

Usufruct in the Land of Tribute: Property, Coercion, and Sovereignty on Early  
Colonial Long Island

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## APPROVAL PAGE

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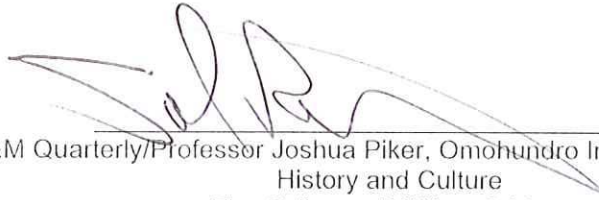
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## ABSTRACT

In reexamining the early colonial history of Eastern Long Island, this thesis combines archaeological, archival, published records, and oral historical sources to explore the relationship between property, coercion, and sovereignty among the Algonquian-Ninnimissinuok and English settlers of New England. It begins with an overview of historical and contemporary models of political economy among Native groups in the pre-contact and pre-settlement era Northeast, emphasizing the importance of neo-evolutionary anthropology as an instructive corollary to more traditional functionalist and evolutionary theories of Native political economy. Special emphasis is placed on passages from classical ethnographic sources that gesture towards coercive and meaningful inequality within Algonquian societies. Subsequently, the relationship between usufruct forms of property ownership, territorial sovereignty, and kinship is analyzed in detail. Focus is placed on the historiographic tension created by the ownership of resource use-rights by multiple kinship lineages and the simultaneous possession of territorial sovereignty by Algonquian polities. Attention is then turned towards the early colonial New England context and the incorporation of Eastern Long Island Algonquians into the nascent English tributary chiefdom following the Pequot War. Focus is placed on the particular connection between sovereign authority and the preeminence of a single lineage of sachems among Eastern Long Island Algonquians, who ruled over a cohesive polity known as the Paumanack ("Land of Tribute"). Turning towards the English settlement of Long Island, it is argued that the planting of English colonists proceeded as Long Island sachems surrendered partial use-rights over those resources least essential for the reproduction of their authority. Confronted directly is the notion that English settlers and Algonquian sachems misunderstood one another's concepts of property ownership from within a usufruct/fee-simple binary. An emphasis is placed on conceptualizing English 'property' acquisitions, and those resources retained by the Long Island Algonquians after 1636, as necessarily limited due to the English Empire's overarching demand for sovereignty. The work concludes with an analysis of coercion within the Paumanack and local customs of lineage and inheritance, which are argued to be cognatic with a preference for patrilineage.

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In the autumn of 2010, I entered my first class at the State University of New York at Geneseo. There were many things to be excited about; my entire college experience stretched before me with mystifying potential. And yet it was there, in that first class, that I discovered my most treasured source of excitement for the next four years and beyond—American Indian History. Michael Leroy Oberg guided me through that first class, and through more classes every semester after that, providing me with the knowledge, wonder, confidence and skepticism that inspired me to challenge the assumptions of authoritative monographs. Michael's ability to balance, whether on the scales of teaching and publishing, empiricism and modern sensitivity, pragmatism and passion, family and work, or critique and praise, is simply unsurpassed. A year after that first class, when I told Michael that I intended to study Native history at the graduate level, palms sweaty with the nervous anticipation of approval, his advice was: "You have to be one of the best. Keep doing your reading." Six years and hundreds of books later, I can only hope that this work marks one small step towards accomplishing that humble task.

This thesis was primarily made possible by those no longer with us—the oft-cited but more oft-forgotten documentary editors who compiled the majority of surviving records detailing the colonial history of Eastern Long Island: J. Wickham Case, Henry P. Hedges, and William S. Pelletreau especially. Thankfully the world had not yet run out of living archivists to help me track down those materials they missed. Geoffrey Fleming and Amy Folk of the Southold Historical Society, Timothy Salls of the New England Historic Genealogical Society, Joanna Lamaida of the Brooklyn Historical Society, Gina Piastuck of the East Hampton Library Long Island Collection, Wendy Polhemus-Annibell of the Suffolk County Historical Society, and Emily King of New York University's Fales Library were all immensely generous with their time and materials. Guidance and consultations from Kathleen Bragdon, John Strong, Jacqueline Dinan, and Jason Sellers was also invaluable.

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Dedicated to Claire Olsen and Lottie Harbich,  
Loving Grandmothers, Unwritten Titans of American History

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FIGURE I. EASTERN LONG ISLAND, CA. 1650

*Preface: The World that Mongotucksee Made*

Mongotucksee was a tyrant. Standing at over seven feet tall, he was an imposing man, and powerfully built. Like many men described as being of a gargantuan stature, Mongotucksee was also not particularly fond of listening. He was neither exceptionally wise nor especially passive. In recollections of his reign as sachem, he was not remembered as having courted the sagacity of his elders or the sanction of his villagers. Instead, Mongotucksee's legacy was as "a tyrant of his people," a chief who governed "proud and despotic in peace and terrible in war." The latter condition seems to have been his favorite, since it provided an arena in which he triumphantly "commanded respect" from his enemies, and afforded him opportunity to prove the deservedness of his name's true meaning—"Long Knife." Mongotucksee was a sachem of the Montaukett people, and his enemies included a community known as Shinnecock. The two peoples shared a space, the South Fork of Long Island, and a language, a Southern New England Algonquian dialect. But Mongotucksee was not much of a sharer. After the Shinnecock dared to kidnap his son, Nowedonah, Mongotucksee assembled a war party and descended on the fortified village of the Shinnecock, who, of course, were no match for his might. In the wake of victory, Nowedonah was wedded to a Shinnecock woman, a covenant that restored peace between the two peoples. Nowedonah was only one of Mongotucksee's four male heirs, each of whom were elevated to power over a community subject to the suzerainty of their father. Mongotucksee believed in the sharing of authority among kin—so long as the kin in discussion were his own. Hardly one to project power 'locally,'

the dominion of Mongotucksee stretched across 450 square miles of water, meadows, forests, and at least two other communities besides the Shinnecock and the Montaukett: the Corchaug, whose villages lay across a large bay on the Island's North Fork, and the Manhasset, whose isle home of Shelter Island straddled the bay. With Nowedonah appointed as the sachem of the Shinnecock, Poggatacut, the eldest of Mongotucksee's sons, was installed over the Manhasset, and Momoweta, the youngest brother, was brought to rule over the Corchaug. The fourth brother, Wyandanch, remained at Montaukett, where he reigned as sachem after his father's death. In the centuries that followed his passing, the Montaukett people remembered the great conquests of Long Knife and his triumph of confederation by chanting, "in aboriginal verse," the "praises of Mongotucksee...to the winds that howl around the eastern extremity of the island."<sup>1</sup>

