

The Mashpee Tribe of Indians and Its Claims of Historical and
Cultural Associations with the Town of Middleboro,
Massachusetts: An Ethnohistorical Evaluation of the Tribe's
Claims.

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Introduction.

25 CFR 151

On August 27, 2007, a report entitled, “*Mashpee Wampanoag Tribal Identity in Ethno-historical Perspective*” was submitted to the Bureau of Indian Affairs in support of the Mashpee Tribe’s petition to have lands at two separate geographical locations simultaneously taken into trust by the Secretary of the Interior under 25 CFR 151. This report, prepared by Christine Grabowski, (Grabowski Report) principal of Grabowski Associates of New York City, sets forth the tribe’s arguments claiming significant cultural and historical interests both in its current land base situated at Mashpee, Massachusetts, a multi-tribally created reserved area the Mashpee have wholly occupied since 1660, and in a tract of land located some fifty miles distant¹ within the town of Middleboro, Plymouth County, Massachusetts.

The Mashpee tribe is asserting that both land tracts be declared and taken into trust post -1988, as initial reservations with the Mashpee tract intended for residential and limited economic activities whilst the Middleboro tract will be utilized for gaming purposes under the initial reservation exception clause of the Indian Gaming Regulatory Act of

¹ The commuting distance from the Mashpee Meeting House at Mashpee to the intersection of Thompson and Precinct Streets in Middleboro, the site of the proposed gaming facility.

1988 (IGRA), (Section 2719 (b) (1) (B) (ii). This regulation requires that a petitioning tribe must have present and historical connections with the lands in question and that such lands must be designated a new reservation under 25 USC. 467 before the land can be declared as meeting the requirements set forth in Section 2719 of IGRA. Thus the burden, in both instances, is upon the petitioner to demonstrate significant historical connections² to the land(s) in question.

The purpose of this submission is to objectively ethno-historically evaluate the claims and conclusions concerning the tribe's historical and cultural assertions as they pertain to lands within Middleboro, made within the Mashpee tribe's submission, the Grabowski Report, for their accuracy and veracity.

As an editorial note, all supporting documentary exhibits will be indicated in the footnotes as **EXH. 1-**. The documents themselves can be found in Report Appendix II identifiable by exhibit number.

The Grabowski Report: Principal Assertions.

On page one of the Grabowski Report four central premises are presented:

- (1) "The contemporary Mashpee Wampanoag Tribe descends from a band of Indians that was part of the historic Pokanoket nation."

² Federal Register: May 20, 2008, Volume 73, Number 98. Bureau of Indian Affairs, Gaming on Trust Lands Acquired After October 13, 1988, Section 292.2 Definitions: "*Significant historical connection means the land is located within the boundaries of the tribe's last reservation under a ratified or unratified treaty, or a tribe can demonstrate by historical documentation the existence of the tribe's villages, burial grounds, occupancy or subsistence use in the vicinity of the land.*"

(2) “The term Wampanoag...is often used as a loose synonym for Pokanoket, and indeed has gained great currency in the late twentieth century.”

(3) “Wampanoag was not used to refer to the Pokanoket nation and its political sub-divisions until 1675.”

(4) “Upon contact, the territory of the Pokanoket nation stretched from the eastern shores of Rhode Island throughout southeastern Massachusetts to the Atlantic Ocean and from just south of Marshfield and Brocton to the islands south of Cape Cod...”

On this same page the Grabowski Report advances a central thesis:

...the Mashpee Tribe is culturally both *Mashpee*-i.e., identifying with the local history of the Tribe on Cape Cod-and *Wampanoag*-i.e., part of the Pokanoket/Wampanoag nation that once exercised political dominance throughout southeastern Massachusetts and whose members continued to live in Middleborough long after that nation’s military strength was forever fractured by King Philip’s War.

Grabowski³ based her thesis on one assertion that one Massachusetts tribal sachem, “*Obbatinewat*” “*who lived on the bottom of the Massachusetts Bay*” was at that time politically “*under Massasoit*”, the head sachem of the Pokanoket,⁴ and as Grabowski speculates was “*therefore conceivably a Pokonoket or Wampanoag.*” This citation further noted, “*On the south, the Massachusetts territory met that of the Pokanoket along a shifting boundary roughly following the line between modern Marshfield and Brocton....*”

A further assertion made by Grabowski⁵ was more general in nature, “*Upon contact, southern New England was inhabited by*

³ Grabowski 2007,:1 footnote#1

⁴ Trigger, Bruce G. ed., 1978, Handbook of North American Indians, vol. 15 (Northeast):170. Washington, Smithsonian Institution.**EXH.1**

⁵ Grabowski, 2007:2

*natives who spoke a form of Eastern Algonquian...and shared numerous cultural characteristics including similar subsistence strategies and technology, material culture, beliefs, and values, as well as social and political organization.”*⁶

Grabowski⁷ further noted, *“The Pokonoket nation or confederacy comprised a group of allied sachemships, each defined by the territorial names of the principal settlement of their respective leader or sachem.”* “In turn, Grabowski continued, *“the relationship between and among the sachemships was fluid and non-binding, with authority of the supreme sachem resting on his personal abilities and accomplishments.”*

Grabowski⁸ thus concludes that, *“... the Pokanoket Nation was like other Algonquian nations in southern New England, more a source of political influence than it was a stable government with immutable boundaries. Alliances and loyalties could shift and become divided depending upon the severity and type of pressure experienced.”*

Grabowski’s argument up to this point is, there existed a Pokanoket nation, similar in all respects to other such nations in southern New England and that these nations maintained very fluid boundaries. Grabowski further asserted Pokanoket political influence upon a Massachusetts sachem who resided at the base of Cape Cod.

⁶ Grabowski here cites in her footnote #3 (:2) Trigger 1978:177 as her support for this assertion. No mention was made in support of her assertion on this page.

⁷ Grabowski, 2007:3

⁸ *ibid*:4

Her inference was that this influence also extended to those Indians residing on Cape Cod.

Grabowski made a direct connection between the Mashpee tribe and those constituent tribes of the Pokanoket nation, most specifically those Pokanoket who resided in the area now known as Middleboro. On page eight of her Report she asserted,

Nemasket villages figured prominently in Pokonoket history. In 1621 Edward Winslow and Stephen Hopkins undertook an early exploration into Pokonoket territory...they traveled west from Plymouth, some 15 miles along an established Indian trail to the sachemship of Nemasket...

She also noted⁹,

Nemasket was strategically located on the trail from Plymouth to Massasoit's principal residence at Sowams. Several villages were located around Assawompsett and Long Ponds...It is not unreasonable, therefore, for the Nemasket sachemship was no minor player, but key in Pokonoket trade and strategic alliances between native settlements on Narragansett bay and those on Cape Cod.

Grabowski argues that not only were the Indians on Cape Cod and those of the Pokanoket tribes culturally, politically, and linguistically linked, but also a demonstrable communication and trade links existed between these Cape Indians, including Mashpee, and the Pokanoket village of Nemasket.

Grabowski¹⁰ accounts for the use and understanding of the term “*Wampanoag*” circa 1675 as,

⁹ Grabowski, 2007:9

¹⁰ *ibid* 2007:10

With the military and political strength of the Pokonoket now in shambles the term itself in reference to the confederacy of bands, had little merit. In its place, the term Wampanoag...gained currency and the remaining Christian Indians were referred to by a term that was overtly more geographic and less political...Yet today, Wompanoag is commonly used to describe the tribal origins of those who once were part of the Poknocket nation

According to Grabowski, the term Pokanoket was substituted with Wampanoag as an identifier for the same peoples and political entities existent (including the Nauset and Mashpee groups on Cape Cod) during and after King Phillip's War (c.1675/6).

Grabowski also argued a direct genealogical linkage between the Indian population at Middleboro/Nemasket and the Mashpee. She stated¹¹,

Betty Sassamon (Assouwetugh) was the daughter of John Sassamon [a Massachuset](Phillip's Indian secretary) who was a Massachuset Indian. Prior to 1675 Tuspaquin (Black sachem) deeded Betty land at Assowomset. Betty was married to an Indian (?) named Felix. Felix also received a grant for lands located on Assowomset Neck belonging to his father-in-law John Sassamon. Betty, in 1696, surviving her husband Felix, was still residing on the Neck when she willed her lands to her daughter Mary Felix. Mary had married Benjamin Tuspaquin, the grandson of Tuspaquin (Black Sachem) and Amie, the surviving daughter of Massasoit and sister of King Philip.

Mary Felix and Benjamin Tispaquin had, according to Grabowski, a daughter named Lydia. Lydia "*Squin*", in turn, had a daughter. Lydia's daughter, Phebe Squin, was, on the basis of the Middleboro vital records, married in 1791 to a Silas Ross,¹² a purported Mashpee Indian. Grabowski concludes, "*Thus, a Mashpee Indian married*

¹¹ Grabowski, 2007:12-13

¹² Grabowski claims it is actually Rosier, Rosier is a surname associated by Earle (Report,1861:lxvi) with the Indians at Dartmouth, Sarah Rosier, ae. 50, widow

directly into the royal Wampanoag family.” Grabowski also claims “Another Mashpee Indian, Emeline Lee,¹³ is also noted by Earle as having married a Middleboro Indian.”

On this basis Grabowski concluded,¹⁴

Mashpee’s genealogical connection to the Royal Wampanoag Family who is buried in Middleborough and whose descendants had land on Assawompsett until the early twentieth century, adds a significant layer of cultural meaning to the Town of Middleborough....

Essentially, on the basis of two marriages between Indians of Middleboro and those of Mashpee, Grabowski makes a claim of a significant tribal (Wampanoag), and cultural connection between the Mashpee Tribe and the Indians still residing in Middleboro circa 1861. As Grabowski stated,¹⁵

Yet the Tribe’s identity is not only rooted locally in Mashpee. The Mashpee Wampanoag Tribe also identifies strongly as Wampanoag and therefore has extensive historical and cultural ties to the Pokonoket/Wampanoag nation... As detailed above, Middleborough figures prominently in Pokonoket/Wampanoag history and culture....

Findings

In light of the above, this report maintains and concludes the following,

1. The term Wampanoag was a descriptive term, not a tribal or national designator. Mashpee tribal identity has always been with the Mashpee community and historically, with its ideological base, Christianity.

¹³ “Report to the Governor and Council concerning the Indians of the Commonwealth”, Senate Report No. 96,(Earle Report), 1861 Appendix xxix, Mashpee tribe (see also xliii Middleborough Indians)

“William Lee, Tribe: Middleboro Occupation: Mariner Residence: Absent in Calif.

Emeline Lee, Tribe: Mashpee, Residence: Mashpee

William came to, and resided at Mashpee, Mariner absent for extended periods of time.”**EXH. 2.**

¹⁴ Grabowski, 2007:18

¹⁵ *ibid*:17

2. Linguistic dialectical differences were noted between the mainland Indians of southeastern Massachusetts and those on Cape Cod, Martha's Vineyard and Nantucket Islands. Such dialectical differences are normally noted between groups not in close historical or sustained social contact with one another.

3. Neither the Mashpee nor their precursor tribes were part of or politically subject to a "*Pokanoket Nation*" nor was Mashpee a part of a "*Wampanoag Confederation*" of Indian tribes during or after King Philip's War. There were no historically verifiable significant historical, political, economic, or social associations between the Mashpee or other Indian communities residing on Cape Cod and the Indian settlements located within the bounds of the Town of Middleboro from the time of first sustained historical contact and beyond.

4. Prior to large-scale European settlement all of the tribes within the southeastern Massachusetts region generally shared significant cultural traits, due mainly to similar adaptive strategies to a woodland/maritime environmental setting.

5. Mashpee as an Indian community came into existence due to the fact that its members no longer shared the common cultural ideology with the region's Indian tribes and sachemdoms. Mashpee, as a distinct political entity, emerged not from an historical tribe or tribes that voluntarily politically united, but as a new unique community based upon Christian ideological concepts and colonial concepts of community organization and land-holding practices. The organizing principle upon which Mashpee was founded was the church congregation. Mashpee drew its membership from a diverse convert Indian population.

6. Individual Middleboro Pokanoket Christian converts migrated to, or married into, families that were associated with the Christian community at Mashpee. These individual acts did not constitute a tribal historical, political or cultural linkage or union, but merely are reflective of the polyglot population makeup of Mashpee whose societal bonds were based upon a Christian ideology.

7. The lands within the town of Middleboro being sought by the Mashpee to be taken into trust are upon lands formerly belonging to the Massachusetts tribe, not those associated with the Pokanoket/Wampanoag. The Mashpee assert no historical political or cultural affiliation to, or with, the historic Massachusetts tribe. Mashpee asserts an historic and cultural relationship only with the historic Pokanoket.

8. The Mashpee tribe has never asserted political authority over any residents within the town of Middleboro who are of Indian ancestry. The historic Mashpee reserve is located more than fifty miles from the town of Middleboro, and was thus incapable of asserting and maintaining such tribal authority. The Mashpee tribe has never maintained a tribal political or social presence within the town of Middleboro.

I. The Question of Wampanoag Affiliation

In its March 30, 2006 “*Summary under the Criteria for the Proposed Finding on the Mashpee Wampanoag Indian Tribal Council Inc.*”, the Office of Federal Acknowledgement (OFA) concluded the following,¹⁶

The historical tribe is determined to be Wampanoag Indians residing at Mashpee, Barnstable County, Massachusetts at the time of first sustained historical contact in the 1620’s....

Were they “*Wampanoag*”?

No where in the body text of this Summary did OFA elaborate on what it meant by “*Wampanoag*.” Did OFA mean “*Wampanoag*” in its linguistic understanding or in the terms of its historical usage? We know, and will see, that contemporary scholarship, including the Grabowski Report maintains that a political/historical entity referred to as Wampanoag did not come into existence until the advent of King Philips War (c.1675).¹⁷ Yet we find OFA maintaining that “*Wampanoag Indians*” were existent circa 1620, the time of first sustained historical contact with Europeans. Could Mashpee, as well as the other Indians on Cape Cod be referred to by other tribes as Wampanoag peoples, in a generalized sense, and historically, not be Wampanoag in a political sense?

¹⁶ Mashpee Wampanoag Tribal Council, 2006, Proposed Finding, Bureau of Indian Affairs:131.

¹⁷ Indeed, the Grabowski Report (:1) concurs by stating, “Wampanoag was not used to refer to the Pokanoket nation and its political sub-divisions until 1675.” How then could Wampanoag be in existence as OFA claims at the time of first sustained contact c.1620?

Wampanoag was not a spoken linguistic dialect of the proto-Algonquian language group spoken throughout the northeast, nor was it an historical entity. It was a linguistic term of reference.

Linguistic Analysis

The core linguistic understanding of Wampanoag is found in Rudes (1997).¹⁸ In his study, Rudes noted that the term “*Wampanoag*” *is derived from the proto-Algonquian “wa.panwi” ‘it dawns’ meaning easterner...¹⁹* He further noted that “*In the earliest sources, the term appears to apply to all of the Indians in southern New England and Long Island to the east of the Munsee.*” It was not a term or expression limited only to southeastern Massachusetts.

Supporting Rudes is the anthropological linguist, Ives Goddard,²⁰ who also noted that Wampanoag was specifically derived from the proto- Eastern Algonquian: “*Wapanoo*”, Munsee Delaware; “*easterner.*” While Rudes indicated its use among the Algonquian-speaking tribes of eastern New York, Goddard expanded its interpretive understanding to the Hudson’s River Valley, New Jersey and Pennsylvania.

¹⁸ Rudes, Blair, 1997, Resurrecting Wampano (Quiripi) from the Dead: Phonological Preliminaries, in Anthropological Linguistics, Volume 39, No.1 Spring 1997:4, American Indian Studies Research Institute **EXH.3**.
Indiana University.

¹⁹ Champlain, during his 1603 voyage first encountered the term Algonquin (“*Algoumequin*”) amongst the Maliseet in northern New England. His understanding of this term was “*they are our relatives or allies*”. See Foster and Cowan eds., 1998, In Search of New England’s Native Past: Selected Essays by Gordon Day:126, Amherst, University of Massachusetts Press.

²⁰ Goddard, Ives, 1971, “The Ethnohistoric Implications of early Delaware Linguistic Materials”, in Man in the Northeast, vol.1:14-26

This understanding of the meaning of Wampanoag was neither new nor unique. Roger Williams, writing in 1643,²¹ constructed its meaning from first hand experience of native speakers of that early era. One can easily discern the interpretive structure in his analysis

(:56) "og"=**people** (collectively), (:84) Nuaog=**men** (collectively), (:124) They=**og**, (:190) "Wuttammauog"= "What **they** drink" "**Wompanand**", "the **Easterne** God", **Wompanog**= **Eastern they= people** (collectively) of the east

Thus, when Johannes De Laet, during his 1615 voyage,²² noted that "*in the lower part of the Bay dwell the Wapenocks, a nation of savages like the rest*", he was not referring to either the Indians residing on Cape Cod nor to the Pokanokets. He was, according to his report, referring to the "*Nahicans*" who were residing on Narragansett Bay, that is, the lower portion, who were later known as the Narragansett Indians. This is the earliest known use of the term and significantly it was applied to an Indian group outside of those on Cape Cod and present-day southeastern Massachusetts. De Laet visited these areas including Martha's Vineyard and the Elisabeth Islands and did not utilize this term towards these peoples.

