential prison ship near New York; after the war he spent an apparently happy year in England.

As to Paul, his captain may have been a Quaker, and captains felt responsible for the "people"—as they called their crews. Paul's early experience helps one understand his agitation (in both senses of the word) in 1811 when a young African in his crew was taken by the Liverpool press gang for the Royal Navy.

When and how did Paul get back to Westport upon his release from prison? It seems likely that at least part of the journey was by sea. At the end of 1776, Howe sent 70 transports and 11 warships to take Newport—could Paul have traveled with this flotilla? John Paul Jones was sending prizes to Paul's neighborhood: a Nova Scotia collier, the Betty, arrived at Newport too late and was recaptured; the Mellish (a British supply ship whose captured supplies did just reach Washington before the Battle of Trenton) was taken into Dartmouth; Jones himself reached Providence, but was in Boston from Christmas until spring. Sometimes prisoners were set adrift or set adrift in "cartels" with flags of truce. It was surely not Paul who placed the following notice in the Continental Journal and Weekly Advertiser (Boston, Sept. 11, 1777), but it gives us a picture of the times in Dartmouth, and Colonel Pope is always turning up in our story:

A Person who has been in the hands of the Enemy at (New) York and Rhode Island, and lately put on shore at Dartmouth, in a Carteel, in an almost debilitated condition begs leave in this public manner to return his most grateful and unfeigned acknowledgements to the Gentlemen of that place, and to Col. Edward Pope in particular, by whose care and uncommon tenderness, he has happily recovered his health.

Perhaps Paul was in a debilitated condition when he got home; perhaps he had been on a pestilential prison ship; perhaps he had had smallpox—one would like to know.

So we find Paul back on the farm in 1777, and perhaps glad to be for the time being. Those who want him to be a revolutionary hero will wonder: why did he not enlist in the revolutionary army or navy? Black men had distinguished themselves in all the colonial wars, and continued to distinguish themselves in the Revolutionary and all wars to come. But in colonial Massachusetts blacks (and ministers, councilors, Harvard students) did not report for militia training, though they could be called on for various services when needed and trusted. Everywhere there was fear of arming slaves, and wherever there was a large black population (in Kingston, Rhode Island, blacks were 1 in 3), or where there had been rebellions or scares—as there were again in Boston as recently as 1774—black codes forbade arms to blacks. The Massachusetts Committee of Safety in May 1775 resolved against slaves in the army, but favored enlistment of free blacks. When Washington took command of the Continental troops at Cambridge in June, he issued orders against enlistment of any Negro who was not a settled local resident with a wife and family; in November, he wanted no black men; by the end of the year the picture had changed.

Governor Dunmore of Virginia invited slaves to desert their masters; the British offered them freedom if they would serve in the Loyalist army. (Of all British offenses, this was considered one of the most dastardly.) In July 1776 the British organized a black regiment of 200 on Long Island. By 1778 officers were sent from Valley Forge to enlist blacks in Rhode Island, where a Negro regiment was raised; both Massachusetts and Rhode Island permitted slaves to serve, with freedom as a reward; New Hampshire and Connecticut offered bounties to masters who would free their slaves to serve in the army. Massachusetts managed to organize only two Negro companies. As for the Navy, based at the moment at Providence, no one much cared to enlist—the pay was better on the privateers. Paul might have gone privateering.

The land war moved south as Paul grew older, but Washington continued to call for troops and Massachusetts to lay quotas on the towns. August 8, 1777, there was a call for 1/6 of the able men in the training band and alarm list; although lads of 16 trained with the militia Paul was probably not on the list, but might have accepted hire as a substitute in the draft. Blacks were 2.1% of the population in Bristol County, and some were in the army, but, perhaps in even larger percentage, so far as we know, Paul, mustee and minor with dependents, was not under pressure to go to war. Few wanted to join the army, or navy at any time. When the fighting was close at hand, militias turned out to fight for their homes; otherwise men enlisted for short terms and went home, often deserting to be there for the spring plowing. There was no more enthusiasm for expeditions far from home than there had been in the colonial wars. Soldiering was low paid; often Washington couldn't pay his troops at all. The country was not swept by a patriotic spirit of sacrifice of lives and money. Some sacrificed their "sacred honor" to profiteer; some, as in the Civil War, went West to get away from the whole thing. People carried on as usual; who knew which side would be victorious? Paul probably felt no stake in the outcome; moreover, he was probably a conscientious objector as the family attended the Quaker meeting.

And it was a civil war: in general not a class war—loyalty to the mother country was strong in the upper classes, but the patriot leaders were also men with a stake in the country. Nor, with blacks fighting on both sides, was the division racial; nor, although New York, New Jersey, and Georgia had more than their share of Tories, was the division usually sectional. Everywhere communities and even families were divided.

Even the Quakers were divided. The Society of Friends lost membership as they disowned those who participated even "in the spirit of war". Young Nathaniel Greene of Rhode Island, who became one of the best Revolutionary generals, had his name expunged for "taking arms". In New England and Pennsylvania there were "Free Quaker" groups who justified defensive war, payment of military taxes, and fighting for independence. Quaker Dartmouth produced its share of patriots and heroes. But the official Quaker position was uncompromising on both sides of the Atlantic. The London Meeting was the head of the closely organized Society; American Quakers had close personal ties with British Quakers: there was no Revolutionary War between them. Loyalty to religion came first, but American Quakers remained loyal to the Crown, as the writings of Fox, Penn, and Barclay put them against revolution as unalterably as against war. Men who could produce certificates of membership in the Society of Friends were in some places exempt from military service (this helped no blacks, as there were no black members). But the Friends went further in non-cooperation: they would not accept paper money issued for the war (that was good business!), nor pay war taxes or fines or hire substitutes, nor trade in war or prize goods. All of which made them unpopular. They considered themselves neutrals, but patriots considered them tories. They were in for a bad time.

William Rotch of Nantucket had acquired ten years before, in payment of debt, goods of a deceased Boston merchant, including muskets with bayonets. With bayonets removed, the muskets had sold well to whalers bound for the Straits of Belleisle, where there was abundance of wild fowl. When the war came, "a person from the Continent" (as Rotch puts it) applied for the bayonets, but Rotch, on the Quaker principle that one can not sell what one would not use oneself, threw them into the sea. He was called before a Committee appointed by the Court at Watertown, where he was allowed his religious principles. He was asked, "Then your principles are passive Obedience and non-resistance?"; Rotch replied, "No... our principles are active Obedience or passive suffering" (Rotch Memorandum for 1775 to 1794, pp. 2-5).

Boycott of the Revolution did not rule out acts of mercy, which indeed increased. In 1775 the New England Friends organized "Meetings for Sufferings" on the model of those in London and Philadelphia, and collected £1868 from Friends everywhere to aid besieged Boston. College Tom Hazard and Moses Brown were among those who signed the address to Washington and Howe, presented to both by a committee that crossed both lines to explain that the Friends made no distinction of sects or parties. The Quakers helped many a Massachusetts town where they had

been whipped a hundred years before. Now refugees from Newport put such expense on neighboring towns that the New England Yearly Meeting shouldered it.

With Newport and New York taken, the British had bases from which to send out privateers to hamper trade in the area, and that may have been one reason Paul was temporarily "grounded", but some trade went on coastwise and with the West Indies. Isaac Cory, at Westport Point, was trading in 1777 and 1778 with Bedford, Smiths Mills, Fall River, Providence, even Newport, in rum, corn, tea, "shugar" and "flower". The Corys, according to a descendant, were privateers from Tiverton and owners of the sloop Union, mentioned in their store book as at Westport at this time. Westport harbor, hidden behind sand dunes was, I have heard, known as the devil's pocketbook; perhaps it was safer than Tiverton. In February 1777 the Providence Meeting for Sufferings asked the Westport Friends to appoint a committee to visit the Friends at Tiverton and Little Compton, who couldn't cross Narragansett Bay to their Rhode Island meeting because of British warships. (Joshua Devol, Benjamin Tripp, James Sowle, and Philip Tripp were appointed). Much of our Continental Navy was bottled up in Providence until the end of April.

There was hardship, a tightening of belts, a stimulus to home industry and manufacturing to supply what had formerly been imported. In 1777 The Boston Continental Journal and Weekly Advertiser still advertised Newcastle coals, Lisbon lemons, and French window glass as well as oatmeal casks, rhubarb, wet nurses, standing and running rigging, sails and blocks, and two "double deck Brigs midling well" (double decks for molasses casks, or even slaves), and Thomas Paine's The Crisis. But there is a bounty offered for bushels of homemade salt, and a list of towns (including several in Bristol County) that are to receive salt from the public stores (June 1777). Salt was more needed then than now, to preserve fish and pork. Dartmouth is not listed as receiving salt from the public stores; there it was possible to pump and trap sea water into tanks for evaporation, as Paul Cuffe would do later. At this time John and Paul had no waterfront, and the construction of salt works was, in any case, quite an outlay. "The price of salt manufactured from Sea water within this State" was fixed at 12 shillings a bushel. This one learns from the Dartmouth Town Records, the manuscript pages beautifully covered with transparent silk and preserved in the Town Hall, where one can enjoy a view of the still unspoiled land and water while discovering what Dartmouth was doing in 1777 to prevent war profiteering and inflation. "An act to prevent Monopoly and Oppression" begins:

"Whereas, the avaritious conduct of many persons by dayly adding to the Exorbitant prices of every necessary and Convenient article of Life and Increasing the price of Labour in general, unless a Speedy and effectual stop be put thereto will be attended with the most fatal and pernicious Consequences as it not only Disheartens and disaffects the Soldiers, who have nobly entred in the Service of their Country for the Support of the best of Causes, and Distresses

the poorer part of the Community by obliging them to give an unreasonable price for those things that are absolutely necessary.

and Whereas the Committee is empowered by this State to proceed to Providence in Rhode Island and in behalf of this State there to meet with Committees from the other New England States; and among other things to Confer upon Measures Necessary to prevent Monopoly over the high price of Goods and the necessities of Life and for regulation of Vandue, have in conjunction with Said Committees Recommended that rates and prices be settled and affixed by an Act of this State, to the articles herinafter enumerated."