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<sup>1</sup> The Long Island historian and New York State Senator Gabriel Furman first recorded the legend of Mongotucksee in 1845. It has been mistakenly identified as originating in the 1670 writing of Daniel Denton, firstly in Gaynell Stone Levine, "Ideology and Cosmology: Tales, Legends, and Traditions," in *Languages and Lore of the Long Island Indians*, pp. 226-63 (Lexington, Mass.: Published by Ginn Custom Publishing for the Suffolk County Archaeological Association, 1980), 227. This error stems from the fact that Furman first produced the legend in the appendix of his edited volume of Denton's work; see Daniel Denton, *A Brief Description of New York: Formerly Called New Netherlands*, ed. Gabriel Furman (New York: William Gowans, 1845), 40-2. The tale of Mongotucksee's conquest of the Shinnecock can be found in Strong, "Evolution of Shinnecock Culture," 38. Modern Montaukett oral history has been collected and published by Donna 'Gentle Spirit' Barron, who is of Montaukett ancestry and claims to be a descendent of Mongotucksee through Wyandanch, see Donna Gentle Spirit Barron, *The Long Island Indians and Their New England Ancestors: Narragansett, Mohegan, Pequot & Wampanoag Tribes* (Bloomington, Ind.: AuthorHouse, 2006), 26-29, 71-2. Mongotucksee's apparent ability to make unilateral decisions regarding war coincides with Southern New England Algonquian anthropologist Kathleen Bragdon's delineation of sachem decision making power, see Kathleen J. Bragdon, *Native People of Southern new England, 1500-1650* (Norman, Okla.: University of Oklahoma Press, 1996), 148. The legend of Mongotucksee is not known to appear in any sources earlier than 1845. Certain elements of his story, particularly the direct paternal kinship between the four sachems and the occurrence of a post-contact, pre-English-settlement conflict on the East End correspond to other documentary records, as is discussed in greater detail below.

The legend of Mongotucksee, passed down through generations of Montaukett elders and transcribed at various points since the nineteenth century, offers a compelling viewpoint into the Native world of Eastern Long Island, albeit one that poses a quandary to those more familiar with alternative vantages on Native worlds. It describes an Algonquian realm as it existed before English settlement, but does so with language that is difficult to reconcile with charming conceptions of New England's Native worlds. Reciprocity, balance, harmony, equality, consent, concord, and communalism—none of these terms describe the world crafted by Mongotucksee, an apparent lover of war, subjugation, coercion, tyranny, oligarchy, legacy and pride. Such contrast seems to leave the conciliatory reader in a stark quagmire. Perhaps there is no duality between these antagonistic worlds; one could say, for example, that consent and communalism described Mongotucksee's own village world at Montauk, while coercion and inequity described the world that Mongotucksee brought to others. Yet there is little to suggest that either the proudly despotic Mongotucksee, who defiantly swept away internal-external division through his installation of kin over subjects, or the nineteenth-century Montauketts, who remembered this expansive, familial imperium fondly, would have been interested in such apologia. The world that Mongotucksee made proudly became his world, and it was the world that his sons, the sachems who greeted the English when they arrived on Long Island's eastern coast in the late 1630s, inherited and perpetuated. It was a world forged by war and sustained by the installment of foreign leaders, a world where the memory of violence lurked behind every

ritualized payment of tribute and every oration emphasizing accord—a world that was also indisputably indigenous. An indigenous world of land and coasts, of meadows, shells, woods, and fish, all under the ultimate tenure of a family—a family composed of suzerains who dispensed with these resources as they pleased. But perhaps Mongotucksee's world was a fine world, a world forged in a brief and unusual interruption of modest conflict, and quickly restored to a quixotic state that reflected a normative ethos of balanced communalism and equality. Mongotucksee's world is, after all, just a legend.

### I. Introduction

The sons of Mongotucksee, the sachems Nowedonah, Poggatacut, Momoweta, and Wyandanch, all lived on Eastern Long Island in the era of documentary history rather than the legendary epoch. During this time, two of the brothers, first Poggatacut and then Wyandanch, claimed to possess authority over a network of Native communities referred to as the Paumanack Confederacy. The English colonists who settled around and within this polity in the mid-seventeenth century left scattered but rich records detailing its structure and the lifeways of its denizens. Despite this, Eastern Long Island Algonquians are perhaps the most understudied Native group in the entire historiography of colonial New England.<sup>2</sup> This relative obscurity is perhaps best explained by the

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<sup>2</sup> There are, of course, admirable scholars who have already attempted to right this imbalance, among them especially are the historians John Strong, Faren R. Siminoff, Katherine Howlett Hayes, and Jacqueline Dinan. See John A. Strong, *The Algonquian Peoples of Long Island from Earliest Times to 1700* (Interlaken, N.Y.: Empire State Books, 1997); Faren R. Siminoff, *Crossing*

lack of overt violence between the English settlers of Eastern Long Island and its Native inhabitants, who never mounted any organized violent resistance to the expansion of Anglo imperium over their lands. Indeed, English colonization appears to have proceeded swimmingly over the region from the beginning of formal settlement in 1640 onward—hardly the rousing terrain of the blood-drenched Connecticut River Valley—and it is therefore an area that has understandably, but unfortunately, been relegated to the sidelines of Native New England scholarship.

In place of such excitements, settlement era Eastern Long Island seemingly presents a mundane story found mostly in charters, patents, and deeds, those disparaged documents typically shoved towards the back of the Native historian's research folder—behind the ethnographies, journals, and court proceedings. And yet perhaps the stories they tell are not so blasé after all. Between the lines of the blandest Native-Anglo land sale lies a piecemeal chronicle of the way in which tenure (right to use, or usufruct) and sovereignty (authority to determine right to use) over a large swathe of landed, riverine, and maritime resources transferred from one community to another during the early settlement period. The fact that this transfer—and the countless others

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*the Sound: The Rise of Atlantic American Communities in Seventeenth-Century Eastern Long Island* (New York: New York University Press, 2004); Katherine Howlett Hayes, *Slavery Before Race: Europeans, Africans, and Indians at Long Island's Sylvester Manor Plantation, 1651-1884* (New York: New York University Press, 2013); Jacqueline Dinan, *In Search of Barnabas Horton: From English Baker to Long Island Proprietor, 1600-1680* (New York: Pynsleade Books, 2015). The recent dissertation of Andrew C. Lipman and the monograph of Susanah Shaw Romney also contain substantive discussion of eastern Long Island, see Andrew Charles Lipman, "The Saltwater Frontier: Indians, Dutch, and English on Seventeenth-Century Long Island Sound" (Ph.D. diss., University of Pennsylvania, 2010), 223-30; Susanah Shaw Romney, *New Netherland Connections: Intimate Networks and Atlantic Ties in Seventeenth-Century America* (Chapel Hill, N.C.: University of North Carolina Press, 2014), 269-86.

resembling it that were enacted throughout New England in the decades after the establishment of Plymouth—occurred across multiple cultures and involved several philosophies of law, ownership, and sovereignty has perplexed historians for generations. Tenure and sovereignty, the story often goes, were understood radically differently across Native and English communities, making legitimate or mutually comprehensible transfers of either an impossible undertaking that was rife with confusion and fraudulent exploitation. Indeed, the reality of past exploitations in regards to tenure especially, and the urge to vindicate, or in the very least acknowledge, such misappropriations has encouraged the notion of abysmal difference between Natives and Englishmen among historians.<sup>3</sup>

To excavate chasms of dissimilitude between Natives and Englishmen is to diminish the bridges of likeness swinging overhead. It is, of course, insufficient to say that Natives and Englishmen were “the same,” but it is also inadequate to