This led Salwen (1978)²³ to remark, "*The name Wampanoag, which is frequently used by modern writers to refer to the same*

²¹ Williams, Roger, 1973 ed. (1643). A Key into the Language of America, Detroit, Wayne State University Press.

²² De Laet, Johannes, 1625, "New World" in Jameson, j. Franklin, 1967 ed (1909), Narratives of New Netherland 1609-1664, New York Barners & Noble.:42 **EXH.4**.

²³ Salwen, Bert, 1978, "Indians of Southern New England: Early Period", in Trigger, Bruce. ed., 1978, Handbook of North American Indians, Vol.15 Northeast:175, Smithsonian Institute, Washington D.C.**EXH.5**.

political unit [Pokanoket] does not appear in any of the early documents originating in New England.”

This brings us back to the Mashpee Proposed Finding and OFA’s conclusion,

The historical tribe is determined to be Wampanoag Indians residing at Mashpee, Barnstable County, Massachusetts at the time of first sustained historical contact in the 1620’s....

Historically, at this point in time (1620), there was no historical Wampanoag tribe or nation, nor were there “*Wampanoag Indians*” in a political or culturally definitive sense. Wampanoag was a generalized descriptive term, not a particular people. In a similar vein, the Muslim Arabs had such a term, “*Mashriq*” meaning people or place where the sun rises.²⁴ All Indians residing to the east of other Algonquin-speaking Indians were “*Wampanoag*.”

Salwen (1978)²⁵ correctly addressed the historical reality of this time period when he stated,

About 1620, the Pokanoket comprised a group of allied villages in eastern Rhode Island and in southeastern Massachusetts, south of Marshfield and Brocton.

²⁴ Lewis, David, 2008, God’s Crucible: Islam and the Making of Europe 570 to 1215:192, New York W.W. Norton

²⁵ Salwen, Bert, 1978, “Indians of Southern New England: Early Period”, in Sturtevant, William C. ed., 1978, Handbook of North American Indians, Vol.15:171, Northeast, Smithsonian Institute, Washington **EXH. 6.**

The Indians residing upon Cape Cod were not amongst them. On the other hand, Hutchins (1979)²⁶ also correctly addressed the present-day linguistic implications of Wampanoag when he observed.

Modern-day Mashpee Indians are certainly of Wampanoag descent if the word “*Wampanoag*” is used to denote all aboriginal Algonquian language speakers of southern New England...

Historical Application

Historically, who were referred to as Wampanoag? Weinstein (1989) concluded,²⁷

...in the 17th century, this name and Pokanoket were both used to refer to the same group of Indians. After the middle of the 17th century, “Wampanoag” had for the most part replaced “Pokanoket” as the Indians name...

...King Philip was responsible for confederating Indian tribes throughout New England-such as Narragansett and Nipmuck-in a war against the colonists. (Some scholars believe that his efforts resulted in the adoption of Wompanoag as the name for all of the groups of Indians in southeastern Massachusetts, Rhode Island, and the off-shore islands.)

Anthropologist Frank Speck(1928) conducted extensive anthropological, linguistic, and historical research on this issue²⁸ for this particular time period and identified nine subdivisions of what became historically known as the Wampanoag Confederation,

At least nine subdivisions under local headmen may be listed for the Wampanoag...The reason for this was fairly obvious; for the Wampanoag

²⁶ Hutchins, Francis G., 1979, Mashpee: The Story of Cape Cod’s Indian Town:181, Amarta Press.**EXH.7.**

²⁷ Weinstein-Farson, Laurie, 1989, The Wampanoag :22,:50, New York Chelsea House Publishers.**EXH. 8.**

²⁸ Speck, Frank G., 1928, Territorial Subdivisions and Boundaries of the Wompanoag, Massachusetts, and Nauset Indians:47,:78,:107, Indian Notes and Monographs, Museum of the American Indian, Heye Foundation.**EXH. 9.**

territory was a relatively small one, the subdivisions were fairly definite in their location...

(1.) Massasoit: Sowwams/Pokanoket, (2) Annawon: Rebohoth, (3) Weetamoe: Pocasset, (4) Corbitant: Swansea, (5) Tispaquin: Namasket, (6) Tyasks: south of Assawampsett Neck to New Bedford, (7) Totoson: Mattapoissett, (8) Coneconam: Manomet, (9) Piowant: Assonet River to Taunton River (Chippacuit)...

Of significance is the fact that Speck did not identify any Cape Cod Indian groups as part of the historical Pokanoket/Wampanoag Confederation

Additionally Speck concluded,

Finally we may trace the survival of the actual Wampanoag residing within the confines of their own territories down to recent times. (Herring Pond and Fall River and some near Dudley...

... We may imagine that since Martha's Vineyard was Wampanoag... the people of the western edge of Nantucket, facing Martha's Vineyard, were likewise Wampanoag invaders, and the others Nauset whose history and ancestry were associated with the next nearest inhabitants, those of southeastern Cape Cod in the neighborhood of Chatham, Nauset, and Monomoy, not more than 12 miles directly across from Nantucket by water.

According to Speck's analysis, circa 1928, the only remaining Pokanoket/Wampanoag descendants were located at Herring Pond, Dudley, Fall River and on Martha's Vineyard. Speck also historically clearly defined the Indian occupants of southeastern Cape Cod as being apart from the Pokanoket/Wampanoag Confederation.

Where, historically, was the political boundary between the Pokanoket/Wampanoag and those Indian groups on Cape Cod? Speck²⁹, on the basis of deed and document analysis concluded,

[c.1638]...the tribal line [Massaoit band of Wampanoag] is a water boundary and continues eastward to Cape Cod, where at the base of the cape a line of national separation evidently divided the Wampanoag from the Nauset...

...If, however, we accept the statement that the territory known as Manomet included both the headland south of Plymouth and the eastern shore of Buzzards bay, which preserve the name in common...East of the Manomet area, then we hear little of Wampanoag control. Evidently it is to be accounted as a boundary of the independent Nauset group subdivided into several well-known chieftancies whose bounds are in general possible to define

Johannsen³⁰ (1980) agreed that the Nauset groups were politically independent of the Pokanoket/Wampanoag,

Generally, it has been accepted that the New England Indians (Wampanoag, Narragansett, Massachusetts, Nauset, etc.) were culturally, religiously, economically, linguistically, and politically similar. These nations, however, inhabited distinct territories and distinguished themselves from each other in terms of political loyalties...

...It seems best to consider the name Wampanoag, meaning "eastern people," as designating a united political group of territorial village units that occupied an area bounded on the west by Narragansett Bay and the Pawtuxet River, and on the east by the Atlantic Ocean, and at times also including the inhabitants of Martha's Vineyard, Nantucket, and Aquidneck Islands....

²⁹ Speck, Frank G., 1928, Territorial Subdivisions and Boundaries of the Wompanoag, Massachusetts, and Nauset Indians:82,:118, Indian Notes and Monographs, Museum of the American Indian, Heye Foundation. **EXH. 10.**

³⁰ Johannsen, Christina, 1980, "European Trade Goods and Wampanoag Culture in the Seventeenth Century":25, in Gibson, Susan, ed., Burr's Hill, Haffenfeff Museum of Anthropology, Brown University, Providence. **EXH. 11.**

Where or when did the association of Mashpee with Wampanoag begin? Hutchins gives us the answer. It will be recalled that one of the surviving Wampanoag enclaves (c.1928) identified by Speck was the community at Herring Pond. Speaking of that same year, Hutchins³¹ noted,

In the fall of 1928 representatives [of Massachusetts Indians] gathered at Herring Pond near Plymouth to found the “*Wampanoag Nation*.” Though the Indians gathered at Herring Pond could claim many lines of ancestry, the name “Wampanoag” was by 1928 the natural choice, commemorating Massasoit, who befriended the Pilgrims, and his son Metacomet who died fighting them. Mashpee’s “Pequot” chief Simons was a candidate for the office of “supreme sachem” of the new “Wampanoag Nation,”...

When did the change in historical designation from Pokanoket to Wampanoag occur? Grabowski³² agrees that it happened in the aftermath of King Phillip’s War (c.1676),

With the military and political strength of the Pokonoket now in shambles the term itself in reference to the confederacy of bands, had little merit. In its place, the term Wampanoag...gained currency and the remaining Christian Indians were referred to by a term that was overtly more geographic and less political...Yet today, Wompanoag is commonly used to describe the tribal origins of those who once were part of the Pokonoket nation

Dialects

On page two of the Tribe’s submission³³ they spoke of the numerous Algonquian linguistic dialects spoken by the Indians of southern New England. In particular, the report spoke of dialectical differences amongst the Massachusett, Pokanoket, and Narragansett.

³¹ Hutchins, Francis G., 1979, Mashpee: The Story of Cape Cod’s Indian Town :150, Amarta Press. **EXH. 12**

³² Grabowski, Christine, 2007, Mashpee Wampanoag Tribal Identity in Ethno-historical Perspective:10 Mashpee Wampanoag Tribe.

³³ *ibid.* 2007:2-3

Such differences as noted by Speck (1928) were distinctive of groups that lived in relative social, geographical, and historical isolation from one another. Culturally all three tribal groups were very similar due to the uniform environmental settings shared by each, and similar modes of adaptation to that uniform environmental setting. Yet at the same time, it is recognized that such social groups have developed certain attributes which assist in ethnic boundary maintenance between such entities. As time and social distance progress, language tends to develop its own nuances which define its speaker's ethnic affiliation. What the Grabowski Report does not address is the fact that the Indian groups residing on Cape Cod maintained their own dialectical distinctiveness, in particular the Nauset.

Additionally, the historical record also notes that a distinctiveness “*in custom and condition*” amongst them existed in comparison to the mainland Indian groups. One important environmental component may account for this, that is, a greater subsistence and economic reliance on both maritime and seashore resources.

That the Indians on Cape Cod shared a common language with the inhabitants of southern Massachusetts and the northern part of Rhode Island is clear, although there were dialectical differences among specific groups.

Salwen (1978)³⁴ quoting from the writings of the explorer John Smith (c.1614) noted,

...there were three Cape Cod villages “of the language and alliance of Chawun,” the present Barnstable...all the remaining eastern Massachusetts villages from just south of Cape Ann to Bristol, Rhode Island, “are called Massachusets and differ somewhat in language, custome, and condition” from those of Chawum

Speck (1928)³⁵, also, on the basis of his historical and ethnological investigations noted,

An affinity in dialect, however, did exist between the peoples of the islands, both Nantucket and Marthas Vineyard, and even over entire Cape Cod. Yet on several occasions differentiation was noted in the records between the speech of the mainland and Marthas Vineyard.

Samuel Sewall³⁶ (c.1710), based upon his direct observations noted,

The Indians, though their number and their distance be now so small, do considerably differ in their Dialect. The former editions of the Bible the Natick Dialect. But if it be done in the Noop Dialect, which would best suit the most valuable body of our surviving Indians those on the Main, and at Nantucket would not understand it so well as they should....

We note from the above that there were dialectical differences between the Massachusett and the Cape Indians on one hand. On the other, Speck discerned differences between the Cape Indians and those upon Martha’s Vineyard and Nantucket, and between those on Martha’s Vineyard and the adjacent mainland which was Pokanoket territory. In this sense, the data suggests that each group maintained a

³⁴ Salwen, Bert, 1978, “Indians of Southern New England: Early Period”, in Sturtevant, William C. ed., 1978, Handbook of North American Indians, Vol.15 Northeast:167, Smithsonian Institute, Washington D.C. / (Smith, John 1912, The Jamestown Voyages v.2:327-464)**EXH. 13.**

³⁵ Speck, Frank G., 1928, Territorial Subdivisions and boundaries of the Wampanoag, Massachusett and Nauset Indians:105. Indian Notes and Monographs No.44 New York, Museum of the American Indian, Heye Foundation. **EXH. 14.**

³⁶ Sewall, Samuel, 1720, “Letter-Book of Samuel Sewall”:402, Letters and Papers, 1701-1720, Massachusetts Historical Society **EXH.15.**

certain social distance from one another. In the case of the Islands, a geographical factor appears to have been a significant factor. Do these dialectical differences correlate with boundaries of political influence?

Summary

OFA's assertion that "*Wampanoag Indians*" were residing at Mashpee at the time of first sustained contact is not supportable from an historical perspective. There was no Wampanoag nation or confederacy in existence circa 1620 and there was no distinct "*Mashpee*" political entity in existence, (as will be addressed in Chapter II of this research) during this same time period. Were there Indians residing upon Cape Cod who linguistically could have been referred to as Wampanoag? Yes, if it was applied as a general descriptive term indicating people who resided to the east of another. The Mashpee tribe's assertion that "*The contemporary Mashpee Wampanoag Tribe descends from a band of Indians that was part of the historic Pokonoket nation*"³⁷ will also be shown to be a historically unsupportable claim.

³⁷ Grabowski 2007:1

II. Cape Cod Indians

The Grabowski Report and Bureau of Indian Affairs Assertions

The tribe, in its petition report³⁸ claimed, “*The contemporary Mashpee Wampanoag Tribe descends from a band of Indians that was part of the historic Pokonoket nation.*”

This Report further stated,

...the Mashpee Tribe is culturally both *Mashpee*-i.e., identifying with the local history of the Tribe on Cape Cod-and *Wampanoag*-i.e., part of the Pokonoket/Wampanoag nation that once exercised political dominance throughout southeastern Massachusetts.

OFA in its 2006 Proposed Finding³⁹ stated,

The Petitioner claims to have evolved and descended as a group from a Wompanoag tribe of Algonquian-speaking Indians, who trace their origins to the colonial period in the area around the present day town of Mashpee, Massachusetts....

OFA further stated,⁴⁰

The Mashpee maintained a distinct Indian community in and around the town of Mashpee, Massachusetts during the contact, colonial, and revolutionary periods. During the 1620’s, the Wampanoag of southeastern Massachusetts on Cape Cod along Nantucket Sound, called “South Sea Indians” by the Pilgrims and Puritans, had a number of local sachems, in charge of one or more villages joined in a loose alliance under one chief sachem....

³⁸ Grabowski, 2007, Mashpee Wampanoag Tribal Identity in Ethno-historical perspective:1

³⁹ Summary under the Criteria for the Proposed Finding on the Mashpee Wampanoag Indian Tribal Council, Inc.:21, March 31,2006.

⁴⁰ *ibid* 2006:22

This chapter addresses certain questions concerning Mashpee. Were there defined political boundaries on Cape Cod? Did these boundaries represent a village, band, or tribal organization? What were their political relationships with other Indian groups on the main land? Most importantly, were these Cape Cod Indian groups politically subject to, or part of, Massasoit and his “*Pokanoket Nation*” sachemdom? What was the political origin of what became known as Mashpee? Was Mashpee a political continuation of an existing village, band, or tribal organization or was its origin independent of these aforementioned organizational bodies? If so, how does this fact affect the claims made by the tribe in its land-into-trust petition and report? Or do the conclusions reached in this chapter support the assertions made by the Tribe in its petition report to the Bureau of Indian Affairs?

Tribal boundaries

What do the sources tell us about the political setting amongst the Indian groups residing upon Cape Cod? Hutchins (1979)⁴¹ tells us circa 1617,

On Cape Cod, there were two sachemdoms before the plague of 1616-1617 [and 1623]...The **sachemdom of Manomet** had its headquarters at the Cape,s western edge, on Buzzards Bay in the present-day town of Bourne...Cape’s western edge...To the east, the **Nauset sachem** had his seat in present-day Eastham (emphasis added)

⁴¹ Hutchins, Francis G., 1979, Mashpee: The Story of Cape Cod’s Indian Town: 18, Amarta Press **EXH. 16**.

Salwen (1978)⁴² citing the observations of the explorer John Smith implied that there was a confederation or alliance of three villages (c.1614) within the present-day Barnstable area,

...there were three Cape Cod villages “of the language and alliance of Chawun,” the present Barnstable...all the remaining eastern Massachusetts villages from just south of Cape Ann to Bristol, Rhode Island, “are called Massachusets and differ somewhat in language, custome, and condition” from those of Chawum [citing,Smith, John 1912, *The Jamestown Voyages v.2:327-464*]

Edward Winslow (c.1623)⁴³ identified four sachemships on Cape: “*Canacom*” at Monomot, “*Iyanough*” around Yarmouth and eastern Barnstable, “*Aspinet*” at Eastham, and an unnamed one at Manomoyick in the vicinity of Chatham. Only one of these did he designate a “*Kingdom*”, (“*Kingdom of Nauset*”). Of Nauset and its then sachem “*Paupmunnuck*”, Speck noted,

The most prominent individual in the region, *Paupmunnuck*, headman of the village of Cotachessett, seems to have been in some sense the league’s leader...

In several documents dating from the 1640’s, 1650’s, and 1660’s, *Paupmunnuck*’s name leads the list of village headmen assembled to confer with Pilgrim officials. Paupmunnuck’s village of Cotachessett was located on Oyster Island...in the southwest corner of the town of Barnstable...