The local selectmen were "empowered and directed to set and Establish the prices of goods herein not enumerated". It is hard to believe anything escaped the notice of these hard-headed, fair-minded Yankees. "From and after the 28th Day of January 1777 the price of Farming Labour in the Summer Season Shall not Exceed 3s by the day and found as usual ("found" means fed) and so in usual proportion at other Seasons of the year". Prices were set for chocolate, cheese, woolen cloth, Bloomery Iron, and Liver Oil (used for curing leather, rather than as medicine) of American manufacture. "Imported goods shall not be sold at a Higher rate from the prime costs than in proportion of £250 Sterling for what is £100 sterling in Europe". It was necessary to specify not only quality, as "fresh Pork well fatted and of good quallity 4d a pound", "Salt Pork in usual proportion according to the price of Salt", "grass fed Beef" but to name place of landing so as to allow for transportation costs: "Molasses for the single gallon at the place where it is first Landed from the West Indies"; an allowance of one penny for every ten miles to be added to a gallon of West Indian rum from point of landing; "walnut at wharf in Boston", "green oak from the country delivered at door of buyer in Boston", "good oak wood at the head of the Slocum River", etc. Everyone is required to sell to the American army at a reasonable rate, on penalty of having his store opened and his goods sold, as happened to I.K. (Isaac Cory?), on complaint of A,B,C,D,E. The considerate use of initials instead of names suggests that I.K. may have been a Quaker following his religious principles, rather than a profiteer holding out for better prices.

So, as war measures, economic liberties were abridged, and if John and Paul hired themselves out for agricultural labour, as their father had done, or had corn, cheese, and cider to sell, they could not sell in a free and profitable market but neither did they pay high prices for what little they purchased. What is remarkable in this price fixing is the working of grassroots democracy for the common welfare. Despite war with England and civil war at home, 3,000,000 liberty-loving Americans did not lapse into anarchy. They were united by their faith in Law as the preserver of liberty and justice, in a government by Law, not men. If New England traders had always engaged in smuggling from the best motives—Britain had denied them their rights under the British Constitution and Natural Law; now they would give arbitrary power to no man, but retain power in themselves, through their elected representatives, under their own laws. What

is remarkable is their self-confidence and the competence that justified it. To the British democratic tradition from Magna Carta to John Locke, to their reading of Blackstone's Commentaries (next to the Bible and now Thomas Paine, the best selling book in the colonies), they added the self-reliance of the pioneer and long experience and cooperation of town meetings.

So the Americans were not, fortunately really in a "state of nature" as they undertook to draw up their own really social contracts to replace charters from the king, now null and void. Already in September 1776, the Massachusetts House of Representatives asked the towns to have their male inhabitants "being free and 21 years of age or upwards" consider "whether they will give their consent that the present House... together with the Council should enact such a constitution" (as the Continental Congress authorized) for the state. The replies from the towns added up to a vote of limited, if any confidence in the revolutionary government, with its dubious legality and—it was widely felt—inadequate representation for smaller towns. A town like Lexington replied with a document worthy of political philosophers:

“...It appears to us that as all Government Originates from the People, and the Great End of Government is their Peace, Safety and Happiness; so it is with the People at large, or where that is impracticable, by their Representatives freely and equally elected and impowered for that Purpose to form and agree upon a Constitution of Government, which being considered and approved by the Body of the People, may be enacted, ratified and established....”

The Town of Dartmouth met October 19, 1776 and resolved that the House and Council frame a Constitution "to be printed and Sent into every Town... for the inspection approbation or the Rejection of the Inhabitants..."; "that the State be not hasty in Establishing Said form of Government of the Whole State—"; "that During the time that Said form of Government is under Consideration any person or persons may have Liberty to print any... emendations... and that Said... Emendations be Laid before the Several Towns"; and finally that Dartmouth's resolutions and those of other towns all be published three weeks running in the "Newspaper at Watertown". "A True Copy Compd. Benjamin Akin Town Clerk".

With all deliberate speed the General Court on May 5, 1777 instructed the towns at their next elections to empower their representatives to join with the Council in reconstituting themselves as a convention to draft a constitution, which, if accepted by two-thirds of the freemen (voters), would become the new frame of government. In June this new body appointed a committee (the Hon. Robert T. Paine was Bristol County's representative) which worked for six months on a draft constitution for submission to the towns. This was only the first round of the making of the Massachusetts Constitution, on which everyone wanted to make his voice heard. As John Adams wrote a friend:

“You and I... have been sent into life at a time when the greatest lawgivers of antiquity would have wished to live. How few of the human race have ever enjoyed an opportunity of making an election of government, more than of air, soil, or climate, for themselves or their children.”

Of course women, teenagers, blacks and Indians had no voice. Women could hold property and run businesses—like Hannah Cadmon who ran the ferry at Westport Point. They usually received much less education than the men. In Quaker meetings they sat separately and met separately at the monthly, quarterly, and yearly meetings; but women Friends were spiritually equals and were listened to: many Quaker women martyrs, ministers, and pioneers in reform must be ranked among the world's great women. As Quakers they did not press for political power. In general, women's sphere was the home; men took care of the world. As for teenagers, who in those days were often employed in adult work, it was supposed they were still apprentices to life, inexperienced in responsibility and judgment. Not much was said about the rights of Indians. But a great deal was said about the rights of black people, who made tremendous gains during the revolutionary decades of the 1770's and 1780's.

It was impossible for whites or blacks to ignore the relevance of the words of the Declaration of Independence, the doctrine of natural rights, and the teachings of Christianity to the question of slavery. On January 13, 1777, "A Great Number of Blackes detained in a State of slavery" petitioned the Massachusetts legislature, saying that they:

“apprehend that they have in Common with all other men a Natural and Unaliable Right to that freedom which the Great Parent of the Unavers hath bestowed equalley on all mankind and which they have Never forfeited by any Compact or agreement whatever...

...your petitioners... Cannot but express their Astonishment that It have Never Bin Considered that Every Principle from which Amarica has acted in the Cours of their unhappy Dificultes with Great Briton Pleads Stronger than A thousand arguments in favours of your petitioners...”

They ask that their children be free at 21. The legislature paid little attention to such petitions, but the ideas expressed were becoming widely accepted. Even in the South, slavery was regarded by many as evil, but as a "necessary evil" because of the problem of what to do with emancipated blacks. In the North, new state constitutions provided for gradual emancipation. Slaves were being freed, not just to go to war, but from their owners' sense of justice and shame. The Quakers led the way, each meeting laboring to be "clear" of slaveowners, and disowning members who would not comply. By 1778 Boston, Salem, and Lynn could report that they were "clear". Even Newport was "clear" by 1782; many freed slaves from farther south settled in Philadelphia, where they formed an artisan class.

As the war began, the Philadelphia Quakers were laying the foundations of a society for the abolition of slavery, over which such prominent non-Quakers as Benjamin Franklin and Dr.

Benjamin Rush would later preside. Quaker abolitionist Anthony Benezet was teaching a school for black children, which James Forten briefly attended before he left to go to work at the age of nine. It is no accident that black leaders Richard Allen, Absalom Jones, and James Forten rose to leadership in Quaker Philadelphia rather than elsewhere. Their friend and contemporary Paul Cuffe would also be indebted to Philadelphia Friends like James Pemberton, John James, and Samuel Fisher—merchants and philanthropists (lovers of mankind).

The Philadelphia Quakers were never purer, more earnest, nor in so much trouble as during the Revolution. Philadelphia was the revolutionary capital; the "neutrality" of these wealthy Quakers brought punishment upon them from the revolutionary government, from the "Free Quakers" who supported the war, from the city artisan class and the backcountrymen. Some Friends remained loyal to the king. John Dickinson, whose Letters from a Pennsylvania Farmer had helped bring the revolution, refused to sign the Declaration of Independence; fifty merchants, including the Pembertons, had signed the non-importation agreement against the Stamp Act then thanked the king upon its repeal. Abel James and Henry Drinker, consignees of tea, had not tried to land it, but had lent the captain money to get home. As the war advanced, Robert Morris and James Wilson were besieged in their houses; Thomas Mifflin and hundreds of other Quakers were disowned by the Quakers (Mifflin became a general); the Free Quakers, of whom Betsy Ross was one, built a new meeting house at Arch and Fifth Streets, and tried to get hold of the property of the Society.

The Committee of Safety kept visiting the Friends to get them to swear not to trade with the British, and to be loyal to Congress and Pennsylvania. The Quakers would not swear or even promise anything. They felt that Congress condemned them unheard for the same offense yet had condemned Parliament for the same offense in depriving Boston of its liberty without a hearing. The Quakers too were fighting for their liberty, as they saw it:

“Let not fear of suffering, either in person or property, prevail on any to join, or promote any work or preparation for war... We exhort all who make religious profession with us, and especially our beloved youth, to stand fast in that liberty, wherewith through the manifold sufferings of our predecessors, we have been favored, and steadily to bear our testimony against any attempt to deprive us of it.”

Suffer they did. Their printer was suppressed; the minutes of their Committee on Sufferings were seized; their schools were closed; armies everywhere used their meeting houses, smashing the pews for firewood. Philadelphia Quakers had £50,000 of property confiscated; their windows were broken; two were hanged as spies. In the fall of 1777, the war came to Philadelphia, where Howe spent the winter, while Washington camped at near-by Valley Forge. (Congress fled to Baltimore). The Pennsylvania Council was able to take the precaution of arresting 22 leading Friends, parading them through town with fife and drum, and marching

them 175 miles to exile in Winchester, Virginia. They were stoned on the way; two died in exile. Henry Drinker, Abel James, Joshua Fisher, Israel and James Pemberton (friends of the Indians and blacks) were among the number. In April 1778 four of the wives went through the lines at Valley Forge, where Washington gave them a pass to Lancaster, and their husbands were released. Ex-Quaker General Greene said he would not have arrested them. Their troubles were not over: in December 1779 Henry Drinker was roughly handled and jailed by the militia; what grieved him most was that he lost his temper. (Paul Cuffe never lost his that I know of).