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<sup>3</sup> The predominant theoretical framework of Native-Anglo land sales in colonial New England is attributable to William Cronin, whose field-defining work *Changes in the Land: Indians, Colonists, and the Ecology of New England* (New York: Hill & Wang, 1983), esp. 54-81, has shaped the contours of Native land scholarship for the last three decades. The crux of Cronin’s argument, which is discussed in great detail throughout the body of this work, is that Native and Anglo political economies of land tenure were unified in their concepts of sovereignty but dichotomous in their concept of tenure, with Natives utilizing a tenure model of usufruct/use-right and Anglos one of fee-simple ownership. It should be made clear that this dichotomy is a dramatic simplification of Cronin’s well-measured arguments, but it is nonetheless the dominant impression given by his work and the primary way in which it has been appropriated. Recent applications of Cronin’s theories can be found in Kathleen J. Bragdon, *Native People of Southern New England, 1500-1650* (Norman, Okla.: University of Oklahoma Press, 1996), 43, 137-9; Michael Leroy Oberg, *Uncas: First of the Mohegans* (Ithaca, N.Y.: Cornell University Press, 2003), 20; Siminoff, *Crossing the Sound*, 21-3; Lisa Brooks, *The Common Pot: The Recovery of Native Space in the Northeast* (Minneapolis, Minn.: University of Minnesota Press, 2008), 68; Linford D. Fisher, *The Indian Great Awakening: Religion and the Shaping of Native Cultures in Early America* (Oxford U.K.: Oxford University Press, 2012), 22-3; Julie A. Fisher and David J. Silverman, *Ninigret, Sachem of the Niantics and Narragansetts: Diplomacy, War, and the Balance of Power in Seventeenth-Century New England and Indian Country* (Ithaca, NY: Cornell University Press, 2014), 15. For the specific application of Native usufruct to Long Island, see John A. Strong, *The Algonquian Peoples of Long Island*, 153, 166. There has been little effort to push tenure and sovereignty theory since Cronin toward concepts of non-dichotomous systems between Natives and Englishmen, but an excellent effort can be found in Nancy Shoemaker, *A Strange Likeness: Becoming Red and White in Eighteenth-Century North America* (Oxford, U.K.: Oxford University Press, 2004), 13-34.

emphasize similitude selectively, especially if such emphasis is deployed as the bulwark of entrenched historiographical premises. In addition to the astonishing and diverse differences that demarcated colonial era Natives and Englishmen in language, appearance, and practice, there existed important cross-cultural bridges between them, especially in the way that both peoples treated the most treasured object of political economy—power, and the resources over which it was exercised. Both Natives and Englishmen were familiar with inequity when it came to power and its consequences. In pre- and early settlement New England, Native political economy was characterized by the unequal distribution of status and power, an inequity that was structured around the stratification of lineage, legitimated in the language of kin, enforced by the threat of violence, and made meaningful in the determination of resource use. Englishmen, of course, with their hereditary monarchy, patriarchal commonwealth, corporal punishment, and familial homesteads, in many ways lived parallel lives. Most importantly, New England Natives and Englishmen alike understood that living within coercive, hierarchical polities meant being commanded by a sovereign, hereditary leadership class responsible for the allocation of resource tenure.

Such allocations, within either an Algonquian or English system of property-governance, could be inclusive, granting access to resources to large numbers of community members, or they could be exclusive, granting access instead to specific lineages within the community. Resource tenure was conditional, meaning that its continued possession depended on the fulfillment of certain obligations. Critically, all tenure was restricted in the sense that it was



incomplete—no sovereign granted use-rights over resources without constraints on that use. Because tenure was ultimately the possession of sovereigns, complete tenure was equivalent to sovereignty; the granting of incomplete tenure at the level of familial ownership was therefore a necessary precondition for maintaining the political fabric of a community. Practically, this meant that the receivers of tenure were not free to utilize that which they were given use-rights over with complete free will, and that all tenure recipients existed in a fundamental state of similitude in the constrained nature of their relationship to natural resources. It can therefore be said that the concept of fee-simple, or ‘relatively full’ ownership of resources by lineages or restricted communal entities is essentially useless as a comparative heuristic or category of cross-cultural analysis during this period. Full ownership was exclusively reserved for the sovereigns who distributed tenure.

The political-economic landscape of the Eastern Long Island Native-Anglo world was defined by the meeting and mutual accommodation of two hierarchical, aristocratic, and coercive peoples living within tiered sovereignties, both of whom saw control over resource tenure as a fundamental element of a sovereign’s prerogative. Since neither common Englishmen nor Native persons possessed such prerogative, both lived within the confines of restricted use-right, restraints that were enforced by the coercive abilities of their polities. These similarities, because they left the Long Island Ninnimissinuok predisposed to accepting membership within coercive and hierarchical polities at the outset of settlement, quickly facilitated the transfer and incorporation of Eastern Long

Island into the English imperial apparatus, an assimilation that made the process of colonial settlement a contest of use-right between inferior tributaries rather than a contest of independent sovereignties.

## *II. First Names: Algonquian Political Economy on Long Island Prior to European Settlement*

The Island was a world anew. It had once been entirely frozen, a barren ice-realm occupied primarily by roaming beasts and howling winds that wailed with no names. This bleak anonymity was fleeting. After ten thousands winters, the glaciers migrated north, and the pass for the people opened. Those who journeyed to the Island's eastern fringes lived without great ecological disturbance for another ten thousand years; maize and its sisters were rarely planted, and never in a manner that placed them at the center of subsistence. Instead, the people turned to the seas, forests, meadows, and plains, all of which roared to life in the vibrant abundance of fresh thaw. By the end of the Archaic Period (ca. 2000 B.C.E.), Proto-Eastern Algonquian dialects had spread across the Northeast, and in the Southern New England region, sociolinguistic similarities had emerged to a degree that permits the classification of a subgroup—the Ninnimissinuok. The Ninnimissinuok lived on the easternmost stretches of Long Island, and they remained separated from the western people (later classified as the Delaware-Munsee) by 60,000 acres of prairie grass that stretched across the width of the Island, in what is now called Hempstead. The

Ninnimissinuok also inhabited the northern mainland known today as Massachusetts, Rhode Island, and Connecticut. For millennia, the Long Island Ninnimissinuok lived normally within small bands, rarely consolidating into larger tribal structures or remaining sedentary within permanent settlements. It was a diffuse world of dispersed and transitory habitation, one in which Ninnimissinuok communities intermittently fused and splintered around the resources they exploited. When they did come together, the Ninnimissinuok did so to act collectively towards a common goal—be it hunting, offensive raiding, or defense. The later of these coalescing objectives became all the more critical when familiar seaside horizons began to offer strange forms, and the winds that ventured from them carried the whispers of previously unheard names.<sup>4</sup>