The league of villages which he led ranged from the village of Mattakees, in what is now eastern Barnstable, through the area around Ashimuit Pond in western Mashpee. Within this region, roughly twenty miles long and ten miles wide, stretching in a band along the Cape’s southern shore, there were ten or more Indian villages which together seem to have comprised this local league...

⁴² Salwen, Bert, 1978, “Indians of Southern New England: Early Period”, in Sturtevant, William C. ed., 1978, Handbook of North American Indians, Vol.15 Northeast :167, Smithsonian Institute, Washington **EXH.13**.

⁴³ Winslow, Edward, 2003 ed. (1624) Good Newes from New England:37,:52, Appleton Books, Bedford Massachusetts. **EXH. 17**.

Significantly, Winslow identified only one other Kingdom during the course of his travels. That was the “*Kingdom of Nemasket*” the some-time seat of Massasoit, head sachem of the Pokanoket. When Winslow visited “*Monomot*” (Manomet, present-day Bourne) in December 1623, he depicted the sachem there, “*Canacum*”, as the “*Governor, or sachem of this place.*”⁴⁴ His depiction of Canacum as a governor suggests that Winslow recognized the fact that Canacum was subordinate to a “*kingdom.*” In that regard Winslow observed⁴⁵, “*Their sachems cannot all be called Kings, but only some few of them, to whom the rest resort for protection, and pay homage unto them....*”

Increase Mather (1621)⁴⁶ affirmed Winslow’s observation that Canacum was indeed the sachem of Monomet. Mather noted, “*...for going to Manomet (now called Sandwich) and being entertained in the house of Kunacum, the sachem there...*”

Speck (1928)⁴⁷ on the basis of his research concluded that circa 1638,

the tribal line [Massaoit band of Wampanoag] is a water boundary and continues eastward to Cape Cod, where at the base of the cape a line of national separation evidently divided the Wampanoag from the Nauset...

Speck⁴⁸ further noted,

⁴⁴ *ibid* 2003:26 **EXH. 18.**

⁴⁵ *ibid* 2003:61-62 **EXH. 19.**

⁴⁶ Mather, Increase, 1677 (1864 ed.) A Relation of the Troubles which have happned in New-England. By reason of the Indians there:85 Albany, J. Munsell **EXH. 20.**

⁴⁷ Speck, Frank G., 1928, Territorial Subdivisions and boundaries of the Wampanoag, Massachusetts and Nauset Indians :37, Indian Notes and Monographs No.44 New York, Museum of the American Indian, Heye Foundation **EXH. 21.**

⁴⁸ *ibid* 1928:118 **EXH. 22.**

...East of the Manomet area, then, we hear little of Wampanoag control. Evidently it is to be accounted as a boundary of the independent Nauset group, subdivided into several well-known chieftancies whose bounds are in general possible to define.

Lowell⁴⁹ also noted that Herring Pond was also part of Manomet's (under Quachetisset, c.1674) territory,

The Herring Pond Area... The leading sachem here in the period up to King Philip's War was *Quachetisset*... Comassakumkanit, the chief village in the Herring Pond area....

Speck's research established the western boundary of the territory under Canacum's sachemship and that of the pre-1623 "*Kingdom of Nauset*." It was a sachemship independent of the Pokanoket/Wampanoag. Speck also delineated Canacum's eastern boundary with those of the Nauset proper,

The league of villages which he [Paupmunnuck sachem of Nauset c 1640] led ranged from the village of Mattakees, in what is now eastern Barnstable, through the area around Ashimuit Pond in western Mashpee. Within this region, roughly twenty miles long and ten miles wide, stretching in a band along the Cape's southern shore, there were ten or more Indian villages which together seem to have comprised this local league...

Lowell (1996)⁵⁰ in his research supported Speck's earlier findings,

Along the upper reaches of the Manomet River and the shore of Herring Pond was an Indian settlement called Comassakumkanet, with *Caunacum* as sachem until his death in 1623...

⁴⁹ Lovell, R.A., 1996, *Sandwich: A Cape Cod Town*:68, Sandwich Archives and Historical Center, Sullworth Publishing, Tauton. **EXH. 23.**

⁵⁰ Lovell, R.A., 1996, *Sandwich: A Cape Cod Town*:21,:41, Sandwich Archives and Historical Center, Sullworth Publishing, Tauton **EXH.24.**

The Sachem of Manomet was a person with authority over the Indians in southern Plymouth plus the whole latter Sandwich area, also part of West Barnstable and along the western shores of Buzzards Bay down to Woods Hole...

That Monomet was still an independent sachemdom in 1661 was attested to by the deed of conveyance of Monomet lands given by “*Quackatsett*”⁵¹ (“*Quachetisset*”), the successor of Canacum to one “*John Aldin*” (Alden) of Plymouth colony, “*Know all men that I Quackatasset have bargained and sold unto Mr John Aldin one tract of upland lying on that side of Monomet river next unto Sandwich...*”

In 1667 “*Quachetisset*” independently conveyed additional Monomet lands, this time to Richard Bourne, ... I *Quachatasset* of Manomet doe sell unto Richard Bourne of Sandwich...⁵² Lowell (1996)⁵³, also noted that Quachetisset’s independent authority over his lands also, in part, extended over those lands that were later to be part of the Mashpee Christian Indian community,

The third document was a deed from *Quachetisset* of Manomet as senior Sachem for the upper Cape dated Nov. 20, 1666 which formally turned over all his rights and interests in the Mashpee area to the same five Indians named above, [Dec 11, 1665 Mashpee Deed] thus confirming and reinforcing the previous act. The deed bounded the area beginning at the harbor near Waquoit up to Ashumet Pond, thence named several ponds by Indian names, and down to Kocuit River.

Hutchins (1979)⁵⁴ made note of this situation when he stated,

⁵¹ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691:305, Boston, New England Historic Genealogical Society. **EXH. 25.**

⁵² Massachusetts Historical Society Collections 1667, July 12, Conveyance by Quachatasset to Richard Bourne. See also Bangs:205/c.1685 **EXH. 26.**

⁵³ Lovell, R.A., 1996, Sandwich: A Cape Cod Town:65-66, Sandwich Archives and Historical Center, Sullworth Publishing, Tauton. **EXH. 27**

⁵⁴ Hutchins, Francis G., 1979, Mashpee: The Story of Cape Cod’s Indian Town 19-20, Amarta Press **EXH. 28**

The area subsequently included within the town of Mashpee occupied a peculiar place in the Indian hierarchy because of its location in a border region between the sachemdoms of Manomet and Nauset.

There was also the June 5, 1671 independent affirmation⁵⁵ by the Cape Indian sachemdoms of fidelity to the English authorities. They swore their allegiance as independent entities with no Pokanoket/Wampanoag oversight,

The Indians engagement to the Colonie of New Plymouth for their fidelitie unto the English, agreed amongst themselves the 10th of Aprill, 1671...that wee submit ourselves unto their government ...
Wee, the Indians of Paomett...and wee the Indians of Nausett, Sakatuckett, Nobscussett, Paomet, Mannamoiicke, and Wequahutt and Mattakeesit...our fidelitie to the English...

As Speck noted earlier, Pokanoket/Wampanoag authority ended at the western boundary of Manomet territory. From that point east there was only the independent (c.1623) sachemdoms of Canacum and Aspinet. This point was also born out at the 1675 onset of Philip's war against the colonies and the birth of the Wampanoag confederation or nation. These sachemships on the Cape undertook their own diplomatic strategies by not siding with Philip and those sachemdoms under his political control. There is no evidence that the Indian groups residing on Cape Cod were part of, or subject to the political leadership of any Wampanoag/Pokanoket confederation or alliance.

⁵⁵ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691:421-422, Boston, New England Historic Genealogical Society. **EXH. 29.**

Political Relations

Did the English at Plymouth Plantation treat or interact with the Indian sachemdoms on Cape Cod as separate political entities, or did these colonial authorities have to resort to working through Massasoit of the Pokanoket/Wampanoag in dealing with these Cape Indians? If, as the Mashpee assert in their land-into trust petition, these Cape tribes were subject to the political authority of the affiliated Pokanoket/Wampanoag tribes under the paramount sachem Massasoit, Plymouth would have had to do so. This was not the case.

In the preceding section it was noted that the June 5, 1671 affirmation⁵⁶ of fidelity to the English authorities by the Cape Indian sachemdoms, “*Wee, the Indians of Paomett...and wee the Indians of Nausett, Sakatuckett, Nobscussett, Paomet, Mannamoiicke, and Wequahutt and Mattakeesit...our fidelitie to the English...*” was an action undertaken by independent political entities with no Pokanoket/Wampanoag oversight. It was also an affirmation by the English authorities that such was the case. Needless to say, the authorities at Plymouth colony would not have risked offending any existing paramount sachems by entering into diplomacy with the Cape Indian groups without their consent if such entities were subject to their authority.

⁵⁶ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691:421, Boston, New England Historic Genealogical Society. **EXH. 29.**

Even earlier, in 1621 the two principal sachemships of Cape Cod, of Manomet and Nauset were signatories to a “*treaty of amity*”⁵⁷ with the English. The signatories were, “*Apennow: (Aspinet)*”⁵⁸, *sachem of Nauset*” and “*Cawnacome: (Coneconam, Kunacum), sachem of Manomet.*”

That the sachemship of Manomet, led by Canacum, was independent of any Pokanoket/Wampanoag political control was demonstrated in 1677 by the following reaffirmation statement made by his successor, Quachatasset,⁵⁹

To all people to whom these presents come shall Come Quachatasset Sachem of Monomet in the Government of New Plymouth in New England sendeth Greeting &c Know yee that whereas Quonicom Late of Monomet aforesaid my Guardian did many years since in the time of my minority make sale of my lands in these presents hereafter Mensioned unto Mr William Bradford...And by these presents doe enfeoff... Conferme unto said Towne of Sandwich...all those my lands... sold by Quonicom...by my selfe...lying and being in Sandwich aforesaid.. are bounded westerly by the line that runs from the cliff Comonly called Picked Cliff; by the seaside to the westward of John Ellis his Later dwelling house; about three quarters of a mile unto the herring pond; about two Rodds within or above the Mouth of the herring River....thence to the line that Runes between Sandwich and Barnstable; and thence as the bound line Runs; betweene the said Townes to the sea and bounded northerly by the Sea...

The fact that Canacum (“*Quonicom*”) (who died in 1623) was able to convey Indian title to the English at Plymouth without the approval

⁵⁷ Drake, Samuel G., The Aboriginal Races of North America Book II Chap II:94, Fifteenth Edition 1880, New York, Hurst & Company **EXH. 30**

⁵⁸ See: Drake, Samuel ed. 1864 ed, Mather, Increase, 1637, Early History of New England:94, Albany J. Munsell: “Aspinet, Sachim of Nossett.”

⁵⁹ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691:502-503, Boston, New England Historic Genealogical Society. **EXH. 31.**

of Massasoit was a clear indicator of this Cape sachem's independence from Pokanoket/Wampanoag political control.

Further historical evidence that both Manomet and Nauset were independent of any Wampanoag political control or authority was demonstrated by the following March 1623 incident wherein a plan amongst the various Indian groups on Cape Cod was made to attack the English settlements of Wessagusset and Plymouth and that this plan also included the Massachusett tribe,⁶⁰

At our coming away, he called Hobbamock to him, and privately ..revealed the plot of the Massacheuseucks before spoken of, against Master Weston's colony, and so against us; saying that the people of Nauset, Paomet, Suconet, Mattachiest, Monomet, Agowaywam, and the isle of Capawack, were joined with them...

...Concerning those other people that intended to join the Massacheuseuks against us, though we never went against any of them; yet this sudden and unexpected execution, together with the just judgment of God upon their guilty consciences, hath so terrified and amazed them, as in like manner they forsook their houses, running to and fro like men distracted...and so bought manifold diseases amongst themselves, whereof very many are dead; as *Canacum*, the sachim of Manomet, *Aspinet*, the sachim of Nauset, and *Ianough*, sachim of Mattachiest....

Mather, (1677)⁶¹ also confirmed this conspiracy and its participants,

...albeit the Conspiracy was very strong, for the Indians at Nosset [Eastham], Paomet [Truro], Saconet [Falmouth], Manomet [Sandwich], Matachiest [Barnstable], Agawam [Wareham], were all of this confederacy to cut off the English

⁶⁰ Winslow, Edward, 1624 (2003 ed) Good Newes from New England:37,:51-52, Bedford Massachusetts, Applewood Press. **EXH. 32.**

⁶¹ Mather, Increase, 1677 (1864 ed.) A Relation of the Troubles which have happened in New-England. By Reason of the Indians there:87. Albany, J. Munsell **EXH. 33.**

Here the Cape sachems contrived, independently of Massasoit and the Pokanoket, to assail an English settlement. It was due only to the actions of one Indian and the onset, in 1623, of a smallpox epidemic on the Cape that left “*whereof very many are dead; as Canacum, the sachim of Manomet, Aspinet, the sachim of Nauset, and Ianough, sachim of Mattachiest....*”⁶² that their independent action was forestalled.

Salisbury (1982)⁶³ termed these Cape sachemdoms as “*allied*” sachems, *Canacum of Manomet, Aspinet of Nauset, and Iyanough of Cummaquid (modern Barnstable)*. In the aftermath of the epidemic, the English capitalized on the fact that “*in the midst of these distractions, said the God of the English was offended with them, and would destroy them in his anger*” for sympathizing with the *Massachusett...*”⁶⁴ The pertinent point here is that the Cape sachemdoms were being chastised “*for sympathizing with the Massachusett*”, not the Pokanoket/Wampanoag. At the same time the Pokanoket/Wampanoag union under Massasoit fell into disarray. Mourt (1622)⁶⁵ noted,

At our return from Nauset, we found it true that *Massasoit* was put from his country by the Narragansetts. Word also was bought unto us that *Corbitant*, a petty sachem or governor under Massasoit... was at Nemasket, who sought to draw the hearts of Massasoit’s subjects from him, speaking also distainfully of us, storming at the peace between Nauset, Cummaquid, and us....

⁶² Winslow, Edward, 1624 (2003 ed) Good Newes from New England:51-52, Bedford Massachusetts, Applewood Press. **EXH. 32.**

⁶³ Salisbury, Neil, 1982, Manitou and Providence: Indians, Europeans, and the Making of New England, 1500-1643:133-34, New York, Oxford University Press. **EXH. 34.**

⁶⁴ Winslow, Edward, (1624)2003 ed. Good Newes from New England:52, Bedford, Massachusetts, Appleton Books **EXH. 17**

⁶⁵ Mourt, George, (1622) 1963 ed., A Relation or Journal of the Beginning and Proceedings of the English Plantation settled at Plymouth in New England:73, Bedford, Massachusetts, Applewood Books. **EXH. 35.**

Massasoit regained his leadership position, but as Campisi (1991)⁶⁶ noted,

Massasoit continued to exert influence until his death in 1662, but it is not clear to what degree that influence extended to the Cape Cod villages or was based upon pre-contact political structures...what little evidence there is indicates that the sachems and their councils were autonomous at home

That the English still considered the sachem leadership on the Cape as still viable circa 1677 is demonstrated by the following, wherein the Manomet Sachem Quachatasett⁶⁷ was asked to affirm land conveyances made by his predecessor,

To all people to whom these presents come shall Come Quachatasett Sachem of Monomet in the Government of New Plymouth in New England sendeth Greeting &c Know yee that whereas Quonicom Late of Monomet aforsayd my Guardian did many years since in the time of my minority make sale of my lands in these presents hereafter Mensioned unto Mr William Bradford...And by these presents doe enfeoff...Confeirme unto said Towne of Sandwich...all those my lands... sold by Quonicom... by my selfe...lying and being in Sandwich aforesaid..are bounded westerly by the line that runs from the cliff Comonly called Picked Cliff; by the seaside to the westward of John Ellis his Later dwelling house; about three quarters of a mile unto the herring pond; about two Rodds within or above the Mouth of the herring River...thence to the line that Runes between Sandwich and Barnstable; and thence as the bound line Runs; betweene the said Townes to the sea and bounded northerly by the Sea...

During the same era the Sachemship of Nausett was still functioning as witnessed by a 1668 deed,⁶⁸ “*I Hiannis alias Wamasantome Indian Sachem of Nausett...*” There was still a sizable

⁶⁶ Campisi, Jack, 1991, The Mashpee Indians: Tribe on Trial:73, New York, Syracuse University Press. **EXH. 36.**

⁶⁷ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691:502, Boston, New England Historic Genealogical Society. **EXH. 31.**

⁶⁸ Massachusetts Historical Society, 1668, June 20 Deed. **EXH. 37.**

Indian population on the Cape during this time period as witnessed by Richard Bourne's 1665 Christian Indian population numbers,⁶⁹

...First there is at "**Meeshawn**", or near the head of the Cape [Provincetown], and at "**Punonakanit**" [South Wellfleet], or Billingsgate, that are praying Indians [72]...and likewise the rest as followeth viz...

"**Potanumaquut**", [South Orleans] or **Nawsett**, or Eastham there are praying Indians [44]...

"**Manamoyik**", [Chatham] there are praying Indians [71]...