It was in the fall of 1777 that the Americans won at last a significant victory at Saratoga; John Paul Jones was despatched to take the news to the French, whose help we badly needed (even though Howe never pressed his advantage). In general, progress on the political front was more glorious than on the military in these years; in particular, the freemen of Massachusetts were, in the spring of 1778, discussing the proposed Constitution submitted to the towns by the legislature after six months' work. The towns criticized the structure of government, the plan for representation, the inadequacy of safeguards to property, and the manner in which the militia was to be controlled—the militias had always chosen their own captains. But two main complaints against the Constitution of 1778 were the lack of a Bill of Rights, and the exclusion of Negroes from the suffrage. Article V read:

Every male inhabitant of any town in this State, being free and twenty one years of age, excepting negroes, Indians and mulattoes, shall be entitled to vote for a Representative or Representatives... in the town, where he is resident provided he has paid taxes in said town (unless by law excused from taxes) and been resident therein one full year... and every inhabitant qualified as above, and worth sixty pounds... shall be entitled to put in his vote for Governor, Lieutenant Governor and Senators...

As the town of Westminster put it, Article V:

“Deprives a part of the humane Race of their Natural Rights, merely on account of their Colour - which in our opinion no power on Earth has a Just Right to Doe, and therefore ought to be Expunged the Constitution.”

Dartmouth, in the Continental Journal, June 1778, noted the inconsistency of the exclusion with the principles for which the revolution was being fought, and favored equal recognition, but said Dartmouth has no Negro, Indian, or mulatto voters. Some counties held conventions to discuss the constitution; some towns returned full reports of their opinions and votes on each article, but Dartmouth's short reply is also typical. The inhabitants, meeting on April 21 and May 19, after duly Weighing and Considering the Contents... were unanimously of opinion, that the said form of government ought to be Rejected; the Number present and Voting at said Meeting were one hundred and forty four. Five selectmen and five members of a special committee on

the constitution sign the paper. The response from all over the state added up to a resounding NO; there would have to be still another attempt to satisfy the freemen of Massachusetts. At any rate, their wishes were now clearer.

John and Paul, or at least John, who was now 21, were assessed taxes of £15 17s. 6d. for 1778, which they did not pay. Perhaps they did not have the money. They had Quaker upbringing and the Quaker example of not paying war taxes. It is likely that they were aware of Dartmouth's opinion on Article V of the rejected constitution, and that they already realized that they were being subjected to "taxation without representation". John's copybook sheds no light on their political thoughts at this time:

"God wayed weights and measures such as that three barleycorns make one inch."

In June 1778 he copied out an evening prayer for a child, it is chiefly devoted to exercises in arithmetic and tables of "God is a god of order... They are wayed in the yest weights and balance", signing himself John Slocum. So it would seem that it was after June 1778 that Cuffe Slocum's children changed their name from Slocum to Cuffe, although they were not always consistent about the change, and Freelove, the youngest, continued to go by the name of Slocum. Of course it is said that the initiative for the change was Paul's, but John did not lack initiative either. "Nobody knows my name," says James Baldwin; one wants to believe that Paul Cuffe knew his African name and wore it proudly. We have, however, not only "Captain Hull's" story of the name change, but Ruth Cuffe's own memory that the initiative was the Slocums':

...and Capt hull told me that the Slocomes woud not have my grandfather Cuffe's children to go by the names of Slocumbes so they called them by their fathers name Cuffe I was abute seven years old when we had to go by the names of Cuffe I rember it well. ...as nigh as I can remember it is about 55 years ago that my sister Cyntha went to Capt hulls house on a visit at Ruseles mills... and he told my sister that the Slocumes alterde the names of Slocombs of her grandfathers children and called them Cufe after their fathers name...

A manuscript biography of Paul Cuffe in the Boston Public Library, not even as reliable as Capt. Hull, says that Cuffe Slocum was called Cuffe in derision. But it is not necessary to believe that the Slocums, even if they did promote the change, wanted the Cuffes to feel disgraced. There were several John Slocums and there was another Paul Slocum, in arrears for taxes, who later became a constable (1787) who went to jail for not paying his taxes (8/18/1770); to prevent confusion it was better that the black Slocums should have a name of their own. And it is extremely likely that by 1778 the Quaker Slocums were embarrassed at the number of black Slocums in Dartmouth and wanted very much to be rid of the stigma of slaveholding.

Just when Paul embarked on his dangerous venture to the islands, we do not know; perhaps the Slocums wanted nothing to do with that or had something to do with it that they didn't want

known. They had their own troubles on their islands. John Slocumb on Pasque Island entertained several British officers the evening of April 2, 1779; but when they talked of attacking Falmouth the next day, he secretly dispatched his son down Naushon to Woods Hole to warn the Falmouth people, many of whom were Quakers. It was prudent to be hospitable to the British, though they raided Naushon and Pasque and carried away cattle, sheep, and supplies. Holder Slocum, landing two pairs of oxen on Naushon in 1778 could be suspected of supplying the enemy. From Westport on a clear day Paul could see British ships at his beloved islands, including Cuttyhunk, where they drove a sloop ashore. The Admiralty Records report:

“H.M.S. Unicorn, John Ford, Commander: Monday May 4, 1778 Still in Buzzards Bay 2 leagues from Katty Hunk on the S.W. Tuesday May 5th, Moderate fair weather, sent the Boats man'd and armed in chace of a Schooner which they drave on shore and set her on fire, at Noon ye boats returned. Joined company with the Sphinx and Harlem Sloop and 2 transports with troops from Rhode Island.”

John Paul Jones had departed to harry the British on their own coast in hopes they would have to keep more ships at home, but the British continued to rule the waves in Buzzard's Bay. French aid now appeared in form of d'Estaing's fleet, but just as the French were about to land at Newport, a gale sprang up in Narragansett Bay and drove them out to sea. As Morison describes it:

There they encountered Lord Howe's fleet, reinforced by that of Commodore Byron, which had just arrived from England. The summer gale became a line storm, and both fleets were kept so busy cutting away masts and avoiding collision, that no battle developed....

Cuffe may have seen the disabled French fleet as it then proceeded to Boston, where the French "sailors on liberty were beaten up by Sam Adam's waterfront mobsters". Or he may have seen the British fleet on its way to attack New Bedford in September.

Bedford harbor, a haven for American privateers, was guarded by Fort Phoenix with 8 cannon on the Fairhaven side, and two cannon at Clark's Point on the other. On September 5, 1778, when most of New Bedford's defenders had gone to fetch another cannon, the British fleet landed 4000 troops at Clark's Cove (to avoid the forts). The troops marched up County Street and put some 70 shops, 20 storehouses, and two ropewalks to the torch. They killed four citizens and took 16 prisoner; they blew up the fort at Fairhaven and raided towns on the other side of Clark's Cove: Padanaram and Russells Mills. The fire engine Joseph Rotch had imported from England was quite helpless: he lost his house, wharf, storehouse, ropewalk, and went back to Nantucket. (Joseph Rotch had also lost his son, Joseph Jr., who had gone to England to recover his health. This son had done family business in Boston, where Phillis Wheatley met him, and

wrote a sonnet "To a Gentleman, on his voyage to Great Britain for the Recovery of His Health", which concludes:

"May R--- return to view his native shore - Replete with vigor not his own before: Then shall we see with pleasure and surprise And own thy work, great Ruler of the skies."

From Westport east toward Bedford, west toward Newport, south toward the islands, the waters teemed with British warships and American and British privateers preying on each other and on trading vessels. Yet Paul Cuffe, showing remarkable initiative, persistence and daring, was determined to be out there. He didn't even have a boat, yet he wanted to "go it alone" (though he would have welcomed assistance). Privateering or piracy were not within his means or inclination; his object was first of all trade, beginning necessarily on a very small scale. The early accounts say he built a boat "to trade with the Connecticut people", but he did not trade with Connecticut at this time. The Westport Friends' history says that Paul at 20 with his brother John formed the Nantucket and Long Island Commerce Company, of which I can find no evidence. Historian Weeden, writing of Rhode Island, says (II, 761):

"A feeble and dangerous communication was maintained in open boats with the ports of Long Island Sound. These boats could be stolen by the British cruisers off Newport in places where sailing vessels would have been captured."

Cuffe, farther east, clearly had Nantucket as object. The open boats he kept building and losing surely had sails to be used whenever possible (he did not row the 100 or so miles that a round trip would be). In the Liverpool Mercury and subsequent accounts of Paul's trading ventures during the war, he is continually victimized by "refugee pirates". The word "pirate" was commonly applied to privateers in the area, the real distinction being that privateers were licensed—Massachusetts licensed some 1000?, Rhode Island 200. "Refugee" was the word used for Tories who had taken refuge in Newport, as well as those patriots who had fled Newport or New York, now in British hands. Very likely Paul, out there in Buzzard's Bay, was fair game for both sides. Neutral Nantucket was considered Tory. To carry supplies there Paul needed a permit from Massachusetts which he probably did not have. So Paul's first trading ventures were, from the patriot view, illegal or even traitorous. They may also be considered "Quakerly" or humane. Nantucket was short on food and supplies. As William Rotch wrote:

"About 1778 the current in the country was very strong against us at Nantucket... the vessels we sent after provisions were sent back empty... we were sometimes in danger of being starved... people began to murmur against me, little considering that if we had taken a part, there was nothing but supernatural aid (which we had no reason to expect) that could have saved us."

Perhaps Paul saw Nantucket boats sent back empty. However he got the word, or whatever encouragement he may have received from Quakers, no one supplied him with a boat. Of the

opportunities, prevalence, and daring of individual traders and privateers in revolutionary New England, Weeden says:

“Wherever a keel could be laid successfully or be floated beyond reach of the British cruisers, the Yankee shipwright and bold rover of the seas started his little craft.”

Paul, aiming at trade and aid, built a small boat and enlisted the help of his brother David, who was twelve years older, and perhaps lived where there was access to water. But David had never been to sea, and when the two embarked, they had not gone "many leagues" before "the perils of the ocean, and the hazard of a predatory warfare which was carried on by the Refugees" were too much for David, and they returned, abandoning the venture. But before long Paul again collected a cargo, "went to sea and lost all the little treasure which by the sweat of his brow he had gathered," including the boat. Now Paul "with his own hands, formed and completed a boat, from keel to gun-wale". One would like to know just where Paul built and launched this boat: the accounts say he launched it "into the ocean", and "steered for one of the Elizabeth Islands to consult with his brother on his future plans"—was brother Jonathan at Martha's Vineyard, and did Paul take the Vineyard Sound route to Nantucket? He did not reach the islands:

“he was discovered by the Refugee Pirates, who chased and seized both him and his vessel; robbed of everything he returned home penniless...”