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<sup>4</sup> For the geography of the Island during the Last Glacial Period and human settlement in its immediate wake, see John A. Strong, *The Algonquian Peoples of Long Island from Earliest Times to 1700* (Interlaken, N.Y.: Empire State Books, 1997), 35-36. For the development of Proto-Eastern Algonquian, see Kathleen Bragdon, *Native People of Southern New England, 1500-1650* (Norman, Okla.: University of Oklahoma Press, 1996), 33. For the bifurcation of Long Island into ethno-linguistic zones and the continuity of Ninnimissinuok culture across South Eastern New England, see Strong, *Algonquian Peoples of Long Island*, 23; John A. Strong, "Wyandanch Sachem of the Montauks," in *Northeastern Indian Lives, 1632-1816*, ed. Robert Steven Grumet (Amherst, Mass.: University of Massachusetts Press, 1996), 38; Bragdon, *Native People of Southern New England*, xi-xii; John H. Morice, "The Indians of Long Island," in *Long Island: A History of Two Great Counties, Nassau and Suffolk*, ed. Paul Bailey (New York: Lewis Historical Pub. Co., 1949), 107; William Wallace Tooker, *John Eliot's First Indian Teacher and Interpreter: Cockenoe-de-Long Island and the Story of his Career from the Early Records* (New York: Francis P. Harper, 1896), 16; Ives Goddard, "Eastern Algonquian Languages," in *Handbook of the North American Indians* vol. 15, *Northeast*, ed. Bruce Trigger (Washington D.C., 1978), 72. For Ninnimissinuok Long Island as composed of band societies see John A. Strong, "The Evolution of Shinnecock Culture," in *The Shinnecock Indians: A Culture History*, ed. Gaynell Stone (Stony Brook, New York: Suffolk County Archaeological Association, 1983), 36; see also Ellman Service, *Primitive Social Organization* (New York: Random House, 1962) for a discussion of band typology. For the absence of agriculture on Eastern Long Island prior to the seventeenth century see Lynn Ceci, "Radiocarbon Dating 'Village Sites' in Coastal New York: Settlement Pattern Change in the Middle to Late Woodland," *Man in the Northeast* no. 39 (1990): 1-28. Lynn Ceci, "The Effect of European Contact and Trade on the Settlement Pattern of Indians in Coastal New York, 1524-1665: The Archeological Documentary Evidence" (PhD diss., City University of New York, 1977), 1-7. Ceci argued that maize agriculture was naturally difficult on Long Island due to "infertile and quickly depleted soils" that prohibited the cultigen from serving as anything other than a "marginal crop"; see "The Effect of European Contact," 119.

Community coalescence and fission, anthropologists and historians of certain theoretical persuasions have argued, acted together as the supporting mechanism for consensual governance within Ninnimissinuok political economies. James Axtell, in his early monograph on North American Native peoples, *The Invasion Within*, emphasized that the sachems of New England Algonquian communities allowed for each of their subjects to “vote with his feet,” leaving his sachemship voluntarily if he so chose; individuals “and even whole villages” could simply break away from any polity that they deemed tyrannical.<sup>5</sup> Informed by the functionalist school of anthropology’s dogmatic quest for internal equilibrium and balance, twentieth-century scholars argued that the danger of fission made it imperative for Native leaders to act justly towards their people, leaving sachems with “little coercive power” and an ethos that was instead reciprocal and egalitarian in emphasis. Of course, it was impossible for the functionalists to deny the reality of coercion within the Ninnimissinuok world altogether, since the existence of hierarchical, tributary polities were well known to have predominated on the New England mainland during the historic period. In order to work around this contradiction, tributary communities and their coercive relationships with tribute-receivers were theorized to have existed “external” to a supposed “nucleus of closely linked communities” that constituted the in-group governed by consensual ethics.<sup>6</sup> The threat of disintegration, the functionalists

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<sup>5</sup> James Axtell, *The Invasion Within: The Contest of Cultures in Colonial North America* (New York: Oxford University Press, 1985), 143.

<sup>6</sup> A synthesis of the functionalist articulation of the consensus model as it applies to the Ninnimissinuok can be found in Eric S. Johnson, “Community and Confederation: A Political Geography of Contact Period Southern New England,” in *The Archaeological Northeast*, edited by Mary Ann Levine, Kenneth E. Sassaman, & Michael S. Nassaney (Westport, Conn.: Bergin & Garvey, 1999), 155-168, esp. 160-61. A classical critique of functionalism’s insistence on internal

theorized, made consensus fundamental to the internal polity, even as coercive was exercised on those “outside” the community in order to secure their attachment.

Accompanying functionalist theories of politics, classical evolutionary models of the twentieth century conjectured that the economies of Ninnimissinuok communities were roughly egalitarian not only in political authority, but also in distribution of material wealth—a supposition that holds up poorly to investigation. Especially on Eastern Long Island, where horticultural practices before the era of European contact were at most extremely limited and hunting-gatherer modes of subsistence predominated, classical evolutionary theories conjectured that the Ninnimissinuok did not generate “enough surplus to

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equilibrium can be found in Dorothy Gregg and Elgin Williams, “The Dismal Science of Functionalism,” *American Anthropologist* 50, no. 4 (1948): 594-611. Gregg and Williams define the functionalist approach as beginning with an “organic” model of culture, one that assumes all “societies are functioning harmonious wholes—are in equilibrium—by the mere fact of their existence,” a harmony that is maintained through “ceremonials....necessary to keep certain sentiments alive.” They contend that “one might better argue that there seems to be an irrepressible tendency toward disequilibrium (rapid change)” in human societies (pp. 601-02). In terms of government explicitly, a functionalist model sees political life as an extended ceremonial to maintain balance, one whose mechanisms encourages consensus through an emphasis on harmony and equilibrium. Functionalist theories of consensus government were propelled to the forefront of twentieth-century New England Native American scholarship primarily through the work of Neal Salisbury, see Neal Salisbury, *Manitou and Providence: Indians, Europeans, and the Making of New England, 1500-1643* (Oxford: Oxford University Press, 1982), esp. 37-48; they have been consistently applied to Eastern Long Island throughout the work of the region’s foremost scholar, John A. Strong. See John A. Strong, *The Montaukett Indians of Eastern Long Island* (Syracuse, N.Y.: Syracuse University Press, 2001), 8; Strong, “Wyandanch Sachem of the Montauks,” 50; and Strong, *Algonquian Peoples of Long Island*, 42. David Silverman has reproduced the consensus model to some extent in his recent monograph, though his work is recommended for its nuanced attention to political developments in the early settlement period, see David J. Silverman, *Faith and Boundaries: Colonists, Christianity, and Community among the Wampanoag Indians of Martha’s Vineyard, 1600-1871* (Cambridge, U.K.: Cambridge University Press, 2005), esp. 121-156. Most recently, Susannah Romney has ensured the wholesale continuity of the functionalist consensus model into the twenty-first century historiography by arguing that the “notion that leaders had the right to force obedience from their people” was “wholly alien” to “local Algonquian concepts of governance,” see Romney, *New Netherland Connections*, 278.

sustain an elite class.” This theorized equality and scarcity of material surplus, however, does not conform to archeological surveys of the region, which suggest marked inequities derived from the trade of surplus produce well before the era of European contact. Archaeological evidence shows that by the Middle Woodland Era (ca. 500 B.C.E.) at the latest, Eastern Long Island communities were connected to trade networks that spanned into the lower Delaware Valley, where they traded for argillite spear points and steatite or soapstone pottery. Even earlier evidence dating from the Archaic Period (8,000-1,000 BC.) has revealed steatite pottery that likely originated from quarries in Connecticut. Steatite pottery pieces are known to have acted as “prestige goods” within Eastern Woodlands societies, as such vessels possessed minimal utility in terms of material productivity, but were nonetheless sought after for the degree of status they bequeathed to possessors. Excavated graves on Eastern Long Island from the immediate pre-settlement period have also been found to contain abundant prestige goods, including copper pots, beads, and buttons; pewter, brass, glass and shell beads; pipe stems; and most interestingly, the skeletons of small dogs, which were likely interred as sacrifices, all of which indicate inequalities in status and wealth among the late pre-settlement Ninnimissinuok. Eastern Long Island Natives most likely acquired these goods through the exchange of surplus derived from maritime resource exploitation.<sup>7</sup> The limited