"**Sawkattukett**, [Dennis] **Nobsquassit**, [North Dennis], **Matakees**, [Yarmouth] and Weequakutt, [Barnstable] praying Indians [122]...

"**Satuit**", [Sanctuit Pond, Mashpee] **Pawpoesit**, [Mashpee] "**Coatuit**", [Barnstable], "**Mashpee**", "**Wakoquet**" [Waquiot Bay, Falmouth] there is praying Indians [95]

"**Codtanmut**", [Codtanmeet, Mashpee] "**Ashimuit**", Shumuit, Falmouth-Masphee line] "**Weequobs**", [Great Neck, Mashpee] there is praying Indians [22]

Deyo (1890)⁷⁰, citing numbers given by Governor Hickley (c.1668),

reported nearly one thousand praying Indians within the limits of Barnstable county, distributed as follows:
At Pamet, Billingsgate and Nauset, 264; at Monomoyick, 115; at Satucket and Nobscusset, 121; at Mattacheese, 70; at Skanton, 51; Mashpee, 141; at Manomet, 110; and at Succonesset, 72. He also says that besides these there were boys and girls

By the above it is clear that there was a colony-sachemship relationship between the Indian groups on Cape Cod that did not include the Pokanoket/Wampanoag leadership, that there still existed recognized leaders of the two principle sachemships, and that they

⁶⁹ Gookin, Daniel, (1674)(1970 ed) Historical Collections of the Indians of New England Of Their Several Nations, Numbers, Customs, Manner, Religion and Government, before the English Planted There:89-91, Towtaid. **EXH. 38.**

⁷⁰ Deyo, Simeon L. 1890, History of Barnstable County:17-18, New York H.W. Blake &Co. **EXH. 39**

still retained a significant population within their respective areas of leadership.

In 1762, the reverend Ezra Stiles, president of Yale University, noted in his traveling “*Intineries*”⁷¹ the following,

Quichatset Sachem of all Sandw. & Barnstab. Marshes & to within 3 M. of Plymouth...Falmo. & Mashpee we were under Popmonnit, Sach. Of the South Sea Indians

The Question of Mashpee

“The contemporary Mashpee Wampanoag Tribe descends from a band of Indians that was part of the historic Pokanoket nation.”

Within the preceding pages it has been argued that Wampanoag was merely a generalized descriptive term that had morphed into a specific reference to those eastern Indian groups that had united under King Philip in hostilities against the colonies in 1675. At the same time it has been argued that those Indian sachemdom alliances on Cape Cod were not under the political control of the Pokanoket/Wampanoag sachem Massasoit or of any of his successors, but instead, were independent self-governing entities. Now the question of Mashpee will be examined.

Who or what was Mashpee? Was Mashpee a political entity, the direct continuation of a Cape Cod Indian tribe that was existent at the time of first sustained contact with Europeans? Was Mashpee the cultural and ideological continuation of such an Indian group? How

⁷¹ Dexter, Franklin ed., 1916, Extracts from the Intineries and other Misscellanies of Ezra Stiles, 1755-1794 :169, New Haven Yale University Press. **EXH. 40.**

and by what means did the historical Mashpee emerge into a self-identifying Indian community?

During a 1752 court proceedings it was stated,⁷²

...The Mashpees began by reminding the Court that the same sachems who had given most of the Cape to the English had also created Mashpee, and had put limitations on the deed that had been upheld by New Plymouth.

The leaders of the Mashpee community here admitted to the court that Mashpee, as a distinct Indian community, had been created by the actions of several Indian sachems. Their actions were recognized by the authorities at Plymouth colony. What actually happened?

It will be recalled that the Sachemdoms of Cape Cod did, in alliance with the Massachusett, plan to attack the English settlements of Wessagusset and Plymouth,⁷³

At our coming away, he called Hobbamock to him, and privately ..revealed the plot of the Massacheuseucks before spoken of, against Master Weston's colony, and so against us; saying that the people of Nauset, Paomet, Succonet, Mattachiest, Monomet, Agowaywam, and the isle of Capawack, were joined with them...

Their plan never came to fruition due to the appearance in 1623 of a smallpox epidemic that ravaged the Cape Cod Indian communities. Among its victims were the political leaders of the conspiring groups,

⁷² Mandell, Daniel R., 1996, Behind the Frontier: Indians in Eighteenth-Century Eastern Massachusetts:138, University of Nebraska Press, Lincoln. **EXH. 41.**

⁷³ Winslow, Edward, 1624 (2003 ed) Good Newes from New England:37,:51-52, Bedford Massachusetts, Applewood Press. **EXH. 42.**

in particular the sachems of Manomet (Canacum), Nauset (Aspinet), and Mattachiest (Ianough),

... yet this sudden and unexpected execution, together with the just judgment of God upon their guilty consciences, hath so terrified and amazed them, as in like manner they forsook their houses, running to and fro like men distracted...and so bought manifold diseases amongst themselves, whereof very many are dead; as *Canacum*, the sachim of Manomet, *Aspinet*, the sachim of Nauset, and *Ianough*, sachim of Mattachiest....

The authorities at Plymouth made it clear to the surviving Cape population that it was the wrath of their Christian God that brought this pestilence upon them as a result of their own actions. Being politically decapitated by the epidemic, their leadership proving to be ineffectual in the process and having their traditional shamanistic methods of healing proving equally ineffective, the door was opened to Christian missionary activities amongst these peoples. At the time the historic Nauset-led “*alliance of Chawun*” fragmented into lesser clusters of kin-related semi-autonomous villages allied with either the sachemdoms of Quachatasset of Monomet (Bourne) and Popmonnit of Mattachiest (Barnstable). As Hutchins (1979) noted,⁷⁴

After the plague [1623], with all lines of authority so much weakened, the villages in and around Mashpee Pond had to rely increasingly on themselves. The Nauset sachemdom more or less disintegrated, with power shifting to a variety of local chiefs. ...For this reason, the headmen of a number of villages in the Mashpee region had taken to consulting together, forming in effect a small local league...

Principally by the efforts of the Reverend John Mayhew and Richard Bourne, a lay minister who resided in the town of Sandwich,

⁷⁴ Hutchins, Francis G., 1979, Mashpee: The Story of Cape Cod's Indian Town: 19-20, Amarta Press **EXH. 43.**

Christianization of the Cape's Indians began in earnest. Bourne followed the practice established by John Mayhew on Martha's Vineyard, that permitted his converts to maintain their traditional cultural patterns sans religious practices, whilst adopting a Christian ideology. This contrasted with the practice of John Eliot and his convert population at the Natick reserve, wherein Eliot forbade any aboriginal cultural practices. By 1665 Gookin (1674)⁷⁵ noted the number of Indian converts on the Cape from Provincetown to Falmouth,

For the encouragement and furtherance of that work, it pleased God to raise up one Richard Bourne, living in this colony, about Sandwich...to preach the gospel to some Indians that dwelt not far from his habitation; and afterwards finding good success, went further among them...Of which take the following account from his own hands... those that I have been conversant with, and employed amongst these many years, you may be pleased to see as followeth...

First there is at "Meeshawn", or near the head of the Cape [Provincetown], and at "Punonakanit" [South Wellfleet], or Billingsgate, that are praying Indians [72]...and likewise the rest as followeth viz...

"Potanumaquut", [South Orleans] or Nawsett, or Eastham there are praying Indians [44]...

"Manamoyik", [Chatham] there are praying Indians [71]...

"Sawkattukett, [Dennis] Nobsquassit,[North Dennis], Matakees, [Yarmouth] and Weequakutt, [Barnstable] praying Indians [122]...

"Satuit", [Sanctuit Pond, Mashpee] Pawpoesit, [Mashpee] "Coatuit", [Barnstable], "Mashpee", "Wakoquet" [Waquiot Bay, Falmouth] there is praying Indians [95]

⁷⁵ Gookin, Daniel, (1674)(1970 ed) Historical Collections of the Indians of New England Of Their Several Nations, Numbers, Customs, Manner, Religion and Government, before the English Planted There:89-91, Towtaid. EXH. 44.

“Codtanmut”, [Codtanmeet, Mashpee] “Ashimuit”, Shumuit, Falmouth-Masphee line] “Weequobs”, [Great Neck, Mashpee] there is praying Indians [22]

“Pispogutt”, Wareham] “Wawayonat” [Wareham/Buzzards Bay] “Sokones”, [Succonuset, Falmouth] there is praying Indians [36]

In July of 1664, lands in the present day Chatham and Dennis area had been set apart as a reserved tract for the Indians on former Nauset lands. *Hiano* (“*Iyannough*” (Hyannis, Wamasantome) had previously sold to the proprietors of Yarmouth all the lands on the south side of the town of Yarmouth, reserving certain lands in the vicinity of Bass River to the use of the Indians. Those recent polyglot Christian Indian converts residing south of these reserved enclaves became known as the “*South Sea Indians*.” As Hutchins (1979)⁷⁶ concluded,

The “South Sea” in seventeenth century New England usage included Nantucket and Vineyard Sounds, and “South Sea Indians” was the name given Richard Bourne’s Indian converts who lived by the “South Sea,” in other words, on the southern shore of Cape Cod.

In other words, the South Sea Indians were, at their inception a group of Christian converts. They were groups of converts scattered amongst villages throughout the area, including the village of Mashpee and those surrounding it. They were not an historic tribe, merely family groups and individuals who had adopted a new ideology as a means of adapting to or accommodating the socio-cultural changes occurring around them.

⁷⁶ Hutchins, Francis G., 1979, *Mashpee: The Story of Cape Cod’s Indian Town*:47, Amarta Press **EXH. 45**

In February of 1665, Richard Bourne⁷⁷ took the first step to organize a Christian Indian community that was to become known as Mashpee. This first step was a petition to the Plymouth Colony General Court that presented a plan “*for a new way of government administered by the Indians themselves, recognizing the authority of the sachems over their customary areas...Dated February 7,1665,*” that in part it read,

Whereas a motion was made to this Court by Richard Bourne in behalf of those Indians under his instruction, as to their desire of living in some orderly way of government for the better preventing and redressing of things amiss amongst them by meet and just means...this Court...do approve of those Indians proposed, viz,Paupmannuck, Keencomsett, Watanmatuck, and Nanquidnumack, Kanoonus, and Mocrust, to have chief inspection and management thereof, with the help and advice of said Richard Bourne, as the matter may require; and that one of the aforesaid Indians bee by the rest installed to acte as a constable amongst them ... always provided, notwithstanding that what homage accustomed legally due to any superior sachem be not hereby infringed.

What is of significant importance here is that the petition asked that the Court permit a “*new*” government to be established, not the continuation of an existing government or political leadership. Constables, not sachems maintained order within this community. It was unique. At the same time, given that this insipient community existed on lands that transcended the boundaries of two sachemdoms, this community was to recognize the rights of both “*superior*” sachem.

⁷⁷ Lovell, R.A., 1996, Sandwich: A Cape Cod Town:64-65, Sandwich Archives and Historical Center, Sullworth Publishing, Tauton. **EXH. 46.**

In December of 1665, Bourne continued the process to establish a distinct community for his “*South Sea*” converts.⁷⁸ He did so by having two local village sachems, “*Tukonchausn*” of Santuit and “*Weepquish*” of the village of Waskootosse⁷⁹ (Waquoit) convey in trust,

a place called Anaquobsit and Taquashboneest being the westernmost bounds: and extending to a river called Pankonokookonit on the east side, the southerly bounds at a place lying to the west in the woods called Manoominissit and to the eastward in the woods to a place called Nonamost...

and that,

We the aforementioned Weepquish and Tookonchasun having right and interest in the forementioned lands of our ancestors and having not formerly sold or given it to any others: do now both of us freely give all the aforementioned lands, from us and ours unto the Indians commonly called the South Sea Indians: living about Mashpee, Santuit, Cotuit and the places adjoining within the aforementioned bounds⁸⁰

According to Lowell (1996)⁸¹, citing Quachetisset’s deed of November 20, 1666, the eastern boundary his lands extended to Ashumet (Ashmuit) Pond,

The third document was a deed from *Quachetisset* of Manomet as senior Sachem for the upper Cape dated Nov. 20, 1666 which formally turned over all his rights and interests in the Mashpee area to the same five Indians named above, [Dec 11, 1665 Mashpee Deed] thus confirming and reinforcing the previous act. The deed bounded the area beginning at the

⁷⁸ Gookin (1674 (1970):92-93, noted at that time there were Indian convert communities located at Comassakumkanit, [Herring Pond] near Sandwich, and at Cotuhikut [Titicut]: ... Cotuhikut. [Middleboro] Potanumaquut, [South Orleans] Manamoyik, [Chatham] Skones, [Falmouth] and Mananiet [Bourne]. **EXH. 47.**

⁷⁹ Lovell, R.A., 1996, Sandwich: A Cape Cod Town:65, Sandwich Archives and Historical Center, Sullworth Publishing, Tauton. **EXH. 46**

⁸⁰ Hutchins, Francis G., 1979, Mashpee: The Story of Cape Cod’s Indian Town:47-49, Amarta Press **EXH. 48.**

⁸¹ Lovell, R.A., 1996, Sandwich: A Cape Cod Town:65-66, Sandwich Archives and Historical Center, Sullworth Publishing, Tauton. **EXH. 27.**

harbor near Waquoit up to Ashumet Pond, thence named several ponds by Indian names, and down to Koctuit River.

Tukonchaun's village of Santuit was east of this boundary, thus placing him as a subsachem under the superior sachem Paupmunnuck whilst Weepquish, of the village of Waskootosse (Waquoit), was to the west of Ashumet Pond thus placing him under the jurisdiction of Quachatasset, the superior sachem of Manomet. We see the necessity of having both subsachems as subscribers to the fact to the December 1665 deed. The lands that were to become Mashpee consisted of those belonging to two sachemdoms. If this community was to have a degree of political autonomy, it had to be free of the authority of the local subsachems. This trust instrument accomplished that end.

Additionally, and of equal significance were the five recipients or trust grantees named in this conveyance document. Three of these trustees were from the Mashpee area, that is, three persons formerly associated with either of the two grantors, (the existing village of Mashpee was located within Paupmunnuck's territory), "*Kanoonus, Wonbees and Compocknet.*" "*William Pease*" was from the Falmouth area (Quachatasset's territory) and "*Ashuwaham*" was from the village of Cotochiese on Oyster Island in Barnstable (Paupmunnuck's territory).⁸² He was a son of Paupmunnuck. What is interesting here is the grantees were from areas under the dominion of either Quachatasset, sachem of Manomet, or Paupmunnuck, sachem of Cotachessett. These grantees were not from a singular village or sachemdom, they were Christian converts in the process of forming a

⁸² Lovell, R.A., 1996, *Sandwich: A Cape Cod Town*:65, Sandwich Archives and Historical Center, Sullworth Publishing, Tauton. EXH.46.

polyglot ideologically-based community. Paupmunnuck's son, Simon, was one of the signing witnesses to the act. According to Hutchins (1979)⁸³ Simon was allowed by his father to be educated in Christianity and the English language by Bourne.

Upon Bourne's death in 1682 Simon took over as,

Bourne's successor as minister of the Mashpee Congregational Church. The Indians had to learn their Christianity from scratch...

...And the assembling of a community of Protestant Indians was a laborious process of adding one member at a time. Families and villages

...And the assembling of a community of Protestant Indians was a laborious process of adding one member at a time. Families and villages were not always transported intact into the new society. Conversion was an individual choice, and families and villages often divided on the issue of conversion and went separate ways... The Christian Indians who came to Mashpee or remained there after 1665 had separated themselves voluntarily from other Indians who chose a different path.

These individuals who later became both leaders and members within the insipient Christian Indian community were Indians from several areas which were under several sachems. A whole society was being created by persons giving up the old ways and adopting a radically different ideology, that of Christianity. As Hutchins (1979) aptly noted,⁸⁴

The essential purpose of the 1665 deed seems to have been a transfer by which Christian Indians of the South Sea region of Cape Cod collectively acquired English legal title to the land of Mashpee plantation. Just as there were Christian "South Sea Indians" still living outside Mashpee in 1665, so were there non-Christian Indians resident within Mashpee. *And just as*

⁸³ Hutchins, Francis G., 1979, Mashpee: The Story of Cape Cod's Indian Town:41-42,:49-50, Amarta Press **EXH. 49.**

⁸⁴ Hutchins, Francis G., 1979, Mashpee: The Story of Cape Cod's Indian Town:49-50, Amarta Press **EXH. 49.**

Bourne hoped that Christian Indians would move in, so he also hoped that the Indians who rejected conversion would move out...(emphasis added)

Bourne's intent was to create an Indian community based upon a single ideology. Bangs (2002)⁸⁵ noted this when, on the basis of the Plymouth Colony Records, he stated,

The previous month, February, 1664 (1665), the court responded to a motion by Richard Bourne "in the behalfe of those Indians under his instruction" allowing them to form "some orderly way of government, for the better preventing and redressing of thinges amisse amongst them" Those named were "to have the cheife inspection and management therof, with the healp and advice of the said Richard Bourne... The court stipulated, nonetheless, "that what homage accustomed legally due to any superior sachem bee not heerby infringed."