David, however, agreed to help him build another boat if Paul would “furnish the materials... This being accomplished, the respectability of Paul Cuffee's character at this time procured him sufficient credit to enable him to purchase a cargo.” Paul must have appeared to have something besides sheer nerve for anyone to consider him a good risk at this juncture. And his troubles continued. "He proceeded towards Nantucket and... was again chased by the Refugee Pirates, but escaped them by night coming on; he however struck upon a rock on one of the Elizabeth Islands and so far injured his boat as to render it necessary for him to return to Westport, to refit..." (Sow and Pigs Reef and Canapitsit Channel by Cuttyhunk Cuffe could be presumed to know—no telling where he was attempting to pass through) .

...he again set out for Nantucket where he arrived in safety but did not dispose of his cargo to advantage. He afterwards undertook a similar voyage, with better success, but as he was returning home he again fell into the hands of the Pirates and was deprived of his all except his boat, which they permitted him to take, not however without his having received much personal injury and ill treatment from them.

...he prepared for another voyage in his open boat with a small cargo, he again directed his course towards the Island of Nantucket. The weather was favourable and he arrived safely at

the destined port, and disposed of his little cargo to advantage. The profits of this voyage strengthening the confidence of his friends enabled him still farther to enlarge his plans.

This was how one started in trade. One wonders at what point Paul came to the attention of William Rotch, Sr., Joseph Rotch (now at Nantucket), and especially William Rotch, Jr., who was just Paul's age. Their descendant and biographer John M. Bullard considered William Rotch, Jr., who was to be Cuffe's friend, rather colorless, but anyone was colorless compared to William Rotch, Sr.. In Rembrandt Peale's portrait, William, Jr., has his father's long nose, high forehead, and shoulder length hair but appears handsome, mild, and kind. One would think the Rotches, who were well-disposed to black people, must have been aware of the arrival of this enterprising young Paul Cuffe with supplies. Perhaps he was paid in their beautiful new (1772) counting house, still there near the harbor as the Pacific Club of later captains—the Rotch ship Beaver was the first whaler to round the Horn to the Pacific. Young William Rotch was no doubt already in business, and sometimes his father was off on "diplomatic" missions for Nantucket, or being tried for treason. December 29, 1779, William Rotch Jr. wrote his future father-in-law, Samuel Rodman of Newport, commenting on the "very dolorous" situation of the Newport Friends, and says "Father" has gone to Boston where William Rotch Sr. had been impeached for high treason on "Thomas Jenkin's Complaint".

It is interesting how that came about, and again, Paul may have seen some of the action. In 1779, seven armed vessels from Newport arrived at Nantucket. Rotch, with Timothy Folger, Sam'l Starbuck, and Kezia Coffin, tried to reason with the Tory commander, but Thomas Jenkins' warehouse, as well as Rotch's, was plundered, and a brig of which Jenkins owned "the moiety" was carried off. Jenkins was for attempting her recapture and found citizens ready to help, but Rotch prevented the attempt which could well have caused battle and bloodshed. Rotch, thanks in part to his friend Walter Spooner at the Court, had a fair trial and escaped conviction for aiding the enemy. Massachusetts also held it treason to visit a British port without permission, but Rotch did not consider Nantucket part of Massachusetts, or indeed of the United States. With two other Nantucketers appointed by the selectmen he visited Newport and got a promise that Nantucket would not be attacked again. In New York they got to Sir Henry Clinton through one of his Aides—"Major Andre that fine young man who lost his life as a Spy"—and received a promise that nothing would be taken out of Nantucket harbor and that Nantucket seamen held as prisoners would be released if taken on unarmed vessels. The committee also got 15 permits (later 24 more) for whalers to fish on the American coast unmolested by the British (but those permits were in themselves valuable prizes and Rotch was accused of not knowing what became of them all).

One should read Rotch in his own words. At another time he and ten men and two women were captured by a British privateer when on their way to Yearly Meeting at Sandwich. Rotch lost his

boat: they were put ashore in a "cedar boat" by a man with a cutlass shouting "Begone". But whenever Rotch was menaced by a bayonet or cutlass he looked the bearer in the eye. Yes indeed. It would seem that neither Paul Cuffe nor his Liverpool biographer exaggerate difficulties getting to Nantucket, which Paul remembered well as a mature man of 52 was as well as to nature of man. At 20, Paul was probably punished by the patriots for dealing with the "tories," as the Dartmouth assessors, on behalf of the Commonwealth, judged that John and Paul, with the Cuffe farm and Paul's commercial ventures, should be paying substantial taxes. In 1779, they were assessed £9 2s. 8d.; £29 16s. 10d.; and £29 18s. 9d. which again they did not pay. Sherwood gives a list of Quakers who had property confiscated for war taxes. Much of this tax was for the war; really, all of Paul's wartime behavior was property like that of a good Quaker. Some of the tax was poll tax, but John and Paul were not among the qualified voters now again concerned with writing a constitution for the state.

In February the Massachusetts House of Representatives asked response from the towns as to whether they would empower their representatives for the next year to vote to call a state convention to draft a constitution. Two-thirds of the towns replied in the affirmative before the deadline of the last Wednesday in May, and on June 15, 1779, the new House recommended a convention of delegates from each town equal to the number of its representatives to the General Court; the new constitution had to be accepted by two-thirds of the citizens present in the town meetings. Dartmouth elected two delegates August 2; Nantucket and Dukes counties, still subject to British raids, sent none. Some towns sent instructions with their delegates. "The sense of Gorham relative to a mode of government" was "the more simple, the less Danger of the loss of Liberty and most tending to happiness with the lest expence". Gorham recommended as model "the Jewish Synedrem approved by heaven" and the Bible. In this period of lawmaking, there was much not yet clarified by the state that was quite clear to Quakers, blacks, and believers in natural law and the Bible. In the Dartmouth Records of Marriage Bans, Nov. 6, 1779, is the appeal of a father that his daughter be denied marriage to one Christopher Joseph, on the grounds (1) that he was not consulted so could not give his daughter parental advice; (2) that he is not satisfied "but what it is against the Law of the State, by a mixture of blood there may be in the said Christopher; and (3), that he is:

"Conscious within myself the Word of God Testifies against the marrying amongst Strange Nations as may appear by X Chapter of Ezra also in Nehemiah XIII from the 23rd verse to the end, and in many other places."

(Note use of the word "nations" instead of "races").

At this time we know more of John's thoughts than Paul's. That John was concerned for civil justice and Christian mercy is indicated by a copy of a petition in the family Scrap Book (CP I 99)

signed by himself and several others, not including Paul (who was still a minor) and dated July 1779:

“friend I humbly Be seach thee to consider this man that thou has taken with out a cause and for conscience sake for he is a poor man and hath had great deal sickness in his family and hath no person to help him and hath a great family of four children... “

"This is to be called the Hard winter," John wrote. "Massachusetts Bay was froze so Hard that horses crossed... from island to island with men upon their backs". College Tom wrote that Narragansett Bay was frozen over; not a ship moved in Newport harbor; it was a very hard winter for sheep. We shall find many very cold winters in Cuffe's lifetime; "the Little Ice Age" came upon New England. 1780 was the year of the debate over the new Massachusetts Constitution; it was also the year John and Paul went to jail for non-payment of taxes (recorded in the Cuffe Papers). The first of their petitions protesting taxation without representation is dated February 10, at which time they were still "at liberty" and the Constitutional Convention, with John Adams chief architect of the document, was in the sixth and last month of its labors on the draft to be submitted to the towns.

I quote in full the petition in the Massachusetts archives, a cooperative effort expressing the different predicaments of many blacks and "mungrels", and appeals to the revolutionary logic, to justice, to pity, even a prayer to God to enlighten the General Court. The petition is marked as received March 14, labeled on the outside as "the Negro's & Molatto's Petition for Freedom from Taxation In Dartmouth", then, after some illegible words, "March 16, 1780 Wm.? Stickney?, Wm.? Thomas, Capt. Sumner", probably the committee to whom it was referred or by whom it was presented, if it was. Moore says the legislative records of that period were destroyed; register no petition of either good or bad (good Quaker though he was).

John has written on his copy, "This is the copy of the petition which we did deliver unto the honorable Council and House for relief from Taxation in the days of our distress. But we received none".

“To the Honourable Council, and House of Representatives in General Court assembled for the State of Massachusetts Bay in New England

The Petition of Several poor Negroes & Molottoes who are Inhabitants of the Town of Dartmouth Humbly Sheweth That we being Chiefly of the African Extract and by Reason of Long Bondag and hard Slavery etc. have been deprived of Injoying the Profits of our Labour or the Advantage of Inheriting Estates from our Parents as our Neighbourers the white peopel do, having some of us not Long Injoyed our own freedom and yet of Late, Contrary to the invariable Custom & Practice of the Country, we have been & now are Treated both in our Polls and that Small Pittance of Estate which through much hard Labour & Industry we have got together to

sustain our selves & families withal We apprehend it therefore to be hard usag and will doubtless if continued Will Reduce us to a State of Beggary whereby we Shall become a Berthon to others If not timely prevented by the Interposition of your Justice & power & your Petitioners farther Sheweth that we apprehend ourselves to be Aggrieved, in that while we are not allowed the Privilege of freemen of the State Having no vote or Influence in the Election of those that Tax us yet many of our Colour as is well known have cheerfully Entered the field of Battle in the defense of the Common Cause in that as we Conceive against a similar Exertion of Power (in Regard to taxation) too well known to need a Recital in this place that these the Most honourable Court we Humbley Beseech they would to take this into Consideration and Let us aside from Paying tax or taxes or cause us to Be Cleaired;

for we Ever have Been a people that was fair from all these thing Ever since the Days of our four fathers and therefore we take it as ahead Ship that we should Be So Delt By now in these Difficulty times, for there is not to exceed more than five or six that hath a cow in this town and therrfore in our Distress we send unto the thee most Honourable Court for Releaf under the peaceableness of thee people and the mercy of God that we may be Released for we are not allowed in voating in the town meeting in nur to Chuse an oficer, neither their was not one Ever heard in the active Court of the Jeneral Assembly in one of us—

the poor Distressed miserable Black people & we have not an Equal chance with white people, Neither By Sea nor By Land, therefore We take it as ahead Ship that poor old Negroes should Be Rated which have Beeb in Bondage Some thirty Some forty and some fifty years and now Just got their Liberty Some By going into the Service and Some by going to Sea and others By good fortan and also poor Distressed mungrels which Have no larning and no land and also so House Neither where to put their head But some Shelter themselves into an old rotten hut which the Dogs would not Lay in.