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<sup>7</sup> For the absence of surplus-derived inequality among Long Island Ninnimissinuok see Strong, *Algonquian Peoples of Long Island*, 42. Strong’s economic model is largely derived from the primitive communist theories applied to the New England region primarily by Eleanor Leacock, see Eleanor Leacock, “Relations of Production in Band Society,” in *Politics and History in Band Societies*, ed. Eleanor Leacock and Richard Lee (Cambridge: Cambridge University Press, 1982), esp. 28. For Archaic Period steatite pottery on Eastern Long Island see John Strong, “The Ancestors: Mohawk Prehistory,” in *The History and Archaeology of the Mohawk*, ed. Gaynell

archeological evidence that exists therefore points to unequal access to valuable material goods among the pre-contact and pre-settlement Ninnimissinuok, and suggests an accompanying stratification of status.

The pre-settlement Ninnimissinuok defied classical evolutionary models of political economy through the accumulation of surplus despite relying principally on hunting-gatherer subsistence. They did indeed, archaeological evidence seems to indicate, produce sufficient surpluses to sustain inequality. More modern anthropological models, specifically those produced by neo-evolutionary theorists, have acknowledged the deficiencies of extrapolating levels of inequality directly from subsistence strategies. At center stage in these models is both the rejection of the notion that inequality emerged first with unequal access to “basic resources” in societies practicing horticultural subsistence, as well as a dramatic insistence on the ability of prestige goods to translate social significances into economic realities. Neo-evolutionary anthropologist Brian Hayden has argued that hunting-gatherer societies in which prestige goods circulate should be understood as “trans-egalitarian” societies, distinct from those “true egalitarian

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Stone (Stony Brook, N.Y.: Suffolk County Archaeological Association, 1993). 603. For evidence of pre-settlement inequality through grave goods see Strong, *Algonquian Peoples of Long Island*, 125; Strong, “The Ancestors: Mohawk Prehistory,” 609. For a summary of Early Woodland period archaeological sites on eastern Long Island see Thomas Lynch, “Topography, Climate, and Site Distribution for the Three Main Phases of Native American Occupation of Long Island, New York” (M.A. Thesis, California State University, Fullerton, 2001), 89-97. For trade with the Delaware Valley see Annette Louise Silver, “The Abbott Interaction Sphere: A Consideration of the Middle Woodland Period in Coastal New York and a Proposal for a Middle Woodland Exchange System” (PhD. diss., New York University, 1991), esp. 240-42; for the significance of steatite vessels as prestige goods see Michael J. Klein, “The Transition from Soapstone Bowls to Marcey Creek Ceramics in the Middle Atlantic Region: A Consideration of Vessel Technology, Ethnographic Data, and Regional Exchange,” *Archaeology of Eastern North America* 25 (1995): 143-58. Gaynell Stone has argued that Long Island Indians were completely dependent on stone imports due to complete lack of stone quarries on the Island, see Gaynell Stone, “Material Evidence of Ideological and Ethnic Choice in Long Island Gravestones, 1670-1800,” *Material Culture* 23, no. 3 (1991): 12.

societies” which do not transact status-producing goods. Trans-egalitarian societies use prestige goods to structure unequal political power and control over surplus, though these inequities are often hidden beneath the prevailing metaphors used in the society’s self-comprehension. In the Eastern Woodlands context, Daniel Richter has similarly warned scholars of reading “Edenic egalitarianism” into Native societies, and emphasized the importance of understanding prestige goods as powerful objects capable of structuring “a very real system of social and economic stratification.” Richter believes that rather than viewing the pre-contact Eastern Woodlands as a world predominately inhabited by bands and tribes, it is best understood as a world of “stratified chiefdoms.” However, and with the utmost importance to this work, Richter restricts his argument when it comes to the “small Algonquian-speaking communities that lived in estuarine environments in New England.” The Long Island Ninnimissinuok villages were such estuarine communities, and their exception from Richter’s otherwise cutting-edge model of Native inequality demands redress.<sup>8</sup>

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<sup>8</sup> Morton Fried articulated the most well known classical evolutionary framework that extrapolated degree of stratification from subsistence, see Morton H. Fried, “On the Evolution of Social Stratification and the State,” in *Culture in History: Essays in Honor of Paul Radin*, ed. Stanley Diamond (New York: Columbia University Press, 1960), 714-31; Morton H. Fried, *The Evolution of Political Society: An Essay in Political Anthropology* (New York: Random House, 1967). For neo-evolutionist modifications, see Brian Hayden, “Social Complexity,” in *The Oxford Handbook of the Archaeology and Anthropology of Hunter-Gatherers*, eds. Vicki Cummings et al. (Oxford, U.K.: Oxford University Press, 2014), 643-46. For the application of neo-evolutionary frameworks to the Eastern Woodlands, see Daniel K. Richter, “Stratification and Class in Eastern Native America,” in *Class Matters: Early North America and the Atlantic World* (Philadelphia, Penn.: University of Philadelphia Press, 2008), eds. Simon Middleton and Billy G. Smith, 35-43. For Long Island Ninnimissinuok as estuarine communities, see Bragdon, *Native Peoples of Southern New England*, 56-69.



Older, classical evolutionary models of Native economic egalitarianism are thus unlikely to find support in the most contemporary literature. Critiquing the functionalist consensus model of Ninnimissinuok governance, however, has proven considerably more difficult. This is due to the reality that theorization about political structure in societies which left no descriptive documentation is, in ungenerous but truthful terms, guesswork derived from strictly material evidence. An additional complication stems from differentiating political structures in the pre-contact period (before the introduction of European ideologies or goods) from those of the pre-settlement period (after contact with Europeans or European goods but before permanent European presence), the former of which can only be conjectured based on archeology, and the later of which can be deduced using historical ethnographic material. Looming over this differentiation are the significantly higher modern political stakes attached to maintaining the consensus-egalitarian model during the pre-contact era, which is integral in the constellation of beliefs supporting notions of indigenous virtue vis-à-vis Europeans. While the archeological evidence is clear that economic inequities existed within Long Island's Native communities in both the pre-contact and pre-settlement periods, the instinct of many scholars has been to reduce the sociopolitical impact of these inequities as minimal, 'relative' to other forms of political economy.<sup>9</sup> Such reductions, while useful in terms of demarcating real

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<sup>9</sup> Though the examples of this reduction are ubiquitous throughout most of the twentieth-century scholarship, see for example Strong, "The Ancestors: Mohawk Prehistory," 602-03, where a discussion of archeological evidence of Archaic Period steatite pottery, a known prestige good, is accompanied by a characterization of political structure as "essentially egalitarian" and "democratic." This reduction is no doubt intellectually rooted in Morton Fried's classical evolutionary dismissal of prestige goods as irrelevant to larger questions of inequality. In Fried, *The Evolution of Political Society*, p. 110, the evolutionary anthropologist asserted, "the marks of

differences between Native and European forms of hierarchy, are ultimately harmful towards integrating the revelation of *meaningful inequality* among the Ninnimissinuok into the historiography. Describing the Ninnimissinuok as ‘relatively’ egalitarian has become the hallmark of hand-waving scholars who remain embedded in the functionalist phantasmagoria of equilibrium and harmony, and would prefer that all evidence of inequality, and its concomitant disequilibrium and disharmony, be minimized to the point of irrelevance. While such reductions will no doubt continue to prevail in the conjectural realm of pre-contact political theory, they are increasingly untenable in applications to the documentary realm of the pre-settlement and early settlement era Ninnimissinuok.