This formation can be recognized as the beginning of an organized group of "Praying Indians."

Mashpee in essence was neither Monomet nor Cotachessett. It was a developing ideological community consisting of seven villages.⁸⁶ Both *Tookonchasun* and *Weepquish* agreed to this formation. In 1666, Quachatasset, of Manomet, formally ceded his sachemship rights and most importantly, Indian title of the lands in question to the colony, "*all right and interest that I have in those lands either by gift or otherwise now possessed by the "South Sea Indians..."*"

What this sequence of documents makes abundantly clear is that the Indian community that was to become known as Mashpee was not the direct political continuation of any historic tribe or sachemdom or

⁸⁵ Bangs, Jeremy 2002, *Land Transactions in Plymouth Colony, 1620-1691*:112, Boston, New England Historic and Genealogical Society. Citing from PCR, Court Orders IV,80. **EXH. 50**

⁸⁶ Ashimuit, Codtanmat (Paupoesit), Cotuit, Mashpee, Santuit, Waquoit, and Weesquabs

the voluntary political unification of the two. It was a created polyglot community bound by a shared ideology, Christianity. This community post -1666 owed its allegiance to, and was under the sole jurisdiction of, Plymouth Colony

Gookin (1674)⁸⁷ listed Bourne's convert Indian communities and their populations residing upon Cape Cod. What is important here is the village groupings cited. Bourne considered the village clusters within the land area of the 1665 trust deed to form two different Indian convert populations circa 1674. The first population cluster consisted of the villages of Satuit, Pawpoesit, Coatuit, Mashpee, and Wakoquet, consisting of 95 converts. The second cluster consisted of the villages of Codtanmut, Ashimuit, and Weesquabs, consisting of 22 individuals. Clearly Bourne was telling his readers that there was no unified Christian Indian community called Mashpee at this point in time.

By 1698 this number had been reduced to three, Sanctuit, Cotuit, and Mashpee.⁸⁸ The convert population totaled “*57 families...and upwards 263 persons*” over the age of ten. “*The Indian preacher here is Simon Papmonit...Their rulers are Caleb Papmonit, Calib Pohgeit, Sancohsin, James Ketah*” Most importantly it was noted, “*The two villages (Sanctuit and Cotuit) did survive as distinct neighborhoods,*

⁸⁷ Gookin, Daniel, 1970 ed. (1674), Historical Collections of the Indians in New England:91, Towtaid **EXH. 44.**

⁸⁸ 1809, “An Account of an Indian Visitation, A.D. 1698”, copied for Mr. Stiles, by Reverend Hawley, Missionary at Mashpee from the Printed Account Published in 1698” in, Collections of the Massachusetts Historical Society, vol. X :132-33. **EXH. 51.**

but Mashpee was clearly becoming more of a unified community than a series of discreet villages.”

Mashpee was evolving, but the central question here is, what did Mashpee evolve from? Mashpee was not an historic tribe nor was it the direct political or social continuation of one or more historic tribes that had voluntarily combined to form a new one. It is clear from the historical record that the two historic sachemdoms of Manomet and of Cotachessett existed, and continued to co-exist, past the time of Mashpee’s inception. Mashpee drew most of her initial populations from the villages within these two sachemdoms, but these people had ideologically and after 1665, politically ceased to be a part of them. Mashpee became their “*Brave New World.*” It was such people that led King Philip to remark,⁸⁹ “*you praying Indians do reject your sachems, and refuse to pay them tribute*”

Summary

Mashpee was not the direct social and political continuation of an historical tribe. It was not in existence at the time of first sustained historical contact with Europeans c.1614-1620. The people who became known, first as the South Sea Indians and later as Mashpee were culturally, politically and ideologically different from their non-Christian kin.

⁸⁹ Cogley, Richard W., 1999, John Elliot’s Mission to the Indians before King Philip’s War:198, Harvard University Press Cambridge. EXH. 52

Neither Mashpee nor any of the antecedent Cape Cod sachemdoms from whence it evolved were politically affiliated with Massasoit or any mainland Pokanoket/Wampanoag sachemdoms or groups. It is known that the Cape Cod Indian groups, including the Mashpee Christian community did not join with King Philip and his “*Wampanoag Federation*” in its insurrection against the colonists circa 1775. Instead, members of the Mashpee community fought alongside the besieged colonists in defeating Philip and his minions.

Grabowski and the Tribe asserted, “*The contemporary Mashpee Wampanoag Tribe descends from a band of Indians that was part of the historic Pokanoket nation.*” The historical facts and the conclusions of scholars do not bear out this assertion.

III. Indians at Middleboro

Grabowski Assertions

“Yet the Tribe’s identity is not only rooted locally in Mashpee. The Mashpee Wampanoag Tribe also identifies strongly as Wampanoag and therefore has extensive historical and cultural ties to the Pokonoket/Wampanoag nation... Middleborough figures prominently in Pokonoket/Wampanoag history and culture....”

What significant historical and cultural ties do the present-day, or for that matter, the historical Mashpee have with the town of Middleboro? What is the significant prominence of this purported relationship? The tribe, via the Grabowski Report, claims a strong identity with this geographical location via a purported “*Wampanoag*

Tribal Identity.” When did this Wampanoag identity gain significance? Was there a shared political relationship between the Mashpee and the Pokanoket/Wampanoag? What cultural affinities, other than generalized adaptive traits shared by all the Indians of the region, made such an affinity significant?

Some of these questions, such as the question of Wampanoag and a purported political relationship between this nebulous entity and the historic Mashpee and the contact-era sachemdoms on Cape Cod have been addressed earlier in this research. The focus is now upon the town of Middleboro and its environs. What Indian tribes or groups were historically present in this area? Did any of these tribes or groups have a relationship with Mashpee, be it social, economic, or political?

There were two historic sachemdoms directly involved with the lands that were to become those of Middleboro, Massachusetts. The boundary or line of demarcation between these two sachemdoms, the Massachusett and Pokanoket/Wampanoag, followed the course of two rivers that bisected Middleboro, the Titicut and Nemasket.

Massachusett and Pokanoket

Massachusett

In 1648 Daniel Gookin⁹⁰ observed,

... The Massachusetts, being the next great people northward, inhabited principally about that place in Massachusetts bay, where in the body of the English now dwell. [c.1674] They were a numerous and great people.

⁹⁰ Gookin, Daniel, 1674 (1970 ed) Historical Collections of the Indians of New England Of Their Several Nations, Numbers, Customs, Manner, Religion and Government, before the English Planted There:9, Towtaid. EXH. 53.

Their chief sachem held dominion over many other petty governours; as those of Weechagaskas, [Weymouth] Neponsett [Dorchester] Punkapaog[Canton]. Nonantum [Newton], Nashaway [Sterling], some of the Nipmuck people, as far as Pokomtakuke [East Deerfield]....

Frank Speck⁹¹ on the basis of his historical research of land transactions between the two Indian groups and the Middleboro colonists noted that the Massachusetts and the Pokanoket sachemdoms shared a common south/north boundary. He was able to discern the tribal boundary between the two as it existed within the present-day town of Middleboro circa 1638,

We have now the Wampanoag bounds fairly covered except on the northern frontier, and here the only possible course is to harmonize the division line between the claims of chiefs whose allegiance is known to be either Wampanoag or Massachusetts... This course is possible by reference to land transactions of Tuspaquin, the Wampanoag owner of the Asswampsett Lake region, those of Phillip and his brother toward the head waters of Neponset river, and on the other hand, the negotiations of the Massachusetts chief Chickataubut and his sons, chiefly Wampetuck, and Wampey (possibly a corruption of the same), which are known and recorded as extending down to Nemasket and Titicut rivers. (emphasis added)

The location of one of these two rivers, the Nemasket, was at the present-day downtown section of Middleboro (East Main Street, just west of the historic location of the Pokanoket village of that name) (“...*the wadeing place att Namassaket River*...”) The river at this point runs almost south to north, the west bank of this location was Massachusetts territory, east was Pokanoket/Wampanoag. In 1662 the

⁹¹ Speck, Frank G., 1928, Territorial Subdivisions and boundaries of the Wampanoag, Massachusetts and Nauset Indians. Indian Notes and Monographs No.44:40 New York, Museum of the American Indian, Heye Foundation. **EXH. 54.**

land between the two rivers, the Nemasket and Titicut, was conveyed to the colonists by the Massachusetts sachem, Wampatuck.⁹²

Cogley, (1999)⁹³ independently affirmed Speck's research wherein he concluded (circa 1650) that,

The Indians at Titicut, for their part, were or once had been under the Massachusetts sachems. In 1650 a group Massachusetts and Pawtuckets testified that "Chickatubut his bounds did extend" to Titicut...

The Massachusetts, first encountered by John Smith around 1616, were noted to be a confederation or alliance of kin-related villages. Hodge (1910)⁹⁴ attributed some twenty-two villages to the Massachusetts prior to the 1623 smallpox epidemic. Hodge estimated that the Massachusetts numbered 500 just prior to a similar 1633 infestation. In the aftermath of this epidemic some of the Massachusetts survivors became "*Praying Indians*" settling at Natick, Nonantum, and Ponkapog. Speck (1928) estimated their post King Philip's War population at 700.⁹⁵

During this time period the Massachusetts were led by the sachem "*Chicataubut*" ("*Obtakkiest*")⁹⁶ He maintained two principal residential locales, "*Passonagesit*" near present-day Weymouth,

⁹² Speck, Frank G., 1928, Territorial Subdivisions and boundaries of the Wampanoag, Massachusetts and Nauset Indians. Indian Notes and Monographs No.44:97, New York, Museum of the American Indian, Heye Foundation. **EXH. 55.**

⁹³ Cogley, Richard W., 1999, John Elliot's Mission to the Indians before King Philip's War:39, Harvard University Press Cambridge **EXH. 56.**

⁹⁴ Hodge, Frederick W., 1910, Handbook of American Indians North of Mexico:816-817, Part 1, Bureau of American Ethnology Bulletin 30, Washington Smithsonian Institute, Government Printing Office. **EXH. 57.**

⁹⁵ Speck, Frank G., 1928, Territorial Subdivisions and boundaries of the Wampanoag, Massachusetts and Nauset Indians. Indian Notes and Monographs No.44:12, New York, Museum of the American Indian, Heye Foundation. **EXH. 58**

⁹⁶ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691:11, Boston, New England Historic Genealogical Society. **EXH. 59**

Massachusetts and at “*Titicut*” in present-day Middleboro.⁹⁷

Chicataubut was one of the victims of the 1633 epidemic. He was succeeded by his nephew “*Wampatuck*”⁹⁸, (“*Cutshamekin*”). He was also called “*Josiah Wampatuck*.” Josiah was involved in many of Middleboro’s recorded Massachusetts land cessions. After his death in 1671 he was succeeded by his son Charles Wampatuck.

It was noted earlier that the Massachusetts had a linguistic dialect different from both the Pokanoket and the Cape Indians. At the same time it was noted that the Cape sachemdoms in conjunction with the Massachusetts, had planned a coordinated attack upon the settlements at Plymouth and Wessagusset. It would appear that the Massachusetts historically had a closer political relationship with the Cape Indians than did the Pokanoket/Wampanoag. It is also noted that Massachusetts had a clear presence in the area that was to become Middleboro, and that this presence dated from the era of first sustained contact.

Speck (1928) spoke of the Titicut and Nemasket Rivers as being the territorial boundaries between Pokanoket/Wampanoag and Massachusetts. Regarding the Massachusetts, he noted,

...on the other hand, the negotiations of the Massachusetts chief Chickataubut and his sons, chiefly Wampetuck, and Wampey (possibly a corruption of the same), which are known and recorded as extending down to Nemasket and Titicut rivers.

⁹⁷ Speck, Frank G., 1928, Territorial Subdivisions and boundaries of the Wampanoag, Massachusetts and Nauset Indians. Indian Notes and Monographs No.44:95, New York, Museum of the American Indian, Heye Foundation. **EXH. 60.**

⁹⁸ Cogley, Richard W., 1999, John Elliot’s Mission to the Indians before King Philip’s War:31, Harvard University Press Cambridge **EXH. 61.**

What do these transactions say to support Speck? The affirmation of this boundary is of significant importance to the claims made by the Mashpee with regard to Middleboro and the actual location of the parcel there they desire to have taken into trust within Middleboro.

To begin with, the main transit route between the Indian villages of Patuxet (Plymouth) and Sowwams (Pokanoket, the “*Plimouth Path*”), ran through Middleboro and the then village of Nemasket. It was part of the pre-contact Indian path network that was transited by the likes of Winslow, Bradford, and Gookin. Plymouth served as the transit nexus with the “*Sandwich Path*”, which ran from the lower Cape to Plymouth (Patuxet) and the “*Great Massachusetts Bay Path*” and the path to Pokanoket (Sowwams).⁹⁹ There was no direct path between Cape Cod and Nemasket which suggests that no direct economic or subsistence activities were maintained between Nemasket and the villages of the two Cape Cod sachemdoms, some direct forty to eighty miles distant. There was also evidence, circa 1623, that communication between Plymouth and Nemasket was sparse. Drake (1849)¹⁰⁰ noted,

For many years the settlements of the English in Plymouth Colony were confined to the seacoast, and to such portions of the interior as had been depopulated by the fearful pestilence, which had swept through the country shortly before their arrival on the New England shores. Hence it was that territory of Namasket, comprising the Indian villages of Namasket and Titicut, which seemed to have escaped the almost universal desolation, notwithstanding its proximity to Plymouth [Patuxet]

⁹⁹ Robbins, Maurice, 1984, The Rescue of Tisquantum along the Nemasket-Plimouth Path:6, Massachusetts Archaeological Society. **EXH. 62.**

¹⁰⁰ Drake, Samuel, 1849, “Sketches of the Early History of Middleborough”:333, in The New England Historical & Genealogical Register. New England Historic, Genealogical Society, Boston. **EXH. 63.**

The fact that Nemasket and Titicut escaped, unlike the later 1633 epidemic, the smallpox epidemic is suggestive that neither village had substantive contact with either Plymouth (Patuxet) or the Cape Indians during the epidemic. The epidemic followed paths of contact or trade routes from Newfoundland south. It would appear that both populations resided in relative social isolation from these paths of contact thus escaping the epidemic as did the tribes of southern New England. At the same time, this epidemic, following the Sandwich path to Cape Cod, carried the smallpox to those Indian populations residing there. Thus the planned attacks upon Plymouth and Wessagusset by the Cape tribes and the Massachusetts were preempted. It also argues against the Pokanoket/Wampanoag exerting political influence upon the Cape sachemdoms.

For our purposes the Plimouth Path served as a boundary marker in a number of land transactions involving the colonists and either the Nemasket and Massachusetts. On June 1, 1669, the General Court at Plymouth “*graunted that Namassakett shalbe a township and to be called by the name of Middleberry.*”¹⁰¹ Prior to this pronouncement significant land purchases of Indian right by the plantation’s proprietors occurred. A number of these transactions clearly defined the boundary between the Indians of Nemasket and those Massachusetts of Titicut. Perhaps the most important of these

¹⁰¹ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691:405, Boston, New England Historic Genealogical Society. **EXH. 64.**

conveyances was known as the “*Twenty-six Men’s Purchase*”
obtained by Thomas Southworth of Plymouth on March 7, 1661.¹⁰²

To all people to whom these presents shall Come Josias Wampatucke
Indian Sagamore...Know yee that I the said *Josias Wampatucke* for and in
Consideration of the full Sume of three Star?) and ten pounds for which I
have received...Namely all that land that lyeth ...**along the old Indian
path to the wadeing place att Namassaket River...bounded on the
south side by the said path and on the west side by Namassaket River
and on the East side by the brooke at Tepikamicut;** on the north side
and end by Wimabussett Brooke and the River that goes to Tauton...
(emphasis added)

The X marke of *Paxquimanekett*
The X marke of *George Manakes*

The mark X
Josias Wampatucke

Josias Wampatucke, the subscriber to the act, was the son and
political successor of the Massachusetts sachem Chickataubut. This
conveyance of Indian right or title was confirmed by order of the
Plymouth court the following June, 1662-63, and again in September,
1680.

This deed is of importance, for within the bounds cited within this
conveyance of title by a Massachusetts sachem, are the lands being
requested by the Mashpee to be taken into trust by the Federal
government (parcel abutting present-day Precinct Street, Middleboro
on the southeast) on the basis of a purported historical and cultural
relationship with the Pokanoket/Wampanoag. The south boundary
identified in this conveyance is important in that it demarcates the
tribal boundary between the Massachusetts tribe and the
Pokanoket/Nemasket band. The old Indian path is the Nemasket-
Plymouth path. It crosses over the “*Nemasket Wadeing Place*” on the

¹⁰² *ibid.* 2002:308-310 EXH. 65

Nemasket River. Present day it is the location where East Main Street, Middleboro, crosses over the Nemasket River.¹⁰³

Conversely, there is the boundary confirmation provided by July 13, 1663 “*Five Men’s Purchase*” subscribed to by “*Tuspaquin allis the blacke Sachem of Namassakett*” that will be discussed below.