Therefore We pray that these may give no offense at all By no means But that thee most Honourable Court will take it into Consideration as if it were their own case for we think it as to Be ahead Ship that we Should Be assessed and not be allowed as we may Say to Eat Bread, therefore we Humbley Beg and Pray thee to plead our Case for us with thy people O God that those who have the Rule in their hands may Be mercyfull unto the Poor and needy give unto those who ask of thee and he that would Borrow of thee turn thou not away Empty. O God Be mercyfull unto the poor and give unto those who giveth ought unto the poor.

Therefore we Return unto thee again: most honourable Court that thou Wouldest consider us in these Difficut times, for we send en nur come unto thee not with false sounds neither with lieing Lips, therefore we think that we may be clear from Being called tories though some few of our Colour hath Rebelled and Done wickedly, however we think that their is more of our Collour gone into the wars according to the number of them into the Respective towns than any other

nation have and therefore we Most Humbley Request therefore that you would take our unhappy Case into your serious Consideration and in Your wisdom and Power Grant us Relief from Taxation while under our Present depressed Circumstances and your poor Petitioners as in duty bound Shall ever pray etc.

Dated at Dartmouth the 10 of February 1780 John Cuffe Adventure Childs Paul Cuffe Samuel Gray (signs with X) Pero Howland Pero Russell Pero Coggshell”

Which of the grievances in this petition applied to John and Paul? Had Paul, by taking supplies to Nantucket, "Rebelled and Done wickedly" and been called "tory"? The words seem more applicable to slaves who joined the British forces to gain their freedom; and one doubts that Paul felt he had "done wickedly". A discovery that blacks had "not an equal chance with white people by sea" probably contributed to Paul's determination to go it alone. Had John and Paul had difficulty inheriting Cuffe Slocum's estate? On November 4, 1779 Paul (still a minor) had paid executor James Soule \$7 for all his expenses, but the settlement seems to have dragged on to 1783 or even 1785. James Sowle moved to New York State. First there may have been difficulty about their ages—by 1780 both were of age. There was a discrepancy between the amount of land in the deed (though it reads "more or less") and the amount by survey; there is an undated legal advice in the Cuffe Papers (CP II 125) that:

“where there are fixed and known Boundaries of Land they will govern although neither the Courses or Distances, nor the Quantity of the land mentioned in the conveyance agree.”

Compare map (CP II 126) and there is a map with a white oak and a black oak, so perhaps the advice refers to this farm and deed and there was some question raised. Was their difficulty because of the mixture of races? Children of slaves took the status of their mother, and theirs was Indian—but land purchased and bequeathed by a free black man would seem not to be "Indian land" entailed conditionally on improvement. And they were farming it: in 1781 they had a flock of sheep and their mother owned a cow. At any rate, it appears John and Paul were being taxed on estate as well as polls. If the estate was not theirs it could not be confiscated for taxes, and that, as well as the mixture of races, could possibly stand to their advantage "taxwise" in what followed.

Although, as John said, they received no relief by their petition, it eventually brought them more fame and gratitude than they deserved. The account in the Liverpool Mercury in 1811, which everyone copied for a hundred years and more, states that the Massachusetts legislature, as a result of the Cuffe petition:

passed a law, rendering all free persons of color liable to taxation according to the ratio established for white men, and granting them all the privileges belonging to other citizens. This was a day equally honorable to the petitioners and the Legislature. A day which ought to be

gratefully remembered by every person of color within the boundaries of Massachusetts, and the names of John and Paul Cuffee should always be united with its recollection.

Although the "Friend of Africa" who wrote this account based it on what Paul Cuffe told him, Paul had left Liverpool before the story appeared, and its English writer, in his enthusiasm, may have drawn his own conclusion that the petition brought about the improved situation that followed. Post hoc ergo propter hoc. I doubt that Paul believed he and John changed the law of Massachusetts. At the time the petition was received by the legislature, the Constitution of 1778, which explicitly denied blacks the vote, had been rejected; the new constitution, ready for submission to the towns, was not drafted by the legislature but by a convention which probably never saw the Cuffe petition. The Constitution of 1780 omits all mention of "negroes, Indians and mulattoes" and begins with a Declaration of Rights containing 30 articles, of which the first proclaims that "all men are born free and equal". There was nothing in the Constitution to deny Negroes the vote if they could meet the property qualifications for voting.

The Constitution had still to be ratified. Dartmouth met early in May and appointed Edward Pope (chairman), John Chaffee, William Tallman, Jonathan Taber, Job Almy, John Smith, and Benjamin Russell a committee to study the Constitution and report back May 22 at noon. The committee report was unanimously accepted by 152 freemen at the meeting. Dartmouth wanted to abolish all property qualifications for voting and give the vote to all who paid a poll tax:

the Committee recommend... that in the 4th article, 25th page, the words 'sui juris and that pays a poll tax, except such who, from their respective offices and age, are exempted by law', be added after the words 'every male person' and to expunge the following clause in said article, namely, 'having a freehold estate within the same town of the annual income of three pounds, or any estate of the value of sixty pounds',-- for the following reason: such qualifications appears to your Committee to be inconsistent with the liberty we are contending for, so long especially, as any subject, who is not a qualified voter, is obliged to pay a poll tax.

It is clear that Dartmouth believes that people who can not vote should not pay a poll tax; one wishes the statement was clearer in respect to black people, but Dartmouth had objected to their exclusion from voting in the Constitution of 1778, and probably had them in mind. I quote this in full because it is what William C. Nell quoted in his *The Colored Patriots of the American Revolution* (1855) to show that the Cuffe brothers changed a Massachusetts law! Dartmouth's amendment was not accepted by the Constitutional Convention. Nell was indebted for his material to Joseph Congdon of New Bedford, who was working on a biography of Paul Cuffe, and to whom we are much indebted for collecting information and Cuffe papers. George H. Moore, in his *Notes on the History of Slavery in Massachusetts* (1866), pp. 196-199, questioned Nell's conclusion that any law had been changed. Coming under attack, Moore wrote James B.

Congdon, brother of the late Joseph, and in their long correspondence (CP II 254-297, 301, 316-319, 323-324, Jan. 29 to March 17, 1868), Congdon traced the original story to the Liverpool Mercury and supplied Moore with summaries of everything on the Cuffe Papers. Both went into the two constitutions but were unsuccessful in getting anything from the State House or the Taunton Clerk of Court. Congdon received a reply from Nell, who also wrote to the State House. Fifty years later, Arthur Buffinton examined the records in the Bristol County Courthouse for Henry Noble Sherwood, whose article, "Paul Cuffe" in *The Journal Of Negro History* (VII:2) April 1925 also made use of the Cuffe Papers in the New Bedford Public Library. Despite Sherwood's coverage of the story and his conclusion that the Cuffe brothers changed no law, the 1811 story dies hard.

Liberal Dartmouth also objected to giving the legislature power to increase property qualifications for office holding, fearing it might be done "in such a manner as may be dangerous to the Liberties of the people". Dartmouth instructed its two representatives to the Constitutional Convention, Walter Spooner and Rev. Samuel West, to support Boston on enlarging freedom of speech and the press to criticize "publick Men and their publick Conduct," and on restricting suspension of habeas corpus to "time of war, Invasion or (officially declared) Rebellion" only, and never for more than six months (the Constitution allows 12 months' suspension upon "most urgent and pressing occasions"). The Constitution makers had considered Quaker objections to oaths, but Dartmouth objected to the word "defend" in the promise of officers to "defend the Commonwealth against traitorous Conspiracies and all hostile attempts whatsoever". And, having no paid ministers, the Quakers objected to being required to support the ministry:

We humbly conceive (this requirement) intirely out of the power of the legislature... as it is a matter that solely relates to and stands between God and the Soul...

The Massachusetts Constitution went into effect June 15, 1780, without the changes Dartmouth wanted, since almost every article had a two-thirds vote of approval from the towns. This was the first successful use of convention and popular referendum for writing a constitution, and a model for the federal constitution to come. "I stile it glorious" said one Joseph Hawley, "The Hampshire Cato", although I humbly conceive it has several great blemishes... but still it remains glorious in respect of the great quantity of excellent matter contained in it. Still the Cuffes did not vote, and another £61 18s. 4d. had been added to their still unpaid tax bill.

Despite foreign loans, 1780 was a desperate year financially for the revolutionary cause. Congress made requisitions on the states, which passed the demands to the towns. Massachusetts may have wanted to bear down on Quaker Dartmouth, or judged Dartmouth to be rich from privateering, trade, whaling, fishing, farming: Dartmouth's state tax of £41,136 for 1780 was exceeded only by the levies on Boston and Salem. But Dartmouth had suffered

severely from British depredations on land and sea: there was no whaling, and while privateers made fast fortunes, they lost them as fast: few came out in the red at war's end. Dartmouth's county tax was £354 18s 4d; new assessors chosen "at a town meeting Legally warn'd and held at the Town House in Dartmouth March 28th day 1780" were directed to pay it. Were the new assessors less sympathetic to blacks and "tories"? Surely the rising fortunes of the Cuffes and their failure to pay could hardly escape notice and resentment, when everyone was severely taxed. Still the blow did not fall, and life went on as usual for the Cuffe brothers. Perhaps trade out there on the sparkling waters was less precarious for Paul after Rochambeau's capture of Newport in June. Young farmer John describes himself in the Exercise Book as a mustee man or being of a molasses color Dwelling in Apponegansett the House next to the Millstream Bridge upon the side of the highway that leads from the head of Acushnet River to the Head of Coaxet River (CP II 47) and records "the remarkable vision of the sun's darkness": "The sky was yellow. The little sheep lay down. Fowls ceased feeding. The fish of the sea would not bite". It seems to be an eclipse, but "the sun was yellow for many days. One could look right at it" as one might if it were darkened by a raging forest fire near by, or a severe volcanic eruption in the hemisphere. I have not located the cause; perhaps it was a vision, or something John had heard about. He collected marvels.

Both brothers pursued their self-education, John making "black spots or birds eggs" in squares to show "how many hills there is in one Rod standing 4 feet apart", how many to an acre. He, (or could it be Paul?) progresses to Chapter 16 in the textbook *The Double Fellowship* (CP II 47-50) and such problems as "if A, B, and C take a piece of ground for £46 10s and A puts in 12 oxen to graze for 8 mos., B 16 oxen for 5 mos., what shall each pay?"; learns "how to find interest for any number of days"; and masters "the double rule of three direct".