Even putting aside the archeological evidence presented above that gestures towards sociopolitical inequity in the pre-contact period, there can be absolutely no doubt that centralization and stratification existed within Ninnimissinuok polities by the pre-settlement era, a principle that is widely acknowledged in existing literature. John A. Strong, the preeminent historian of Eastern Long Island—who spent much of his career attempting to debunk the notion that stratified tribal organizations existed on the Island during the pre-contact period—nonetheless acknowledges that “tribal systems and confederacies” had begun to develop on the Island by the early seventeenth

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prestige cannot be used to acquire food or productive resources...accumulation of signs of prestige does not convey any privileged claim to the strategic resources on which a society is based.” Thus, inequities generated by prestige are irrelevant, and the presence of prestige goods is non-indicative of larger, meaningful inequities in the political economy. This perspective has been critiqued artfully in Richter, “Stratification and Class in Eastern Native America,” 37-41. The consensus-egalitarian model’s focus on reducing the meaning of trans-egalitarian inequality ‘relative’ to more ‘complex’ forms of inequality also derives from the stadial and comparative thrust of Fried’s work.

century.<sup>10</sup> The distinguished anthropologist Kathleen Bragdon has leveled the fiercest arguments against the consensus-egalitarian model, characterizing it as “misleading” in its simplicity, and arguing that the pre-settlement Ninnimissinuok societies are “best characterized as chiefdoms of marked social hierarchy and centralized leadership.”<sup>11</sup> These revisions have been rejected by functionalist anthropologist Eric Johnson, who has questioned the accuracy of documentary accounts used by Bragdon, claiming that Europeans from “highly stratified, monarchical states, *struggled to describe* what were essentially egalitarian, communal societies, whose leaders were truly public servants” [emphasis added].<sup>12</sup> Johnson’s claim of European misunderstanding is oft repeated in the scholarship of Native New England, and its legitimacy is worth examining. The primary sources underpinning Bragdon’s argument against the consensus-egalitarian model are not obscure, and they overlap significantly with the sources deployed by Johnson to defend the model, making a close examination of their contents an imperative.

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<sup>10</sup> Strong, *Algonquian Peoples of Long Island*, 147.

<sup>11</sup> Bragdon, *Native Peoples of Southern New England*, 45, 43. Bragdon also insists that hierarchical chiefdoms in Southern New England “emerged not merely as a response to English presence, but because chiefdoms already existed in coastal regions, whose organizational structures were capable of exploitation,” *Ibid.*, 152. Bragdon’s model of Ninnimissinuok polities as generally hierarchical and tributary has been most notably reproduced in the work of Jenny Pulsipher, securing its status as the preeminent modern model of Southern New England Native political economy. Jenny Hale Pulsipher, *Subjects unto the Same King: Indians, English, and the Contest for Authority in Colonial New England* (Philadelphia, Penn.: University of Pennsylvania Press, 2005), 13-14. This work remains the most current comprehensive monograph of Indian-English relations in colonial New England, however, deep skepticism towards the presence of hierarchy in Native communities remains a tangible thread in the Native New England historiography, for example see Jon Parmenter, Review of *Subjects unto the Same King: Indians, English, and the Contest for Authority in Colonial New England*, by Jenny Hale Pulsipher, *The William and Mary Quarterly*, 3d ser. 63, no. 1 (Jan. 2006): 197.

<sup>12</sup> Johnson, “Community and Confederation,” 155.

III. A General Subjection: Stratification and Coercion among the Early  
Settlement Ninnimissinuok

While pre-settlement documentary sources related to the Ninnimissinuok are sparse in ethnographic details, remarkably rich records of Ninnimissinuok polities emerged during the years immediately after English settlement began in mainland New England. Sources that elaborate on political economy in Ninnimissinuok communities during the seventeenth-century are revealing, above all, in their consistency. The assertion of European misunderstanding loses much of its punch when countered with the reliably repeated descriptions of Ninnimissinuok polities that emerge from the primary record, which unfailingly revolve around such terms as ‘monarchy,’ ‘kingdom,’ ‘aristocracy,’ ‘hereditary,’ ‘absolute’ and ‘subjection.’ It is also important to note that these observers were not armchair academics, but witnesses—men who resided, feasted, conversed, laughed, mourned, and slept in Ninnimissinuok villages themselves. They were men who, despite being outsiders in each of these interactions, knew far more about the political economy of these societies than any historian could possibly know today.

The most common, concise, and holistic term used by early seventeenth-century observers to describe Ninnimissinuok polities was *monarchy*. Roger Williams, founder of Providence Plantation and an avid ethnographer of Southern New England, saw the government of the Ninnimissinuok as “a kingdome or Monarchie,” chiefly governed by “highest Sachims,” who ruled with the facilitation

of intermediate “under Sachims” known as “*Ataúskawaw-wauog*” (typically spelled *ahtaskoaog* in contemporary literature). This tiered system of principal sachems aided and supported by a secondary ruling class finds support in numerous other contemporary sources. William Wood, who left detailed ethnographic records of the Ninnimissinuok during his four years of residency in the Massachusetts Bay Colony, argued that the dominion of each Ninnimissinuok sachem was enforced by “viceroys, or inferiour kings,” who helped “to agitate his state affairs, and keep his subjects in good decorum.” Edward Winslow, a founding father of Plymouth and diplomatic ambassador to the Wampanoag, also wrote of “kings” among the Ninnimissinuok, whose rule was reified through a class of men known as the “pnieses” [*pniesesok*]. These were the war leaders and tribute collectors who acted as the enforcers of the sachem’s will. Winslow characterized them as a warrior elite “highly esteemed of all sorts of people,” and “of the Sachems Councell.” Matthew Mayhew, fluent speaker of the *Wôpanâak* dialect of the Ninnimissinuok language missionary to the mainland Ninnimissinuok, reported that their government was “purely *Monarchical*,” ruled by “Princes,” who handled “matters of difficulty,” and aided by “Lieutenants” and “Nobles” who handled lesser matters. These secondary or tributary sachems, Mayhew wrote, “resort for protection,” to the principal sachem, “and pay homage unto them; neither may they warre without their knowledge and approbation, yet to be commanded by the greater as occasion seemeth.” Each “Prince” or primary sachem was thus “acknowledged” by their people to be “*Absolute Lord* on the *Land*” with “no less Sovereignty [sic] at *Sea*,” a suzerainty that was realized

through the regular payment of tribute. Daniel Gookin, who worked with the Reverend John Eliot to proselytize Indians in New England, and who eventually became Superintendent of Indian Affairs in Massachusetts, offered a final statement of support for stratified Ninnimissinuok governance. He wrote that the government of the New England tribes was “generally monarchical,” with the “chief sachem or sagamore’s will being their law.” Among some groups, “chief men” acted as “special counsellors” and were given some authority to influence “weighty matters,” making these governments “mixed, partly monarchical, and partly aristocratical.”<sup>13</sup> The Ninnimissinuok, observers are clear, were far more interested in concentrating power in primary sachems, “under” or secondary