Two other conveyances of Indian right cite the Nemasket River as a boundary. The first was the second or “*Pachade*” (Pochade, Pachaeg, Puchade) purchase of July 9, 1662, conveyed under the authority of an order issued by the Plymouth court passed June 4, 1661.¹⁰⁴ This instrument in part stated,

...*Josias Wampetuck, Sachem* have and by these presents doe bargaine sell alien and dispose of; a Certaine nocke of Land Comoly Called Pachaeg pond lying and being between Namassakett River and a certain Brook that falleth into Titicut River...

As Robbins (1950)¹⁰⁵ concluded,

...the two northernmost purchased s, Twenty-six Men’s Purchase, Puchade Purchase, were granted by the Court and deeded to the English by Wampatuck in 1661 and 1662...the southern bound of the Twenty-six Men’s purchase is more than passing interest...This southern bound was along the lower path to Plymouth

The second conveyance is known historically as the “*Little Lotmen’s Purchase*” of August 16, 1664¹⁰⁶ jointly conveyed by

¹⁰³ Robbins, Morice, n.d., The Path to Pokonoket-Winslow and Hopkins visit the Great Chief, Map, Tauton Quad/Bridgewater Quad, Massachusetts Archaeological Society **EXH. 66**.

¹⁰⁴ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691:314-315, Boston, New England Historic Genealogical Society. **EXH. 67**.

¹⁰⁵ Robbins, Maurice, 1950, Historical Approach to Titicut v.II,3:58, Bulletin, Massachusetts Archaeological Society **EXH. 68**.

¹⁰⁶ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691, Boston, New England Historic Genealogical Society:332. **EXH. 69**.

“Josiah Wampatuck Sachem and Watchtameske Squa Sachem of Namasket” who together *“sold all our lands at Namasket. That is to say, on the western side of the said Namasket river, from Pochaug neck to Mashucket brook all along the side of the said river and westward up to the mead....”*

The Massachusetts lands extended southward following the west bank of the Nemasket River to Assawampsett Pond now located in present-day Lakeville. Lakeville was formerly part of the original town of Middleboro. Several conveyances allude to this. The first, dated June 21, 1666¹⁰⁷ was conveyed by *“Josias Wampatuck alias Chikatabuke”*,

a tract called Sammauchamoi bounded north by the former purchase, south by Nemasket (Assawampsett) pond, southwest by a little brook which lies southwest of Rootey brook, and so northward to the pond which is the bound of the former purchase: excepting one hundred acres of upland reserved for his loving friend John Winslow, Jr., to be laid out from Nemasket River to a pond lying by Taunton path; and also one fourth of the meadow lying upon Rootey brook.

Three years later, on July 7, 1669, the Nemasket sachem and his son *“Wee Tispiquin alias Blacke Sachem and William Sonne of the sd Tispiquin”* conveyed

...All that tract or parcel of Land that Lyeth on the westward side of a Tract of land Purchased by Mr. John Alden and others from the sachem Josias Wampetucke wch Lyeth nere Assawampsett Ponds...¹⁰⁸

We note by these conveyances that Massachusetts territory encompassed not only the northern portion of Middleboro, but also

¹⁰⁷ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691:359, Boston, New England Historic Genealogical Society. **EXH. 70.**

¹⁰⁸ Weston, Thomas, 1906, History of the Town of Middleboro Massachusetts, vol.II:609 Cambridge, Riverside Press **EXH. 71.**

the northwest and western portions of what became the town of Middleboro. The Indians under Tispaquin occupied the lands east of the Nemasket River. Tispaquin's deed of July 13, 1663, known as the "*Five Men Purchase*"¹⁰⁹, noted that these Indians held rights

on the Easterly side of Namssaket River... bounded by the said Nanassakett River on the west; and by the Cart path from the said Namassakett unto Tippecanicutt on the north; and by another Path called the new Path on the south side...

Besides the fact that the Mashpee are in essence seeking to have land taken into federal trust on what was historically Massachusetts lands, the facts also argue in the above documents that more than half of the lands that comprised the original town of Middleboro were lands under Massachusetts political control. We also note the lack of a direct route of communication and trade between the Cape villages and Nemasket. We know that the Mashpee made no claims of having an historical relationship with this Massachusetts tribal sachemdom. What does the historical record tell us concerning a purported Mashpee-Nemasket/Pokanoket/Wampanoag relationship?

Pokanoket

In 1616, John Smith, whilst exploring Narragansett Bay came upon a village that he called "*Pakanokick*" near present-day Bristol Rhode Island. According to Winslow(1624)¹¹⁰, "*Puckanokick*" or "*Sowaams*"

¹⁰⁹ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691:321, Boston, New England Historic Genealogical Society. **EXH. 72.**

¹¹⁰ Winslow, Edward, 1624 (2003 ed) Good Newes from New England:39, Bedford Massachusetts, Applewood Press **EXH. 73.**

was the residence of the Pokanoket chief sachem Massasoit. By the mid -1600's Gookin¹¹¹ had broadened that definition when he stated,

The Pawkunnawkutts were a great people heretofore. They lived to the east and northeast of of the Narragansitts; and their chief sachem held dominion over divers over petty sagamores...

Edward Winslow(1624)¹¹² tells us,

Their sachems cannot be called kings, but only some few of them, to whom the rest resort for protection, and pay homage unto them; neither may they war without their knowledge or approbation; yet to be commanded by the greater, as occasion serveth.

As a result, Massasoit's sachemdom became known as Pokanoket and its peoples, the Pokanokets. On the other hand there was the village of Nemasket on the east bank of the Nemasket River in present day Middleboro. Edward Mourt¹¹³ (1622), on his journey to Pokanoket to meet with Massasoit, stopped at this village where Mourt noted that the occupants referred to themselves not as Pokanokets, but "*Namascheucks*" Their primary identity was with the local village, not with the larger political entity.

When the colonists first arrived at Plymouth in 1620, they were informed of the expansiveness of Massasoit's sachemdom. Speck¹¹⁴ noted

¹¹¹ Gookin, Daniel, (1674)(1970 ed) Historical Collections of the Indians of New England Of Their Several Nations, Numbers, Customs, Manner, Religion and Government, before the English Planted There:8, Towtaid. **EXH. 74.**

¹¹² Winslow (1624) :61-62 **EXH. 19.**

¹¹³ Mourt, George, (1622) 1963 ed., A Relation or Journal of the Beginning and Proceedings of the English Plantation settled at Plymouth in New England:62-63, Bedford, Massachusetts, Applewood Books. **EXH. 75.**

¹¹⁴ Speck, Frank G., 1928, Territorial Subdivisions and boundaries of the Wampanoag, Massachusett and Nauset Indians. Indian Notes and Monographs No.44:52-53 New York, Museum of the American Indian, Heye Foundation. **EXH. 76.**

...*Samoset* informed the English that the neighborhood where they landed was called Patuxet, and that the sachem over it was *Massasoit*...
Massasoit's territory was an extensive tract bordering on upper Narragansett bay, covering from Bristol around Mount Hope bay almost to Saconnet.

In 1621, Corbiant, the local or sub-sachem of Nemasket, challenged the authority of Massasoit who was forced from his residence at Sowwams by the Narragansett. Corbiant now sought an alliance with these same Narragansett,¹¹⁵

...that Massasoit was put from his country by the Narragansetts. Word also was bought unto us that Corbitant, a petty sachem or governor under Massasoit..at Nemasket, who sought to draw the hearts of Massasoit's subjects from him, speaking also disdainfully of us, storming at the peace between Nauset, Cummaquid, and us....

By 1623 hostility amongst the Namascheucks towards the colonists, despite Plymouth's friendship with Massasoit, was such that the colony's governor, William Bradford, almost lost his life when he visited Nemasket,¹¹⁶

The Pocanockets, which live to the west of Plymouth, bear an inveterate malice to the English, and are of more strength than al the savages from thence to Penobscot...but they would have killed me when I was at Nemasket, had he [Squanto] not entreated hard for me.

By 1623 Nemasket had become a hotbed of intrigue against not only Massasoit, but the Colony as well. Winslow noted,¹¹⁷

¹¹⁵ Mourt, George, (1622) 1963 ed., A Relation or Journal of the Beginning and Proceedings of the English Plantation settled at Plymouth in New England:73, Bedford, Massachusetts, Applewood Books. **EXH. 77.**

¹¹⁶ Bradford, William, 1970, Morrison, Samuel E. ed., Of Plymouth Plantation:82, New York, Alfred A. Knopf. **EXH. 78.**

¹¹⁷ Winslow, Edward, 1624 (2003 ed) Good Newes from New England:12, Bedford Massachusetts, Applewood Press. **EXH. 79**

...saying that at Namaschet (a town some fifteen miles from us,) there were many of the Nanohiggansets, Massassowat...and Conbatant, our fraded enemy, with many others, with a resolution to take advantage on the present opportunity to assault the town....

The principal point here to note is that the so-called Pokanoket Nation was not a monolithic political entity. Massasoit's political control over Nemasket was quite problematic during this era.

Massasoit was again humbled before the Narragansett in 1631. Neil Salisbury noted,¹¹⁸

The Pokanoket sachem *Massasoit* and ten of his pnieses humbled themselves before the Narragansett, agreeing that they and their people would evacuate their position at the head of Narragansett bay and settle for the Taunton River drainage system. Their post epidemic weaknesses prompted the survivors to form composite villages and bands and affected political alignments by enabling those sachems able to gather the largest around them to influence weaker neighbors requiring their around them to influence weaker neighbors requiring their protection

What the above does suggest is that Corbitant was in league with those Massachusetts factions that, along with the Cape Sachemdoms, were at this time planning to attack both Plymouth and Wessagusset. Massasoit was out of the loop, so to speak. He again lost political strength at the hands of the Narragansett in 1631. We also note Corbitant's anger upon hearing that the Nauset sachemdom had made peace with the Colony. It would not be plausible to argue, as does the Mashpee tribe, that the Pokanoket under Massasoit asserted any kind of political control over the Cape sachemdoms during this era. At the same time it also appears that Nemasket became a gathering point for

¹¹⁸ Salisbury, Neil, 1982, Manitou and Providence: Indians, Europeans, and the Making of New England, 1500-1643:105-106, New York, Oxford University Press. **EXH. 80.**

dissident Indians who were hostile towards the Colonists. Corbitant's actions anticipated King Philip's actions by some fifty-two years. It was only the appearance of another smallpox epidemic in 1622/3 that open conflict was forestalled.

What about the lands surrounding Nemasket that were considered Pokanoket territory? As Speck (1928)¹¹⁹ commented,

We have now the Wampanoag bounds fairly covered except on the northern frontier, and here the only possible course is to harmonize the division line between the claims of chiefs whose allegiance is known to be either Wampanoag or Massachusetts... This course is possible by reference to land transactions of Tuspaquin, the Wampanoag owner of the Asswampsett Lake region, those of Phillip and his brother toward the head waters of Neponset river,

It was noted earlier that on August 16, 1664¹²⁰, "*Josiah Wampatuck Sachem and Watchtameske Squa Sachem of Namasket*" together jointly "*sold all our lands at Namasket.*" This was historically the last direct reference to a resident political leader over Nemasket. In 1660 Massasoit died. He was succeeded as the sachem of Pokanoket by his son "*Wamsutta*" (Alexander). In 1661, we find Wamsetta declaring himself to be "*Chife Sachem of Pokanakett.*"¹²¹ Upon the death of Wamsutta, which occurred in July 1662, his brother "*Pometicon*" (Philip) became the chief sachem of all the Pokanokets, That "*I Phillip alies Metacome Chief Sachem of Sowams and Pocanakett...*"¹²²

¹¹⁹ Speck, Frank G., 1928, Territorial Subdivisions and boundaries of the Wampanoag, Massachusetts and Nauset Indians. Indian Notes and Monographs No.44:40 New York, Museum of the American Indian, Heye Foundation. **EXH. 54.**

¹²⁰ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691, Boston, New England Historic Genealogical Society:332. **EXH. 81.**

¹²¹ *ibid*,2002:301 **EXH. 82.**

¹²² *ibid*, 2002:382 **EXH. 83.**

With Nemasket no longer the political center of the area, another sub-sachem's name appears in the historical record, that of "Pamataquash"¹²³, also known as the "Pond Sachem", a reference to the land area he controlled in south Middleboro that contained numerous ponds including Assawompsett.

In 1668¹²⁴, Pamataquash bequeathed his lands in a written will to, "*Tispequin, the black sachem.*"

Witneseth these presents, Pamantaquash, the pond Sachem, being weak in body but of perfect disposing memory declared it to be his last will and Testament, concerning all his lands at Assawamsett, or elsewhere, that he is now possessed of, that he would after his desease leave them unto his-, Tespequin, alius the black Sachem, for his life, and after the sd Tusquin his desease unto Soquontamouk, alius William, his sone

According to Speck (1928)¹²⁵, Tispequin had married Amie, the daughter of Massasoit, and was, therefore, Philip's brother-in-law. Tispequin became the sub-sachem of Assawompsett and was to be succeeded by his son, William. William disappeared from the historical records. Tispequin's other son, Benjamin, died of wounds received in battle. Speck also noted that Tispaquin conveyed large amounts of land in his territory,

Tispaquin's bounds are reconstructed by the knowledge of several sales which he made to the Plymouth men shortly before the war. In 1667 he made over a deed for land east of Namasket river bounded by Black

¹²³ Weston, Thomas, 1906, History of the Town of Middleboro Massachusetts, vol.1:9-10, Cambridge, Riverside Press **EXH. 84.**

¹²⁴ *ibid*, 1906:9 **EXH. 84.**

¹²⁵ Speck, Frank G., 1928, Territorial Subdivisions and boundaries of the Wampanoag, Massachusetts and Nauset Indians :69-70. Indian Notes and Monographs No.44 New York, Museum of the American Indian, Heye Foundation. **EXH. 85.** Amie c.1664 was referred to as "Watchtamesk", "the squa sachem of Nemaskett." Tispaquin, with the consent of his wife (Amie) sold lands on the east side of the Nemasket river. (Bangs, 2002:126)

Sachem, or Tispaquin, pond and on the other side by a small pond called Asnemscutt... In 1669 he sold the land extending from the ponds to the “Dartmouth path,” and in 1672 from the outlet of Nemasket river south by the “pond” to “Tuspaquins pond....

Earlier, on July 13, 1663 Tuspequin conveyed to Josia Winslow,¹²⁶

a Certaine tract or percell of land lying and being on the Easterly side of Namssaket River...bounded by the said Nanassakett River on the west; and by the Cart path from the said Namassakett unto Tippecanicutt on the north; and by another Path called the new Path on the south side...

This conveyance, bounded westerly by the Nemasket River and northerly by the upper Plymouth path and south by the lower Plimouth path, contained the site of the village of Nemasket and bordered opposite from the March 7, 1661 Twenty-six Men purchase from Josias Wampatucke, the Massachusetts sachem. Interestingly, it appears that “*Josias Chickatabutt*”, the Massachusetts sachem, began asserting control over this area as noted in a 1668 conveyance,¹²⁷ “*Josias Chickatabutt, sachem of Namassakeesett*” sold to Robert Studson of Scituate, a tract of land called *Nanumackeuitt...*”

That Tispequin was politically subordinate to Philip at this time was demonstrated by a deed dated March 4, 1669¹²⁸. In it was stated,

Know all men by these presents that wee Phillip Cfe. Sachem of Pocanakett and Tuspaquin Alies the Blacke Sachem...to us inhand paid by

¹²⁶ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691:321, Boston, New England Historic Genealogical Society. **EXH. 72.**

¹²⁷ Drake, Samuel G., The Aboriginal Races of North America:109, Fifteenth Edition 1880, New York, Hurst & Company **EXh. 86.**

¹²⁸ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691:413-414, Boston, New England Historic Genealogical Society. **EXH. 87.**

Mr Constant Southworth...have absolutely bargained...a Tract of Land lying and being att a place Called Namassakett Pond...

Philip was the principal subscriber to this act, Tispequin assumed a secondary status.

Later, in 1673, Tispequin deeded to his daughter Betty, a tract of land on Assawompsett Pond that became known as "*Betty's Neck*." Betty was married to a Massachusetts Indian, John Sassamon, who was born in Dorchester, a Harvard educated teacher at Natick, and onetime scribe to Philip. Sassamon's murder by two Pokanoket men began a chain of events that led to King Philip's War in 1675.

A change had occurred, Nemasket as a village and the Namascheucks as a self-identifying people were no more. They had been superseded by the "*Pond*" Indians now under Tispequin. We note no interaction between these Indians and those of Cape Cod, especially those in the Mashpee area. Instead, as Weston (1906)¹²⁹ noted,

The first purchase was made in 1662, and in the next twenty years the greater portion of the town had been bought, excepting small tracts around the great ponds and the Titicut reservation which the Indians retained.

In 1675 Tispequin joined his father-in-law, Philip, in his conflict against the colonists. He and his followers became known as the Wampanoag confederacy or nation by the colonists. The town of

¹²⁹ Weston, Thomas, 1906, History of the Town of Middleboro Massachusetts, vol.II:583 Cambridge, Riverside Press **EXH. 88**.