The war went on in the South. Quaker merchants of Philadelphia, although they had the cloth, would not supply uniforms for General Greene. In North Carolina in October, American frontiersmen stormed Kings Mountain, killing gallant Major Ferguson and all his men not fortunate enough to manage to surrender. A survivor, so 'tis said, was African-born John Kizell, who earned his freedom fighting for the British, and was taken back to Africa, where we shall meet him in later chapters of this story.

As winter came, and Congress made its third specie requisition for 1780, netting only 1½ million dollars? of the 10 million desired, and the Cuffes did not pay still another new assessment of £1 7s. 5 1/4d., the assessors decided to get after them Cuffes, although they found "no estate on which to levy taxes". Apparently the farm was still not theirs; the livestock may have been in their mother's name; and the assessors must have declined to take Paul's boat. On December 15 they took out a warrant for the arrest of the Cuffe brothers. The warrant, listing their tax

arrears to the grand total of £154 1s. 11 7/10d., it requires Dartmouth constable Richard Collens:

in the name of the Commonwealth of Massachusetts Bay... to take into safe custody the body of the said John and Paul Cuffe and them commit to the common gaol of the said county of Bristol there to remain until they, the said John and Paul Cuffe shall pay and satisfy the above sum with all necessary charges

or be discharged by due process of law. On December 19, the day the Court of General Sessions of the Peace convened at Taunton, Constable Collens reported he had delivered the Cuffes to jail there, and turned in a bill of 12s. 9d. for services including travel of 25 miles. It was a small world, for in the list of justices are Elisha Tobey (who had received £2 4s. in June 1776 in connection with Cuffe Slocum's estate), Benjamin Aiken (Dartmouth's Town Clerk who had recorded Cuffe family marriages), Edward Pope, Massachusetts Attorney General Robert T. Paine, and Walter Spooner. Spooner on December 19 issued a writ of habeas corpus to sheriff Elijah Dean:

to have the bodies of John and Paul Cuffe said to be Indian men whom you have now in keeping before the Justices of our Inferior Court of Common Pleas now holden at Taunton ...together with the cause of their and each of their Commitment and Detention

It seems likely that the petition of the Cuffe brothers was drawn up with benefit of counsel in the Taunton jail, and that counsel thought it better for the Cuffes to be Indians, for their petition "To the Honble the Justices of the Court of General Sessions of the peace begun and held at Taunton... County of Bristol" asks relief from taxation on the grounds that they are:

Indian men and by law not the subjects of Taxation for any Estate Real or personal and Humbly Pray your Honors that as they are assessed jointly a Double Poll Tax and the said Paul is a minor for whom the Said John is not by law answerable or chargeable that the said Poll Taxes aforesaid and also all and regular Taxes aforesaid on their and Each of their Real and personal Estate aforesaid, may be abated to them and they allowed their Reasonable Costs..

It should be noted that Paul was not a minor but almost 22, though he had been a minor for much of the period covered in the assessments. The Cuffe boys may have been scared and clutched at anything; they probably could afford neither the taxes nor a lawyer. The taxes included their farm and sea.

Ordered, On the Petition of John Cuff and Paul Cuff, that the Assessors of the Town of Dartmouth be cited to appear at next Term to Shew Cause, wherefore the Prayer of said Petition shall not be granted.

John and Paul did not languish in prison until the final disposition of the case or probably even through the sitting of this court, which considered many cases of fornication, bastardy, breaking the Sabbath (by selling liquor and traveling from Providence Plantations), and misrepresentation of voting qualifications. Juries were impaneled only for serious cases like stealing a peck of apples, 200 boards, 100 shingle nails, a hammer, etc. by force of arms. John and Paul were likely home for Christmas, but Christmas was not celebrated at all in Quaker Dartmouth. On December 29 the order for the assessors to appear was given to the sheriff of Bristol County, Elijah Dean.

In January 1781 the Dartmouth Town Meeting was busy raising 76 men to serve in the Continental army for three years (or until the end of the war); it was voted to give \$200 in silver to each enlistee, and to raise £6,500 to defray the town's charges and expenses, probably in early paper money much depreciated; in February the town voted to raise £2,550 in money of "new emission" for 1781. There is nothing about the Cuffes, probably because the Court did not sit. But a short version of one copy of the petition from them to the Massachusetts Legislature in the Cuffe Papers, dated January 22, suggests they again appealed to the Legislature, or considered doing so. One of the copies of the short, proper, sophisticated petition is in a practiced hand that may well have been white; John and Paul, making copies, were being educated not only in composition but in political realities. Their having a champion, and perhaps many sympathizers among the local citizens, may explain why the case dragged on so long. Certainly they were accorded all due process. February 26 Elijah Dean, charging 24d. for the service, served the warrant on assessors Benjamin Russell, Richard Kirby, Christopher Gifford, and John Smith to appear at the next session of the Court. At Dartmouth Town Meeting, the warrant of March 8, the meeting:

The Honorable Walter Spooner Esquire was chosen agent in behalf of the town to make answer to John and Paul Cuff at the next Inferior Court to be held at Taunton.

Perhaps Spooner, a member of the State Legislature, was unable or reluctant to attend Court in March—a Justice and the case was continued. The Town Meeting Records have no more to say on the case. Dartmouth was having difficulty making ends meet and ordered the town Treasurer to pay the town's debts at 3d. on the pound. And the Selectmen issued a call to all men 21 and over having a freehold estate within the Commonwealth of annual income of £3 or any estate of the value of £60 to meet April 2 at 10 forenoon to vote for Governor, Lieutenant Governor, and three Councilors or Senators, for the year ensuing (John Hancock was elected Governor).

The Cuffes, not called upon to vote, in April "delivered to the Selectmen" a remarkable "either-or" "Request". I found neither the document nor any action on it in the Town Records, but there are several copies of it in the Cuffe Papers, one of them in the same practiced hand as the short petition to the legislature. Note that now the Cuffes are black men again (or "molattoes").

22nd of the 4th month 1781

To the Selectmen of the Town of Dartmouth, Greeting: We the subscribers, your humble petitioners, desire that you would, in your capacity, put a stroak on your next Warrant for calling a town meeting so that it may legally be Laid Before the mind of said town whether all free Negroes and molattoes shall have the same Privileges in this said town of Dartmouth as the white People have Respecting Places of profit choosing of officers and the Like together with all other Privileges in all cases that shall or may happen or be Brought in this said town of Dartmouth or that we have Reliefe granted us Joyntly from Taxation while under our present depressed circumstances and your poor Petitioners as in duty bound shall ever pray.

If the Cuffes had been given a choice between the vote and relief from taxation perhaps they would have chosen the latter. The vote was not prized above all things. At the time, 16% of white males in the state were qualified to vote, but only 3% voted. Blacks, like Quakers, were a separate people not much concerned with participation in the government. But they were concerned for their rights and for justice. They are protesting racial discrimination that had no legal justification, not just in respect to "taxation without representation" but perhaps in the delay over their inheritance of the farm, and "in all cases" they felt from day to day and that might arise in the future. "Places of profit" is mentioned first—had Paul been denied mooring at Westport Point or on the river? Had they been denied space to sell cargo, fish, and farm produce? John has written on one copy of the "Request" that it was delivered to the Selectmen, so we may assume that it was, somehow or other, and that whoever saw it must have recognized its justice, though it was unusual for non-citizens to demand that an item be added to the town meeting agenda. The Cuffes' long resistance to paying their taxes, and this "Request", may have brought some long-range benefit to local blacks. Was there any sort of "deal" at this time? I doubt.

The Liverpool Mercury account suggests that the Cuffes were worn down by "vexations and delays." Now the case was about to come up in court. On June 5, 1781, John Cuffe turned out into the woods seventeen old sheep and nine lambs. Their is one of the old ewes marked as followeth: Cropp of the left ear and half penny out from before and behind the right and a fork in it. Near cropping and half-penny and fork was destroy sheep as mentioned in Weeden, p809. On June 11 Richard Collens, Dartmouth Constable, acknowledges:

Then received of John Cuffe eight pounds twelve shillings silver money in full for all John Cuffe and Paul Cuffe Rates until this date and for all my court charges received by me.

Elijah Dean's bill of 24s. with an acknowledgement of payment signed by Edward Pope is entered in the Cuffe book with the tax receipt. And on June 12 the Court of General Sessions at Taunton:

Ordered that the petition of Paul Cuff and John Cuff & the Proceedings thereon be dismissed.

So the Cuffes paid their taxes. There is considerable difference between £154 1s. 11 7/10d. and £8 12s., but they paid in silver for taxes due from a time of galloping inflation. (A year before, Walter Spooner had been on a commission which set the value of the silver dollar as \$60 in Massachusetts paper; in October 1780 Dartmouth accepted one silver dollar as equal to three of new Massachusetts "Emission") . Had their taxes been radically reduced? Did they pay only the poll tax, as the estate was not yet theirs? Had they won anything?

It is Quock Walker of Worcester who is given credit for two suits, winning freedom for all remaining Massachusetts slaves and establishing the Negro right to vote: in 1781 he sued for his freedom under Article I of the Declaration of Rights in the new constitution; the Judicial Decision of 1783 was that Negroes are among the "all men" who are "born free and equal". Things didn't change overnight. As two Westport citizens have told me, "the Almys had slaves after they should have" and "Job Almy left slaves in his will of 1788". Blacks who met the property qualifications could vote if they insisted on doing so. And one reads that "Thomas Pemberton knew a black town clerk". There is evidence that John Cuffe's signature was sought for a petition in 1787—he must have been considered a citizen.

Paul Cuffe's attitude toward "the government" is to me one of the most fascinating themes of his story. I think he thought of himself as a citizen of Westport belonging to "the African nation". The familiar Bible called races "nations"; the Indian tribes also were called "nations". Nationalism, which Paul Cuffe would be up against, is a 19th century concept. The concept of American nationality grew slowly among all Americans, accustomed to belonging to their own colonies and regions. Maritime New England, which wanted peace and free trade, would be almost ready to secede over the War of 1812; and the area where Cuffe lived had, by religion, history, and tradition, long considered itself apart from the government at Massachusetts Bay. When Cuffe gave his address as "near New Bedford America" he expressed the reality of his maritime world, in which Massachusetts and the United States did not need mentioning, and political nations were like hard facts outside—one was always having to reckon with. Inside, he knew he was black (more than Indian, but the two together), and also (later) a member of the Society of Friends. The Friends were non-political, and international-minded, and united across the ocean. To Cuffe, that ocean was more bridge than chasm; it could unite "the African nation". He would be a "black internationalist". To Friends, the government was always something by and for others!—that was divided loyalty.