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<sup>13</sup> Roger Williams, “A Key into the Language of America...,” in *Collections of the Rhode-Island Historical Society* (Providence: 1827; originally published 1643), 120-21; Edward Winslow, *Good Newes from New England: or A true Relation of things very remarkable at the Plantation of Plimoth in New-England* (London, 1624), 55-7; William Wood, *New England’s Prospect* (London, 1639), 94-7; Matthew Mayhew, *A Brief Narrative of the Success which the Gospel hath had, among the Indians, of Martha’s Vineyard and the Places Adjacent in New-England* (Boston, Mass.: Bartholomew Green, 1694), 7-10; Daniel Gookin, *Historical Collections of the Indians in New England* (Boston: Apollo Press, 1792; originally published 1674), 14. There is always, of course, the possibility that these men were in fact misunderstanding the structures around them due to cultural bias, or perhaps even intentionally misrepresenting Ninnimissinuok politics to justify colonialism. Unfortunately, such condemnations are equally applicable to virtually every other collection of sources from which Native history is derived. In the face of certain bias and malfeasance from European authors, the best any Native historian can hope to accomplish is to stumble upon a set of overlapping documents that present a common narrative, from which one can ‘triangulate’ some semblance of the historical truth. This is, as it turns out, precisely what is offered by the Williams, Winslow, Wood, Mayhew, and Gookin collection—there are few other bundles of sources, which contain a similar depth of ethnographic information, about a clearly defined group of peoples, within a relatively short period of time, anywhere else in the Native American historiography. Dismissing this collection as the works of biased men is to cast significant doubt on the feasibility of using documents to write Native history altogether. There is the well-trodden alternative—turning to later ethnographic sources, and engaging in the practice of ‘upstreaming’ in order to discover the nature of the past. Though useful (the preface of this piece is itself an example of upstreaming), the privileging of such practices above documentary evidence, especially when documentary triangulation produces a relatively clear story, runs the risk of accepting outright the metaphorical self-comprehension of later Native groups. The stories groups tell about themselves, often obscure the crueler elements of their own past society. The obfuscation of cruelty and inequality is a common element of oral traditions in a variety of modern liberal cultures (see: the American South and its memory of slavery), and the claim that Native oral traditions are somehow immune from this cleansing is unverifiable at best, and at worst denies contemporary Natives their legitimate place within the pantheon of modern cultures.

sachems, and elite warriors, than they were sharing it in any 'relatively' egalitarian manner.

Early ethnographers were in agreement regarding the monarchical structure of Ninnimissinuok polities not simply because of the stratification and culmination of these governments in a sovereign, but also because of the specific rules that governed the bequeathal of sovereign power. A composite of these testimonies reveals a Ninnimissinuok model of sovereignty in which principal sachems, when able, passed on their station through patrilineal inheritance. However, this system of hereditary rule was not *strictly* patrilineal, and in similarity to the form of inheritance practiced by the English monarchy, seems to have favored the continuity of lineage over the continuity of male leadership. Mayhew wrote that the office of principal sachem "always descended to the *Eldest Son*" in the ideal, but "in defect of a *Male* of the Blood," it was possible for "the *Female* [daughter]" to ascend. Female leadership was accepted when necessary to maintain lineage continuity, since "the Blood Royal" was held "in such Veneration" by the Ninnimissinuok. Wood concurred, describing the office of the principal sachem as "patriarchal," with "the son always taking the kingdom after the father's death" when such a son existed. However, he similarly observed that in the absence of a male heir, the office would pass from the deceased sachem to "the Queen," his wife; if she was also deceased, then "the next to the blood-royal" ascended, whether they be male or female. Winslow was likewise adamant that Ninnimissinuok "government is successive and not by choice," and that rule could pass to either the "sonne or daughter" of the

principal sachem. Continuity of ruling lineage was so important to the Ninnimissinuok, Winslow observed, that they even appointed regents as placeholders for immature heirs until they could assume rule after becoming “of age.”<sup>14</sup> A sachem’s grip on power was legitimated by his or her lineage, and was hardly surrendered at death.

Ninnimissinuok society was therefore stratified not only between individuals, but also more generally at the level of lineages, which largely determined individual status. Winslow portrayed Ninnimissinuok sachems as highly protective of their lineage’s elevated social standing, emphasizing that no proper sachem would “take any to wife but such an one as is equall to him in birth, otherwise, they say their seede would in time become ignoble.” This did not stop the polygynous Ninnimissinuok sachems from accumulating multiple wives as symbols of their authority, yet these women were held as “concubines or servants, and yeeld a kinde of obedience to the principall [wife], who ordereth the family, and them in it.” Though secondary wives therefore seem to have been significantly marginalized, held by their own husbands as being of inferior blood, they were hardly the most disempowered members of Ninnimissinuok communities. Mayhew observed that among the common Algonquians, there was a class of people whose title “signif[ied] *Subjection*.” Members of this lower class were considered to be “*Strangers or Foreigners*,” deprived of “*Common Right*,” even if their lineage had resided within the Ninnimissinuok community for generations “beyond the Memory of Man.” Status among the lower elites was

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<sup>14</sup> Winslow, *Good Newes from New England*, 55-7; Wood, *New England’s Prospect*, 94-7; Mayhew, *A Brief Narrative of the Success which the Gospel hath had*, 7-9.



also tied directly to lineage, with most being either “descended from the Blood Royal,” or from those who had since “time out of mind been Esteemed,” though sachems seem to have been able to elevate linages into the aristocratic class as well. Williams observed that the “obscure and meane persons amongst [the Ninnimissinuok] have no names,” and recorded the phrases “*Matnowesuónckane*, I have no name”; “*Matnowetuómeno*, I have no house.”<sup>15</sup> Meaningful inequality among the Ninnimissinuok meant, in the extreme, the presence of a nameless underclass with no claims to the benefits of household membership—men and women who no doubt found little solace in their society’s idiomatic expression of kinship and harmony.

It is true, no doubt, that the presence of stratified rule does not in itself negate the fundamental premises of the consensus model of Ninnimissinuok political economy. Perhaps all Ninnimissinuok persons were perfectly pleased with such an arrangement, and actively consented to participation within it, so long as certain guidelines were followed. This is what might be suggested by the primary source evidence underpinning the consensus model, the most important of which is drawn from two of the men already discussed here in detail, Roger Williams and Daniel Gookin. Though Williams obviously considered the power of principal sachems to be immense, he noted that in particularly important manners, such as “Lawes, or Subsidies, or warres,” the decisions of sachems could be circumscribed if “the People [were] averse,” and could not be made agreeable by “gentle perswasion.” It is difficult to imagine, however, that given

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<sup>15</sup> Winslow, *Good Newes from New England*, 55-7; Mayhew, *A Brief Narrative of the Success which the Gospel hath had*, 7-10; Williams, *A Key into the Language of America*, 29.