Middleboro was attacked and burned and all but abandoned during this conflict by Tispequin and his followers operating out of their settlement located in the Assawompsett area. With Philip's death, as well as Tispaquin's, and the defeat of the Indians, the so-called confederacy or nation under Philip ceased to exist. The Pokanoket in Middleboro were a defeated people, now firmly under colonial authority. Their only remnant was upon the shores of Assawompsett Lake at Betty's Neck and Quittaub. Tispaquin's daughter, Betty, having legal English title to her lands, remained there. The Massachusett in the area who stayed loyal to the colony were largely untouched by the conflict.

The record is silent on any historical or cultural relationship between the Pokanoket and the Mashpee during this era. Mashpee had no dealings with the now-defunct Wampanoag confederation or nation during the conflict. Like the Massachusett, Mashpee and the Cape Indians remained loyal to the colony, to the extent of providing men to assist the colonists against Philip and his confederates.

Middleboro Indians

In the aftermath of Philip's war a political structure amongst the remaining Pokanoket or Pond Indians ceased to exist. All of Tispaquin's family, save his daughter Betty, were either dead, or deported. On the other hand, the leadership amongst the Massachusett remained intact. Just prior to Philip's war, efforts at Christianizing the

areas Indians had progressed to the point wherein the introduction of this new ideology provided a political cross-cutting mechanism that started a process of ideological unification and acculturation to both Pond Indian and those Massachusetts Indians at Titicut. As Daniel Gookin noted circa 1674,¹³⁰

I had another account from Mr. John Cotton, pastor of the English church at Plymouth, concerning those Indians he teacheth in that colony of Plymouth...”I sometimes preach to the Indians upon the cape, at several places, and at Namassekett [Namasket, Middleboro]; whither come praying Indians of Assawomit [Assawomsett, Middleboro] and Ketchiquot [Titicut, Middleboro].

By 1689, the efforts at conversion had succeeded to the point that the Reverends Rawson and Danforth¹³¹ reported that,

At Kehtehicut are 40 adults, to whom Charles Aham preaches, and teaches their children to read. At Assawampsit and Quittaub are twenty houses containing 80 persons. John Hiacoomb [Gay Head]¹³² preacher and constant school master...At his plantation are persons belonging to the church at Nukkehkummees [Darmouth].

We find that two Indian churches had been established at Titicut¹³³ and Assawompsett. Indeed, the religious fervor was such that the Reverend John Cotton reported in 1674 that when he preached at the Massachusetts village of Mattakeesit there were in attendance

¹³⁰ Gookin, Daniel, (1674)(1970 ed) Historical Collections of the Indians of New England Of Their Several Nations, Numbers, Customs, Manner, Religion and Government, before the English Planted There:94-95, Towtaid. EXH. 89.

¹³¹ Hawley, Gideon, 1698, “Account of an Indian Visitation, A.D. 1698 By Rev. Mr. Hawley, Missionary at Marshpee” (Rawson and Danforth Account), Collections of the Massachusetts Historical Society, 1st series, 1809, Vol. X.:134, Boston. **EXH. 90.**

¹³² See Speck (1928:130)

¹³³ In 1724, as part of the border settlement between Bridgewater and Teticut, the general Court created a one hundred acre “Teticut reserve”, “on that Spot where Indians had Improved from Time to Time.” See Mandell 1996:75.

Pokanoket from Assawompsett and Massachusetts from Titicut.¹³⁴

Furthermore, out of this ideological kinship emerged,¹³⁵

During the eighteenth century, Assawompsett and Titicut inhabitants would gradually form an amorphous group, often called the Middleborough Indians for the colonial town between the two groups. Close relations between the two were facilitated by blood ties, combined Christian prayer meetings, encounters along the path to the clamming beds at Buzzards Bay and later, colonial pressure on their lands

Thus the Middleboro Indians came into existence much in the same manner as did Mashpee. Just as Mashpee did not represent the political continuation of a historic tribe or tribes that had voluntarily merged to form a new single tribe, neither did Middleboro. Both consisted of polyglot populations united not by tradition, but by a shared adopted ideology and need. Indeed, many Mattakeesit converts moved to Assawompset as did many from Titicut. The area's Indian graveyards contained the remains of them all, Massachusetts and Pokanoket alike. At times the opposite was true. The record tells us that in 1736 Thomas Felix sold his farm at Assawompsett and moved to Titicut.¹³⁶ In that document he was referred to as a "*Middleborough Indian*" Some arrivals at Assawompset included southern Abenaki Indians ("*Pigwackets*")¹³⁷ from the Freetown-Troy reserve near Sokonnet.¹³⁸

¹³⁴ Mandell, Daniel R., 1996, Behind the Frontier: Indians in Eighteenth-Century Eastern Massachusetts:50, University of Nebraska Press, Lincoln. **EXH. 91.**

¹³⁵ *ibid*, 1996: 50-51 **EXH. 92.**

¹³⁶ Mandell, Daniel R., 1996, Behind the Frontier: Indians in Eighteenth-Century Eastern Massachusetts:75,:81-82, University of Nebraska Press, Lincoln. **EXH. 93**

¹³⁷ *ibid*, 1996:130 **EXH. 94.**

¹³⁸ This 190 acre reserve was established by the Colony in 1701 for Indian veterans of both King Philip's and King Williams Wars. Besides Abenaki, there were Indians from Titicut, Tiverton and Little Compton residing there.

The Colony in this instance granted lots on this Freetown reserve to “Benjamin Tuspaquin”, the grandson of Tispaquin, and his lineal heirs who served the Colony under Captain James Church in the late conflict.¹³⁹ There was no longer a Wompanoag/ Pokanoket “*Royal Line*” of Pokanoket governance at Assawompsett. As at Mashpee, the church was the source of community organization, identity and social mores.

Mandell (1996)¹⁴⁰ noted that, circa 1740, few Indians remained in the northern and western sides of Middleboro. Mandell, (citing the 1827 House Report #68:85) further noted,

Thirty-five years later, state investigators counted only four to six Indians who held land in the town, though that number occasionally rose to about twenty from the “temporary residence of other Indians among them” – as individuals and families traveled along the natives’ “regional highway”

Mandell further noted,¹⁴¹

As the number of Indian families shrank, and the survivors sought each others company, all of the natives in the area were referred to as “*Middleborough Indians*”.

By 1764, according to Ezra Stiles,¹⁴² Mandell noted,

Ezra Stiles spoke with “Simon, an Ind. Preacher”- probably John Simon, who lived in Teticut and later moved to Rochester- who told him that twelve to fifteen Indian families remained in Assawompsett.

¹³⁹ Grabowski, 2007, Mashpee Wampanoag Tribal Identity in Ethno-historical perspective:14

¹⁴⁰ Mandell, Daniel R., 1996, Behind the Frontier: Indians in Eighteenth-Century Eastern Massachusetts:125, University of Nebraska Press, Lincoln. **EXH. 95.**

¹⁴¹ *ibid* 1996:122-123 **EXH. 96**

¹⁴² *ibid* 1996:172-173 **EXH. 97.**

Weston (1906)¹⁴³ noted that circa 1793, there remained eight Indian families residing on Betty's Neck for an estimated total of between thirty and forty individuals. By 1906, Weston reported, "*This tribe is now reduced in numbers to a single family.*" Speck (1928)¹⁴⁴ provides the first evidence of a Mashpee-Assawompsett association. He noted,

...that in 1793 there were still living at Betty's Neck eight families of Indians. That some of these Indians when they were dispersed, went away to Mashpee on Cape Cod is evidenced by the claim of the Pells family there, in which tradition asserts the grandmother of old foster Pells, of Mashpee, to have been from the Middleboro band.

Speck¹⁴⁵ also noted that the largest surviving group of Pokanoket/Wampanoag, "*seems to have survived at Watuppa pond, three miles from Fall River or Troy Indians*" in former Pocasset territory. Speck¹⁴⁶ names some of the 1763 residents, "*Sarah Quan, Samuel Titicut, Abigail Titicut, John Sassamon, Peter Washunk, James Demas, Benjamin Squannamay, Sarah Squinin.*" By 1849, the Indian descendants named were, "*Page, Cuffee, Perry, Crank, Alben, Abner, Simonds, Slade, Talbot, Freeman, Terry, and Landry*" In 1861 Earle listed "*Allen, Crank, Simpson, Drummond, Freeman, Gardner, Lindsay, Mason, Mitchell, Northrup, Perry, Robinson, Slade, Saunders, and Terry*" that Speck identified as being descendants of the above-cited 1763 names. Most tellingly, as Speck noted, "*Leroy C. Perry of this group holds the office of chief of the Wampanoag*"

¹⁴³ Weston, Thomas, 1906, History of the Town of Middleboro Massachusetts, vol.I:13 Cambridge, Riverside Press **EXH. 98**.

¹⁴⁴ Speck, Frank G., 1928, Territorial Subdivisions and boundaries of the Wampanoag, Massachusetts and Nauset Indians :72. Indian Notes and Monographs No.44 New York, Museum of the American Indian, Heye Foundation. **EXH. 99**.

¹⁴⁵ *ibid* 1928:80-81 **EXH. 100**.

¹⁴⁶ *ibid* 1928:86 **EXH. 101**.

The “*Wampanoag Royal Line*” so to speak, was continued at Fall River, not Middleboro.

This leads to the issue of Mashpee-Assawompsett relations.

Mashpee and Middleboro

The preceding research has made it clear that there was neither a historical nor a political relationship between Mashpee and the mainland Pokanoket Indian groups nor was there such a specific relationship between Mashpee or the Cape Sachemdoms and the Namascheucks of Nemasket or the “*Pond Indians*: of Assawompset or the Massachusett of Titicut. The Tribe in its petition¹⁴⁷ claims that “... *the Nemasket River, Betty’s Neck-are revered sites of Wampanoag history and thus for Mashpee Wampanoags not unlike the importance of Plymouth for Americans.*” Upon what criteria Grabowski made that comparison is not given in her report. Certainly by “*sites*” she could not have meant burial sites, for none of the Indian cemeteries in the Assawompset area have Mashpee interred. Earlier in this research it was shown that there was no historical or political linkage between the Cape Sachemdoms, Richard Borurne’s South Sea Indians, and the emergent Mashpee, and the mainland Pokanoket/Wampanoag. What Mashpee emotive strength is there to Grabowski’s claim? Mashpee did not equate with Wampanoag until 1928. The Mashpee attempted to make a cultural connection to the Middleboro Indians, via a purported Mashpee-related in-marriage with, what Grabowski terms, “*the Royal Wampanoag Family*”, in 1791. Such a royal lineage as

¹⁴⁷ Grabowski, 2007, Mashpee Wampanoag Tribal Identity in Ethno-historical perspective:17

well as any notions of a Wampanoag federation or alliance was defunct by 1791. The mantle of Pokanoket leadership had shifted to the Fall River reserve. The question here is whether this linkage merely established a familiar relationship between two families or was it a significant political union between two “tribes”?

The historical record for this time period mentions only one Cape Cod Indian moving from, and specifically taking up residence within Middleboro. In 1686, one “*Charles Pompmunit*” of Sandwich (Monomet) was sold land at Titicut by the Massachusetts sachem “*Josias Wampatuck.*”¹⁴⁸ On the other hand, Speck (1928) noted circa 1793,

there were still living at Betty’s Neck eight families of Indians. That some of these Indians when they were dispersed, went away to Mashpee on Cape Cod is evidenced by the claim of the Pells family there, in which tradition asserts the grandmother of old Foster Pells, of Mashpee, to have been from the Middleboro band.

Speck’s research, along with the 1861 Earle Report, and the declining Indian population at Middleboro suggests that such movements to Middleboro were not significant and was limited only to individuals. As Speck suggests such movements were by individuals or single family groups.

The 1861 Earle Report is illustrative. Out migrations from Mashpee were mainly young females (9) (and 3 males) mostly to Gay Head on Martha’s Vineyard (6). Both Chappaquiddick and Herring

¹⁴⁸ Bangs, Jeremy D., 2002, Land Transactions in Plymouth Colony 1620-1691 154-155, :208, :Boston, New England Historic Genealogical Society. **EXH. 102.**

Pond had two, and one each at Mattakeeset and Christian Town. On the reverse side there was one former Middleboro Indian in residence at Mashpee, Sylvia Casco, age 70, a state pauper, and a William Lee (mariner) who had married a Mashpee (Emeline Lee). William was listed as “*Absent in Califor.*” It is clear that if Mashpee had any significant social ties to any area Indian group it was with those on Martha’s Vineyard, not the mainland. On the other hand, out-movements of Middleboro Indians appeared to have been predominantly assimilative into the mainstream of Anglo society with the exception of those at the Fall River reserve. Earle notes only one Middleboro Indian residing on another reserve (Mashpee), Sylvia Casco, a state pauper, age 70.¹⁴⁹

The centerpiece of the Mashpee’s claim to a socio-cultural affiliation with the Middleboro Indians was via the 1791 marriage of “*a mulatto man*”, Silas Ross and Phebe Squin, “*an Indian girl.*”¹⁵⁰ Both were cited as residents of the Town of Middleborough prior to their marriage. Phebe’s marriage to Silas Ross was her first. Ross died at sea. She had two children by Ross, only one of whom left any offspring (John Wamsley). John’s son, John Jr. left no offspring. Phebe then married Brister Gould in 1797, with whom she had seven children, including her daughter Zerviah Gould. Phebe was the daughter of Lydia Tispaquin and a man only identified as “Wamsley” (possible Wampey/Wampetuck?)¹⁵¹. Lydia was the daughter of

¹⁴⁹ Earle, John M., 1861, Report to the Governor and Council concerning the Indians of the Commonwealth under the Act of April 6, 1859:XXIII, William White Boston **EXH. 103**.

¹⁵⁰ Middleborough Vital Records, Vol. II:116, November 26, 1790. **EXH. 104**.

¹⁵¹ See, Speck, 1928:40

Benjamin Tispaquin and Mary Felix, the daughter of John Sassamon, the Massachusetts Indian, whose murder by two Pokanoket led to the advent of King Philip's War. According to the oral testimony given by Zerviah Gould in 1878, a serious split, a "*strong dislike*" occurred amongst the remaining Tispaquin family over this marriage. This split really began when Benjamin Tispaquin married Mary Felix. Mary's father "*Indian Felix*", fought for the Colonists during the war. The Pokanoket viewed Sassamon as well as the Felix family as Indian traitors. Under such circumstances it would be a hard sell to convince the Tispaquin heirs that a line of political descent ran through this marriage line. Remember, Benjamin was the surviving son of the sachem Tispaquin and Amie, the daughter of Massasoit.¹⁵² It is by this linkage that the Mashpee make their claim. It is clear that Ross (a secondary source said Rosier) had essentially severed his tribal relations with Mashpee via his residence at Middleboro. The only source that identifies Ross as a Mashpee is in Pierce (1878) with the oral testimony of Zerviah Gould Mitchell where she stated to Piece that "*Silas Rosier*" was "*an Indian of the Mashpee tribe....*" Yet there is no support for the presence of this family name at Mashpee. Grabowski, in the Tribe's report offered no supporting documentation that this was so. She appears to have relied solely upon Mitchell's oral account. When the Earle Report¹⁵³ is consulted, no such surname appears at Mashpee. The only Indian Rosier so-identified was amongst the Dartmouth Indians, Sarah Rosier, age 50, widow, who

¹⁵² Pierce, Ebenezer, 1878, Indian History, Biography and Genealogy: Pertaining to the Good Sachem Massasoit of the Wampanoag Tribe, and His Descendants:214-217, Private Publishing by Zerviah Gould Mitchell, North Abington, Ma **EXH. 105**.

¹⁵³ Earle, John M., 1861, Report to the Governor and Council concerning the Indians of the Commonwealth under the Act of April 6, 1859:LXVI, William White Boston **EXH. 106**.

claims Dartmouth Indian ancestry (Pokanoket). According to Earle, there were no Indians of Mashpee ancestry residing upon the Dartmouth reserve.

It was in essence a marriage between two individuals, both residents of Middleboro, a marriage that left no descent progeny. An active descent line would be through Phebe's second marriage to Brister Gould and through their seven children. We know nothing of Gould's ancestry other than he was a Revolutionary War veteran and his occupation was a teamster. The family resided at East Weymouth, Massachusetts where Brister Gould died in 1823. She was still residing there in 1878.

Speck (1928)¹⁵⁴ takes this decent line but with a difference,

In a volume written in 1878 by E. W. Pierce and published by Mrs. Zerviah Gould Mitchell, is given the documentary and traditional evidence of the descent from Massasoit of the Mitchell family of Wampanoag residing at Betty's Neck near Middleboro...connecting the present generation [c.1928] through eight generations with the famous chieftain. *Massasoit's daughter Amie married Tispaquin, their son Benjamin Tispaquin married Mary Felix, daughter of John Sassamon of King Phillip's war fame, their daughter Lydia Tispaquin married a Wamsley, their daughter Phebe married a Gould, their daughter Zerviah married a Mitchell* (emphasis added)

It is the through Gould lineage that Speck follows the Massasoit line. Mitchell, at the time of her passing, was residing on the 120 acre Fall River reserve which was allotted to "*friendly Wampanoag Indians*" in 1686 by the Colony. It was formerly part of "*Wamsutta's*

¹⁵⁴ Speck, Frank G., 1928, Territorial Subdivisions and boundaries of the Wampanoag, Massachusetts and Nauset Indians. Indian Notes and Monographs No.44:87, New York, Museum of the American Indian, Heye Foundation. EXH. 107.

family hunting territory” i.e. “*the freeman’s Purchase*”,¹⁵⁵ as discussed earlier. Mitchell entered a claim for four lots at the Fall River reservation on the basis of being a lineal descendant of Massasoit through “*Benjamin Squannamay*”(Tispaquin) an allottee of 1764. Gould was residing at North Abington, Massachusetts at the time she made the claim. She passed away on her inherited lands at Fall River.