In the 1780's, his neighbors went on petitioning "the government", and we can see the attitude of the Dartmouth Quakers as "with sorrow ...that we shall be thought to be a means of Discommoding the business of the Town", or give "any ground for a Suspicion, that we mean to be Independents of the Government", explain to the Town Meeting their objection to having

publications "particularly those respecting Military matters" posted on their meeting houses. Their "manner of worship Demands the most inward and awful attention of Mind, to which recollection is a necessary preparative" and "all kinds of Notifications Set up at our doors are found by experience to disturb our Meetings".

Dartmouth wanted to collect Massachusetts taxes with the town rates and petitioned the General Court for power to choose its collectors for 1782. Dartmouth was wrestling with supplying the army when in October 1781 Cornwallis surrendered to the brilliant planning and coordinated execution of the French navy and the American army. But the war went on in the West, in the West Indies; the British still held New York and other ports and preyed on New England merchantmen, privateers, and fishing fleets. William Rotch, Sr. went to Philadelphia to memorialize Congress and get permission for 35 whalers to sail unmolested by American privateers.

In 1782 the strong mercantile interests of Massachusetts brought about rapid deflation to get the state on a specie basis. As the Commonwealth paid off old bills and notes in specie at market value at time of issue, heavy taxes were required; 40% were collected as poll taxes, which hit the poor as well as the rich. Seaport merchants tried to collect from country storekeepers and they from farmers. A period of depression began.

John and Paul were doing better than most blacks and Indians in Dartmouth. June 26, 1782, John planted corn and Beans in the orchard to the north side of the path that leads from the house through the orchard four rows (? rods?) and a half. At another time he notes that "mother's cow calved". He records useful information such as "if any child gets something in its nose put thy mouth to his mouth and blow, stopping up the contrary nostril that has nothing in it", and "Excess of Drinking Burns up Beauty, hastens age, makes a man a Beast, a strong man weak, and a wise man a fool" (2/19/1783). Liquor was the bane of the Indian, the sailor, the black man, even the white man in the area. Paul did not have to go to sea to succumb to its temptation. We have his word for it that he kept company with the the "monster intemperance" when young; he was to become a crusader for temperance, almost a teetotaler. Drink stood in the way of all he wanted for himself and other black men. He noted that the very people who sat long at table over their wine would put business in the way of those they found did not. In his preaching to his fellow blacks he always confessed his own weakness; he would offer substantial help in getting ahead if they could conquer drink. But backsliding and human weakness never surprised him. Anthony Benezet wrote a pamphlet on teaching liquor—the Quakers were attacking. Deacon Philip Tabor bought two gallons of rum at Cory's store; he was a Baptist.

Putting his returns on cargo into larger ventures, Paul, around this time, moved from island to coastwise trade, and advanced to a 12-ton decked boat and a hired helper, probably black or

mustee. Not that he never gave employment to whites, but among Paul's many achievements must be counted the work he provided for his own people, especially on the sea, and his training of his own crews. There was a large and needy labor supply of blacks he wanted to help rise with him. He was a very practical man. Did he, while young, dream of "black" ships with black crews trading with and uniting "the African nation" or did his vision grow as each new venture met with practical success?

In the Cuffe Papers are two communications, dated February 18 and May 25, 1783, from James Soule, executor of the Cuffe Slocum estate, who had moved to Nine Partners, Dutchess County, New York, and gives John Cuff power of attorney. Jonathan Soule and Nathaniel Cooper witness the first paper about the final settlement of the estate. Did Paul's marriage await this development? On February 25:

Then personally appeared Paul Cuff and Alice Pequit both of Dartmouth and was joined together in marriage by me Benjamin Russell, Justice of the Peace.

From her name, one would think Alice one of the few remaining Pequod Indians, and Paul, Jr., would call himself a Pequod for his literary romance of 1839. Alice was illiterate, and there are no letters from Paul to her in the Cuffe Papers, but he quotes her affectionately to his friends; it was apparently a happy marriage. Their first child, Naomi, was born March 8 (the Vital Records of local blacks and Indians indicate that it was not unusual for the first born to arrive soon after the marriage). Paul and Alice probably began their married life under the family roof. Paul was 24, Alice a few years older.

News of the preliminary treaty of peace and armistice arrived March 12; the definitive treaty was not signed until September 3. The Rotches shipped whale oil directly to England from the Rotch ship Beaver—first to fly the stars and stripes in a British port. News came slowly. New York was not evacuated before November. The United States won all land to the Mississippi, Canada, and Florida Falklands (which went to Spain); most important from Paul's point of view was winning fishing rights on the coast of Newfoundland. The Philadelphia Friends did not join the public thanksgiving; they wrote the London Meeting of Sufferings that the British lost because of God's wrath for the slave trade (no longer could America blame the British for it!). Thousands of Tories and Quakers fled the country. A Slocum was among those who migrated to Nova Scotia, and that is where Joshua Slocum, the famous solo circumnavigator was born, and where a town of Dartmouth was founded by Nantucketers as a whale fishery. Many blacks (including John Kizell) who had fought for the British were taken to Nova Scotia, where they complained of the cold and broken promises; in 1792 they were taken to the British colony of Sierra Leone (where Cuffe knew them).

At war's end it was as if there had been a severe earthquake and the new geography had not yet been charted. The mother country was not friendly; England had learned nothing. A series of Orders in Council excluded American vessels from the British West Indies and welcomed them in British ports only if they came directly from the United States thus destroying the triangular trade with Britain and Canada. No longer did American shipyards build British ships. The British discriminated against American products but soon glutted hungry American markets with their exports again. Boston boycotted them again. Under the Articles of Confederation every state acted for itself, even setting up duties against other states; each state had its own money, its own exchange rates, its own way of dealing with debts and its revolutionary paper: Rhode Island was a paradise for debtors, Massachusetts the opposite.

Massachusetts offered a bounty on whale oil, but people had learned to use tallow, whales had multiplied, and, although few whalers were ready to sail when the war ended, the market was soon glutted: whalebone, \$1 a pound before the war, was now at 10d. The British duty of £18 a ton on sperm whale which sold at Nantucket at £17, effectively closed the British market. William Rotch, Sr., who had lost \$50,000 in captures, went on two years at a loss, then sailed to England to interest the British in importing some Nantucket whaleships and families and paying their costs of immigration. The matter was referred to Lord Hawksbury, no friend of America, and Rotch, impatient at delay, found better reception at the court of Louis XVI and set up a whale fishery at Dunkirk. He was lionized, he received guarantees of freedom of religion and freedom from military duty; but he wrote home for "a barrell of good cranberries if reasonable" and "a barrell of Maple Sugar and some good dry Cod". His adventures and escape during the French Revolution are, alas, outside the scope of this narrative. What is interesting is that Paul Cuffe later tried to interest the British in establishing a whale fishery of black men at Sierra Leone. Like William Rotch, Sr. whom he knew, Cuffe was not bounded by the United States—American Ships were welcome.

In the meantime Cuffe, who wanted to go it alone with black crews, was not ready for whaling. The harbor at Westport was busy despite the depression. Sloop Industry was off on whaling voyages. Schooner Sally was taking aboard salt for a fishing trip. Sheep were killed to go to Nantucket as mutton. Beef is salted for Sloop Reliance; Prince Howland is loading 2000 white oak staves, barrels of oxhides and calf skins—perhaps for the coastwise trade to the Carolinas or the trade with the French and Dutch West Indies and even the British West Indies where sales of "shugar", molasses, cotton, flax, indigo, rum indicate West Indian trade. Ships are being "graved"—careened (100 tons!)—for clearing of barnacles and weeds. Brig Polly is built at Westport. There are sales of "nales", sailmakers' palms, pitch pine, clear boards. Mother Cadmun's ferry plies its way back and forth, supplied with pine logs, timber, planks and a "whale piece". There is a democratic lack of differentiation by classes and functions: Christopher

Cornell, one of the owners of the Sally, plows Mother Cadmun's garden; William Macomber, cordwainer, makes two turns of the scow carrying dung.

In the Cory Store Book, one learns at least twice as much as one would in a modern book of accounts about a town and its activities, for people paid as well as bought services and goods by ship registry: wharfage, loading, scowing, blacking spars, "stabling your cow", even "teaching my children" appear as credits. There are items like "your son James wages to Bermuda," "my note for half the mare", "3 1/2 duzzen eggs", 1 bu. oysters, "30 bu. of windfall apples" may have gone on a voyage, or been made into "cyder", which was part of pay for a job done.

Paul Cuffe in these perhaps lean years (1784-1785) bought of Cory only a few bricks and a barrel of "shugar" (perhaps for preserves); he paid in old iron. (At some time, Paul apparently learned smithing, for he was to pay doctor's bills in nails and horseshoeing) . On the 26th day of the 3rd month 1785 he and John divided the farm to which they perhaps only "now stand jointly entitled". In the indenture (CP I 156-157) one can almost hear them arguing about the rows of apple trees, and endeavoring to make the division equal. The line of demarkation runs from a meeting of two walls on the Country Road South 16° East on the East side of the house 19 rods and a quarter to a wall, "thence South 16° and East to the Southerly line" of the farm. John is to have the land toward Apponegansett (Dartmouth) to the east; Paul that to the west toward Acoaxet (Westport) and the Head of the River. It would seem that Paul got the house and John the burial lot, and he may have built a house on what is now the line between Dartmouth and Westport? John is to have for 19 years the use of five rows of apple trees in the southern part of the orchard on Paul's land. One has the impression that Paul is no longer John's younger brother. Alas, John is more visited by misfortune. Paul and Alice had a second daughter Mary in October; John lost a new little daughter Abiah in June, and later his wife. Was there "consumption"? John copies out (May 23, 1788) a "Receipt" for it:

Take Pork Liver with Pork Lung white oak, Landwort? Sage, Balm, Hyssop?, one single handful of each, two handfulls of hoarhound, Spikenard? and wild likrish four ounces Put it in 4 qts. boiling spring water boil it in Brass untill the strength is well and then strain off the liquor and put it into the brass again and add to that 1 pound of honey and 1 pound of brown Shugar, boil it away to 1 qt. skimming it off as any scum doth rise. Then bottle it up tite and let the patient drink oft in the day 1 large spoon full at a time especially in ye morning on an empty stomach.