Summary

The evidence does not support any assertions of any meaningful political or social ties between Middleboro and Mashpee. If Mashpee were to claim a significant social relationship with another Indian group, the Gay Head on Martha’s Vineyard would prove appropriate.

As Speck concluded¹⁵⁶, “*The largest group of Wampanoag proper, however, seems to have survived at Watuppa pond, three miles from Fall River or Troy Indians.*”

One single marriage does not constitute significant social, political, or cultural ties between Mashpee and Middleboro. There is no first hand or primary source proof that Ross, or a Rosier, was a Mashpee. Gould made her comment on “*Rosier*” some eighty-seven years after the fact, based upon her recollections. The Earle Report Dartmouth list suggests otherwise. The Middleboro vital records state “*Silas*

¹⁵⁵ *ibid* 1928:80-81 EXH. 100.

¹⁵⁶ *ibid* 1928:80 EXH. 100.

Ross, a Mullato Man.” Mullatto could be Black-White or Black-Indian.

At the same time there remained no Wampanoag royal leadership at Middleboro, that leadership being assumed by the Pokanoket/Massachusetts descendents residing at the Fall River reserve. This Royal family had, post-1676, scattered to many different locales. By the time of the 1791 union between Phebe Squin and Silas Ross, the mantle of leadership over any remaining Pokanoket/Wampanoag and the majority of Middleboro Indian descendants was no longer associated with Middleboro, but was, or they were, now at Fall River.

IV. Summary and Conclusions

The Grabowski Claims

This research has shown that several key assertions made by the Mashpee through the Grabowski report do not hold true when subjected to the historical record.

On page one of her report, Grabowski advanced five central premises in support of the Tribe's bid to have lands taken into trust in Middleboro:

- (1) "The contemporary Mashpee Wampanoag Tribe descends from a band of Indians that was part of the historic Pokanoket nation."
- (2) "The term Wampanoag...is often used as a loose synonym for Pokanoket, and indeed has gained great currency in the late twentieth century."
- (3) "Wampanoag was not used to refer to the Pokanoket nation and its political sub-divisions until 1675."
- (4) "Upon contact, the territory of the Pokanoket nation stretched from the eastern shores of Rhode Island throughout southeastern Massachusetts to the Atlantic Ocean and from just south of Marshfield and Brocton to the islands south of Cape Cod..."
- (5) Mashpee's genealogical connection to the Royal Wampanoag Family who is buried in Middleborough and whose descendants had land on Assawompsett until the early twentieth century, adds a significant layer of cultural meaning to the Town of Middleborough....

On the basis of these premises, the Grabowski Report advanced a central thesis:

...the Mashpee Tribe is culturally both *Mashpee*-i.e., identifying with the local history of the Tribe on Cape Cod-and *Wampanoag*-i.e., part of the Pokanoket/Wampanoag nation that once exercised political dominance throughout southeastern Massachusetts and whose members continued to live in Middleborough long after that nation's military strength was forever fractured by King Philip's War.

The historical and cultural realities of Middleboro

What this research has argued on the basis of the historical record, is that Mashpee as a tribe was not politically or historically part of a “*Pokanoket/Wampanoag nation*.” Mashpee had no political or social association with any Wampanoag-named entity until 1928. The historical record clearly supports the argument that the two Cape Cod Sachemdoms were independent and carried out their own internal and external polices without any “*Wampanoag*” approbation or design.

This research has also demonstrated that no formal relationship existed between either the Massachusetts village or reserve of Titicut or the Pokanoket village of Nemasket, or the “*Pond Indians*” at Assawompset and the Mashpee tribe. It has also shown that the current parcel of land within the town of Middleboro that the Mashpee are seeking to have taken into trust, which at the time of this writing is not under title ownership of the tribe, was located within Massachusetts tribal territory at Titicut as, witnessed in the March 7, 1661 Twenty-six Men Purchase¹⁵⁷ north of the upper Indian Path, and by the approbating subscriber to the act and deed, the Massachusetts tribal sachem “*Josias Wompatuck*” .

This research has also argued that a single marriage between a purported Mashpee Indian, who previous to this marriage removed from Mashpee, ceased his tribal relations with Mashpee and had settled at Middleboro with a fourth generation descendant of the then defunct (c.1791) Massasoit/Tispaquin Pokanoket leadership lineage

¹⁵⁷ Weston, Thomas, 1906, History of the Town of Middleboro Massachusetts, vol.II: Map, Original Purchases, opposite page 582, Cambridge, Riverside Press **EXH. 108**.

does not constitute a meaningful or significant historical or cultural event. If, on the other hand, this purported expatriate Mashpee, Silas Ross (Rosier) was the son of a politically viable, living Mashpee sachem, and Phebe Squin was the daughter of a politically viable, living, Pokanoket sachem or sunksqua, a definite political significance could be attributed to such an event. But this was clearly not the case. As was noted earlier, the center of gravity of political leadership of the remnant of the Pokanoket had shifted years before to the reserve at Fall River. Even then the extent of that political authority was, like Mashpee, restricted to those who were living in tribal relations on the reserve. It did not extend to Middleboro.

On the basis of the historical record examined, and compared with the claims being made by the Mashpee tribe, one must conclude that the Tribe's claims are historically baseless.

James P. Lynch

Dated

Historical Consulting and Research Services, LLC.

The Mashpee Tribe of Indians and Its Claims of Historical and
Cultural Associations with the Town of Middleboro
Massachusetts: An Ethnohistorical Evaluation of the Tribe's
Claims.

Appendix A.

Vitae of James P. Lynch

JAMES PATRICK LYNCH

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I. TITLE.

Ethno-historic Consultant/ Researcher (Anthropology & History).
Genealogical Researcher.
Historic Title Researcher/Consultant.
Federal Indian Policy Consultant.

II. EDUCATION.

Ph.D., (abd.), Anthropology/History (Ethnohistory, Socio-cultural Change).
History of New York and New England Indians, University of
Connecticut 1984-1991.

Master of Arts, Anthropology/History (Ethnohistory), Indians of the
Northeast, Wesleyan University, Middletown, Connecticut 1983.

Bachelors of Arts, Sociology/Anthropology, Religious Studies, Southern
Connecticut State University, New Haven, Connecticut 1980.

Associates in Arts, Mattatuck Community College, Waterbury, Connecticut
1978.

Title Searching, University of Connecticut, West Hartford, 2001

Advanced Title Searching, University of Connecticut, West Hartford, 2001

Real Estate Law, University of Connecticut, West Hartford, 2002.

Federal Indian Law, Connecticut Bar Association, New Britain,
2002.

III. EXPERTISE

- Twenty-five years experience as a private ethnohistorical consultant.
- Federal tribal recognition criterion and regulations.
- History of Federal Indian Policy.
- Archival research.
- Document interpretation.
- Historic Land title research.
- Federal Land into Trust issues.
- Indian Gaming Regulatory Act.
- Tribal Sovereignty
- Sovereign Immunity
- Qualified expert witness in federal courts..
- Connecticut/Massachusetts/ Rhode Island/New York/ Rhode Island/Pennsylvania/ New Jersey/ California/Illinois/Oregon/Wyoming history.
- Connecticut Colonial laws and statutes.
- New York Colonial laws and statutes.
- Pennsylvania/New Jersey Colonial laws and statutes.
- Massachusetts Colonial Laws and Statutes
- Rhode Island Colonial Laws and Statutes
- New York Provincial Laws and Statutes
- Historical application of Federal Trade and Intercourse laws.
- Genealogical research, Native American.
- Public speaking: public, private organizations, governmental testimony.

IV. FEDERAL ACKNOWLEDGEMENT RESEARCH.

Juaneno Band of Mission Indians, California, 2008 (preliminary denial)
Santa Ynez Band of Chumash Indians, California. 2006-(litigation pending)
Shinnecock Tribe of Indians of New York,2004-2007 (decision pending)
Golden Hill Paugussett Tribe: 1993-2005 (recognition denied)
Paucatuck Eastern Pequot Tribe: 1998-2005 (recognition denied)
Eastern Pequot Tribe: 1998-2005 (recognition denied)
Mashantucket Tribal Nation, 2000-2001
Hassanamisco Nipmuc Tribe, 2001 (recognition denied)
Schaghticoke Tribe of Kent, Connecticut: 2000-2007 (recognition denied)
Western Mahican, New York, 2001 (abandoned recognition bid)

V. LAND CLAIMS, HISTORICAL TITLE RESEARCH, LAND INTO TRUST, HISTORIC RESEARCH/CONSULTING.

1. Klamath County, Oregon, Water Rights Adjudication, Klamath Tribe 2008
2. Gristede's Food's Inc v. Poospatuck Indian Nation, The Shinnecock Indian Tribe of New York 06-CV-1260 (CBA) 2008, decision pending
3. Prairie Band of Potawatomi Indians, Shabbona, Illinois, land into trust. 2007-2008. NIGC/BIA decisions pending
4. Ho-Chunk tribe of Winnebago Indians, Lynwood, Illinois, land into trust. 2007. Petition rejected by the Bureau of Indian Affairs.
5. Santa Ynez Band of Chumash Indians, California, land into trust. 2007
6. Lytton Rancheria, California, land into trust. 2006, litigation pending
7. Delaware Tribe of Indians v. State of Pennsylvania 2004-2006 04-CV-00166 Case dismissed in defendants favor 11/8/05.
8. Town of Southampton, New York et al., v. Shinnecock Tribal Nation 2004-2006 (03-CV-3243/3466) decided in Plaintiffs favor 10/31/07
9. Town of Riverton v. Northern Araphaho-Wind River Reservation, Wyoming 2008-WY-4, Town declared not to be part of tribal reservation lands 2006-2008.
10. Schaghticoke Tribe of Kent, land claims; Kent Connecticut/ Cornwall, Connecticut 2001-2006.
11. Mashantucket Pequot Reservation, Cedar Swamp land survey, Town of Ledyard 2000.
12. Eastern Pequot Tribe, land claims; North Stonington/ Ledyard, Connecticut, 1999-2005.
13. Historical title Research: Santa Ynez, California 2002.
14. Historical title research, Easton, Pennsylvania 2005.
15. Historical title research; Town of New Milford, Connecticut, 1998.
16. Historical title research; Town of Sharon, Connecticut, 1998.
17. Historical title research; Town of Salisbury, Connecticut, 1998.
18. Historical title research; Town of New Fairfield, Connecticut, 1998.
15. Historical title research; Towns of North Stonington, Ledyard, and Preston, Connecticut 1989-1990.
16. Historical Title Research; Town of Woodstock, Connecticut, 2001.
17. Historical Title Research; Town of Kent, Connecticut, 2002.
18. Golden Hill Paugussett, land claims; People's Bank of Bridgeport, Connecticut, 1996. Stay Federal District Court pending recognition
19. Golden Hill Paugussett, land claims; City of Shelton, Connecticut, 1994. Stay Federal District Court, pending recognition
20. Golden Hill Paugussett, land claims; City of Bridgeport, Connecticut, 1995. Stay Federal District Court pending recognition
21. Golden Hill Paugussett, land claims; Town of Seymour, Connecticut, 1994. Stay Federal District Court pending recognition
22. Golden Hill Paugussett, land Claims; Town of Southbury, Connecticut, 1993. Case decided in Defendants favor.

23. Golden Hill Paugussett, land claims; Town of Orange, Connecticut, 1995. Stay Federal District Court pending recognition
24. Golden Hill Paugussett, land claims; Town of Trumbull, Connecticut, 1995. Stay Federal District Court pending recognition.
25. Application of Federal Indian Trade and Intercourse Acts in Connecticut, 2002

VI. ADDITIONAL RESEARCH.

1. Genealogical research, Mashantucket Pequot, CBS. News, 60 Minutes II,
2. Genealogical research, Mashantucket Pequot, Mr. Jeff Benedict, author;
3. Historical/Archaeological Impact Study, Hopkinton, Rhode Island 1983. U.S. Department of Transportation.
4. Historical/ Archaeological Impact Study, Glocester, Rhode Island. 1983. U.S. Department of Transportation.

VII. PUBLIC CLIENTS.

Berchem, Moses & Devlin PC.
Milford, Connecticut.

California Cities for Self Reliance (JPA)
Alhambra, California

Carmody & Torrence PC.
Waterbury, Connecticut.

Cohen & Wolf PC.
Bridgeport, Connecticut

Connecticut State Attorney Generals Office
Hartford, Connecticut.

Day, Berry & Howard
Hartford, Connecticut.

Davison Van Cleeve PC
Portland, Oregon

Morgan, Angel & Associates
Washington, D.C.

Nixon Peabody LLP

Garden City, New York

Nixon Peabody LLP
Rochester New York

State of Pennsylvania, Office of the Governor

Perkins Coie LLP.
Washington, D.C.

POLO/POSY.
Santa Ynez, Los Olivos California

Robb and Ross LLP.
Mill Valley, California

Sienkiewicz & McKenna
New Milford, Connecticut.

Wachtel & Masyr, LLP.
New York City, New York

Wiggins & Dana
New Haven, Connecticut.

Winnick, Vine, Welch & Donnelly
Shelton, Connecticut.

VIII. PUBLICATIONS, ARTICLES, AND PROFESSIONAL PRESENTATIONS.

1. By “Their Own Free Act & Deed”: Connecticut Land Relations with Indian Tribes, 1496-2003. Heritage Books, 2006.
2. Gideon’s Calling: The Founding and Development of the Schaghticoke Indian Community at Kent, Connecticut 1638-1854. Heritage Books, 2007.
3. The Issue of Tribal Sovereignty, The Reservation Report, June 2005, New Century Communications.
4. The Individual as Sovereign in a Representative Republic. The Reservation Report, April 2006, New Century Publications.

5. The Iroquois Confederacy and the Adoption and Administration of Non-Iroquois Individuals and Groups Prior to 1756. In: *Man in the Northeast*, Volume 38 Fall 1985.
6. The Administration of Tributary Nations by the Iroquois Confederacy 1700-1762, delivered before the Annual Conference on Iroquois Research, Rensselaerville, New York 1983
7. The Iroquois Concept of Person as it Relates to Behavior Among the 17th and 18th Century Iroquois, delivered before the Annual Conference on Iroquois Research, Rensselaerville, New York 1984.
8. From Conestoga to Logstown: The Development and Application of Iroquois Administration of Tributary Groups and Nations, delivered before the Annual Conference on Iroquois Research, Rensselaerville, New York 1985.
9. Coping and Responding to Culture Contact: The Huron Response to French Acculturative Pressures 1615-1639, delivered before the Annual Conference on Iroquois Research, Rensselaerville, New York 1985.
10. The Cornplanter and Tonawanda Seneca; A Study of Differential Sociocultural Change 1780-1810, delivered before the Annual Conference on Iroquois Research, Rensselaerville, New York 1986
11. Sociocultural Change and the Development of the Allegany Reservation 1797-1826, delivered before the Annual Conference on Iroquois Research, Rensselaerville, New York 1987.

IX. PROFESSIONAL ACTIVITIES.

1. American Indian Archaeological Institute; Washington, Connecticut; Educational Lecturer 1977- 1981.
2. University of Connecticut, Storrs Connecticut; Lecturer in Anthropology, 1983-1985.
3. Public Archaeology Survey Team (PAST.) Storrs, Connecticut, 1983-1984.
4. Guest Speaker, Rotary Club of Litchfield County, Effects of Tribal Recognition and Indian Land Claims: 2001.
5. Testimony before Connecticut Legislative Planning and Development Committee on House Bill 5072 An Act Concerning Colonial Land Grants: 2002.

House Bill 5336, An Act Concerning The recognition of Indigenous Tribes
And Establishing A Commission On Tribal Recognition 2003

5. Seminar Panelist, Local Effects of Federal Recognition of Indian Tribes,
Town of Mashpee, Massachusetts, October, 2002.
6. Seminar Panelist, Federal Recognition in Historical Perspective, Annual
Conference, Citizens Equal Rights Alliance, Washington D.C. 2004.
7. Conference Panelist, Documentation Issues Concerning Tribal History and
Recognition, Society of American Archivists, Boston, Massachusetts,
August 2004.
8. Society for Connecticut History.
9. Guest Speaker: CERA conference on Tribal recognition and sovereignty,
Washington D.C. 2005
10. Guest Speaker: NCALG conference, Federal Recognition, Arlington,
Virginia 2007
11. California Mission Studies Association.

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Appendix B.

Supporting Documentary Exhibits Volume I.

Exhibits 1-54

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Appendix C.

Supporting Documentary Exhibits Volume I.

Exhibits 55-108