In 1786, trade was stagnant, farm produce didn't sell; the courts took farms and livestock for debts and taxes. David Cuffe moved to the Indian land north at Troy. There is no Cuffe entry in the Cory storebook, and perhaps it was at this hard time that Paul took opportunity to study navigation, which he needed to know if he was to go far as captain of his own ship. Experience and observation taught the seaman wind, weather, sails, the handling and response of his own ship, and, in that day of few charts, buoys, or lighthouses, familiarity with channels and

landmarks. Many a captain sailed by "dead reckoning": by compass, lead, and log. The lead, on a sounding line marked in 6-foot fathoms measured depth of water and proximity of land. The log, originally a chip of wood reeled out astern, measured the ship's speed and daily progress (hence "log" for the record of a voyage). Paul was more ambitious, and had learned enough mathematics to master the use of a sextant to determine latitude by measuring the altitude of sun or stars. It is said that he learned navigation in two weeks with the help of an unnamed tutor that, as he said, at the first lesson "it was all black as midnight", at the second he saw "a little gleam of light", and more after the third. "There were always three things that I paid attention to," said Paul Cuffe later, "Latitude, lead, and lookout".

Longitude was also important; Nathaniel Bowditch would soon be along to teach seamen how to work lunars, the only way of determining longitude without a chronometer—and chronometers were too expensive for most captains. (A small error in the complicated mathematics of lunars brings a very large error in the results) . One reason for bespeaking other ships, besides getting news and sometimes mail, was to check on one's exact whereabouts, likely to be somewhat uncertain if one sailed by compass and latitude as Cuffe and many another captain did. Before long, classes in navigation would be advertised in the local newspaper. Cuffe was ahead of the boom, with the help of his mysterious nameless tutor, who apparently wished to remain anonymous, so we shall refrain from guesses as to his identity. Paul may have paid for his lessons.

In May 1786, Dartmouth issued a warrant for a town meeting to see if said Town will instruct their Representative to use his influence in General Court to get an Emission of paper money or adopt some other method to ease the people... in their present Distress. By summer, Business was a standstill in Providence and Newport and farmers let their produce rot. In the western part of the state there was rebellion, farmers resorting to methods used by Massachusetts against the British: they petitioned, they kept the courts from sitting, they set up committees of correspondence, finally, under Daniel Shays, a revolutionary veteran, they took to arms, and were put down by the militia. There was a new governor and legislature every year, and something was soon done to relieve the farmers' distress, but the whole nation was shocked. And ready for an end to the confusion in money—or the lack of it—all in foreign and domestic commerce, in lack of tariff for new manufactures.

An interstate convention about oyster fishing in the Chesapeake proposed wider and more drastic consideration of the weaknesses of government, and the Constitutional Convention met in the summer of 1787. Rhode Island did not attend. Elbridge Gerry of Massachusetts was opposed to popular election. Although the slave trade was on the way to becoming illegal in northern states (which, however continued to carry it on), these states, for the sake of compromise, agreed that the slave trade be allowed to go on for 20 years. The new Constitution

had no bill of rights, but some states ratified it on condition that there would be one. For all that, the Constitution and its ratification (especially by the Massachusetts convention) were a "glorious" achievement that saved the country and continues, rightly, to arouse the world's admiration.

Ruth Moses Slocum Cuffe died January 6, 1787; her grave is probably there in the Cuffe lot with Cuffe Slocum's. She left ten children she could be proud of and numerous grandchildren. If she had lived a little longer she would have seen Paul's fishing business. The Liverpool Mercury says he founded "an extensive and profitable fishing establishment from Westport River... the source of an honest and comfortable living to many of the inhabitants". These were surely blacks and mustees and Indians. It is good to have the evidence of the Cory Storebook from the fall of 1787 on, when Cuffe bought an oil cask and 23 3/4 bu. salt and a month later paid in codfish and a cask of (codliver?) oil. He was also credited with taking 5 empty hogsheads to Rhode Island (where he may have taken on rum and sold codfish), and in December he is credited for "1 bbl. mackril". In 1788 he is charged for duties on "shugar" and "gaging" a hogshead of rum, for "bbbs. bought for your adventure", for "100 bu. selt, and for small bills (mostly liquor) of David Cuffe (1 gal. Rum), Job Hearts, James Quonwell, Stephen Wilcox, Humphrey Hammons, and Addam Allen—probably his fishermen.

At this time the Westport Friends set up a temperance committee to "labor with and advise such of our members as are in practice of unnecessary use of spiritous liquors or dealing therein". Fishermen off to Newfoundland in the winter may have thought liquor a necessity. Deacon Philip Tabor bought two gallons of rum at Cory's store; he was a Baptist.

Times were better with the new Constitution and the new mint coining mills, cents, dimes and double dimes, half dollars, dollars, half eagles and eagles (but the use of pounds and shillings went on for its a long time). Soon manufacturing would boom in New England, cotton mills and new inventions fastening slavery on the South just when slavery could have been abolished (had the bloody cost of its later abolition been guessed at). In Westport William Gifford and Lemuel Milk in 1789 bought a site for a forge, obtaining the services of Josiah Leonard of the Lynn and Taunton iron-working Leonards—a boon for shipbuilding. New Bedford began to grow by leaps and bounds. American whalers and traders began to sail the seven seas. In 1789 the Ranger of Nantucket returned from the Pacific with 1,000 bbls. of oil. Our traders rivalled the British in Calcutta and in Canton, where they sold otter fur from the American northwest. Iron, hemp, and duck (sailcloth) were imported from Gothenburg and St. Petersburg. Salem ships brought coffee, pepper, hides, teas, and India goods from Madagascar, and exchanged rum and fish for gold dust and palm oil on the African west coast.

Sloop Reliance of Westport, as we see by the pages and pages of her account at the Cory store, was whaling on the African coast in 1788. Benjamin Brawley (DAB) on what evidence I know

not, dates Cuffe's interest in Africa from this time. In 1787 William Thornton published an Address to the Free People of Colour in Massachusetts and Rhode Island inviting them to accompany him to the Western Coast of Africa to plant a colony. (A Quaker, Thornton was born in the Virgin Islands and educated in England. He was an architect of the Capitol in Washington, where black astronomer Benjamin Banneker was surveyor... Cuffe may have known Banneker's almanacs, and later those of Rhode Island Quaker Elisha Thornton, who in 1789 wrote a long blank verse poem against the slave trade. Cuffe may have seen Thornton's appeal, which was broadcast in Newport and Boston. Samuel Hopkins of Newport was just beginning to be interested in African colonization; Jefferson's Notes on Virginia (1787) was arousing interest in its possibility. Of course Paul was probably interested in Africa from what his father had told him; but African trade, whaling, and colonization were far beyond his capabilities at this time, and possibly beyond his wildest dreams.

Yet in 1787 everything was possible. Everything was moving, changing, being organized. The town of Dartmouth became separate towns: Acushnet, New Bedford, Dartmouth, Westport. A petition to the Dartmouth Selectmen signed by John Cuffe (who was evidently considered a citizen) and many others who wanted to be part of Dartmouth rather than Westport. The men said among other things that Westport roads were too far away for them to work on. Petition granted. It was years before the boundary between the two towns stopped moving around. (The proprietors of Cuttyhunk, Penikese, Nashawena, and Pasquenese, pleading "taxation without representation" in Chilmark, also petitioned Massachusetts Senate Archives 1093 to be part of Dartmouth, but the Slocums were divided amongst themselves and their reasoning was considered "exceedingly unconvincing"). The Westport Friends were transferred to Sandwich Yearly Meeting (hence Cuffe's later acquaintance on the Cape?).

Everything was shifting. A wonderful time it was for beginnings. The Northwest Ordinance provided for new western states without slavery. In Providence a Society for the Abolition of Slavery was founded by the Browns, College Tom Hazard and others, with William Rotch, Jr., and Jonathan Edwards, Jr., as associate members. Colleges were founded, and American churches separated from their English counterparts. The American Methodist Church was set up under Asbury and Coke as superintendents—Cuffe would know them both. Blacks began to organize. Prince Hall, Methodist minister, founded the Negro Masonic Order, and led in petitioning the Massachusetts Legislature for education of Negro children. In Philadelphia, Richard Allen and Absalom Jones, relegated to the gallery at St. George's church, led a walkout; Allen later founded the Bethel African Methodist Episcopal church and Jones St. Thomas' African Episcopal Church. In 1787 Allen and Jones founded the Free African Society for mutual benefit; it met monthly at the Friends' Free African School, and began its meetings with silence, Quaker style. Boston, New York, and Newport followed suit and Cuffe was to found a similar society in Sierra Leone **which still thrives with many branches**. But although the Philadelphia blacks owed much

to the Quakers, the Friends lagged behind other denominations in accepting black members or setting up black churches. In 1785 James Pemberton wrote the English Friends on the matter, and, with their encouragement and even possibly their hope of involving Cuffe in Sierra Leone, Pemberton may have played some part in Cuffe's later admission to the Society of Friends.

Washington was inaugurated in New York April 30, 1789. In the first U.S. Census (1790) Massachusetts was the only state with "0" slaves. (Massachusetts made the slave trade illegal for her citizens in 1788, Rhode Island in 1789?) . All promised fair for Paul Cuffe, now 30, married and with three daughters (Ruth was born in August 1788). He now had an 18-ton boat and a profitable fishing business on "the banks of St. George". And he had rented for £4 18s. 4d. a house and land on the west side of the Noquochoke, the southwest corner of Isaac Sowle's old farm and just north of Joseph Sowle's. Coastwise traders, the Sowles owned land from Westport Point to Hix Bridge along Drift Road or the Driftway. Soon Cuffe would be able to buy his own farm there. The water is deep for ships and wharves; there were ways for shipbuilding along the river: it was an ideal and beautiful location, no doubt just where Cuffe most wanted to be. Like the new United States, he was on his way. He had the legal and civil rights of his white neighbors, but it was well, as we shall see, for him to be "watchful" and firm about them. The going wasn't easy, but he was among Friends.