Williams' intimate awareness of the nameless and marginalized *matnowesuónckane* class, he meant to suggest through his phrase "the People" our modern reading of 'everyone.' Gookin's writing helps us unravel this paradox. Gookin noted that the monarchical-aristocratic mixed power system of Ninnimissinuok was nuanced in that sachems "have not their men in such subjection," since they greatly feared that "their men will leave them upon distaste or harsh dealing, and go and live under other sachems that can protect them." This compelled the sachems to act "obligingly and lovingly unto their people, lest they should desert them, and thereby their strength, power, and tribute would be diminished." It is critical to note, however, that Gookin's statements here regarding the "people" primarily refer to sachem's fearing desertion by "their men"—meaning the "petty sagamores" or *ahtaskoaog* and *pniesesok* that composed the sachem's aristocratic class of advisors.<sup>16</sup> A careful reading of Williams and Gookin suggests an interpretation of consensus that differs markedly from the prevailing consensus-egalitarian models—a model of consensus as an imperative for sachems in negotiating the allocation of authority with the aristocratic class, but *not* in the exercise of power over the lower, non-aristocratic classes of Ninnimissinuok society.

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<sup>16</sup> Williams, "A Key into the Language of America," 120-21; Gookin, *Historical Collections of the Indians in New England*, 14. Gookin's and Williams' characterization of Ninnimissinuok sachems as fearful of abandonment lies at the foundation of the consensus concept along with another document, the notable 1628 letter of New Netherland Secretary Isaac De Rasière, in which Native government is described as "democratic." Yet similar to Gookin's writing, emphasis within this source as well lies on the considerable evidence of coercive sachem power. Rather than highlighting the ability of Natives to detach from any consolidated polity that displeases or threatens violence against them, Rasière describes sachems commanding the punishment of adulterous women by cutting off their hair, and leveling fines against men who fought within his village; see J. Franklin Jameson, ed., *Narratives of New Netherland, 1609-1664* (New York: Charles Scribner's Sons, 1909), 108-9.

Additional evidence suggests that even within this elite-consensus system of power sharing, principal sachems were only willing to tolerate so much dissension. Wood was clear that the principal sachems held their people in “submissive subjection,” and executed any who were “known to plot treason or to lay violent hands” upon them. Though he remarked with wonder at the almost complete absence of crime in Native societies, he ominously emphasized that the most “notorious malefactors” were the “traytors to their Prince.” Those who disobeyed sachems or formulated designs against them were not simply expelled from the consensual compact to find new communities elsewhere. The punishment for traitors was much simpler—death, via blunt force “with a tomahawk or club,” for “other means to restrain abuses they have none.”

Williams provides a detailed list of terms used within the trials and punishments of Ninnimissinuok criminals, which were most typically those men whom they feared were encouraging “Mutiny” against their leadership. The punishment was, here again, straightforward: “publike execution.” Like Wood, Williams observed that it was typical “for the Sachim either to beate, or whip, or put to death with his owne hand” those who disobeyed him. His dictionary also included words used by Sachems in their interrogations of offenders—*Tawitch cummootóan*, “Why doe you steale?”; *Tawitch nanompaniêan*, “Why are you thus idle or base?”—as well as words used in the rendering of their judgments—“*Cuttiantacompãwwem*, You are a lying fellow”; “*Wèpe kunnishaûmis*, You kild him”; “*Wépe kukkemineantín*, You are the murtherer.” Punishments were harsh and unilateral—“*Níppitch ewó*, Let him die”; “*Niss-Nìssoké*, Kill him”;

*“Kukkechequaûbenitch, You shall be hanged.”* Even those cases where the verdict was mercy—*“Uppansínea-ewo, He is innocent”*; *“Konkeeteatch Ewo, Let him live”*—also implied a world in which the continuation of one’s life was not guaranteed.<sup>17</sup> For crimes more minor than treason, other rituals were practiced to buttress and reproduce the sovereignty of the sachemship while affirming the subservience of its subjects. Williams observed that Ninnimissinuok who committed “some offence [as] conceived by the *Sachim* or Prince” would approach their sachem to “reverently doe obeysance [obeisance]” by “stroking the Prince upon both his shoulders” and uttering, *“Cuckquénamish, I pray your favour.”*<sup>18</sup> Both those who deemed worthy of mercy as well as those condemned could become templates for the reification of the sachemship’s sovereign power.

Kinship, understood as the customary demarcation of lineage and familial relations, was the primary idiom around which inequality was structured and legitimated in Ninnimissinuok society. For most, authority was not allocated as a meritocratic reward for sagacity or reciprocity, but as an inherited blood right. Hereditary rulers exerted authority with the facilitation of a secondary elite caste, creating a stratification that reached so far as to deprive certain members of even the basic benefits of human community membership, such as names and households. Some sachems were known to tread lightly in their exercise of authority that defied the wishes of their “people,” by whom they mostly meant the aristocrats who legitimated and supported the continuation of coercive, hereditary

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<sup>17</sup> Wood, *New England’s Prospect*, 96-7; Williams, “A Key into the Language of America, 121-22.

<sup>18</sup> Williams, “A Key into the Language of America,” 28.

rule. Others were known to personally execute, via blunt trauma, those who dared to conspire treasonously against them.

#### IV. Usufruct, Sovereignty, and Kin: The Native Historian's Ownership Dilemma

Ninnimissinuok sachems clearly exerted formidable, coercive authority when it came to executing matters of justice. But no discussion of their power would be complete without an analysis of one of power's primary benefits: control of natural resources. Due to the prevailing tendency to minimize the significance of inequality and power concentration in Ninnimissinuok society, an elaboration of sachem control over resources is pressing. Particularly of interest, of course, are the relationships of power that existed between Ninnimissinuok sachems and land, along with the concomitant questions of sovereignty, 'ownership' and tenure.

In describing Ninnimissinuok sachems as sovereign 'monarchs,' early witnesses usually intended to emphasize that primary sachems possessed the ability to determine the way that resources were used within a bounded area roughly analogous to a 'kingdom.' This definition of sovereignty, as the ability to control use-right over resources in a bounded territory, essentially amounted to a *realpolitik* (i.e. materialistic) definition of power, and was articulated within an imperial context in which positive law understandings of "sovereignty" were fuzzy at best. Nebulous legal definitions of sovereignty emanating from the metropole were secondary to the on-the-ground negotiations over use-right—the true prize

of any polity—that occurred in the colonial arena.<sup>19</sup> To be sovereign in colonial New England meant that one possessed *ultimate* prerogative over use-right allocation, even if one distributed this responsibility to an inferior power, as primary sachems did with “under” sachems. Native New England, like the English Empire, was a world of tiered sovereignties. To possess sovereign prerogative meant possessing decisive control over both resources and the network of inferior sovereignties to whom this control was partially allocated.

The Ninnimissinuok sachems were territorial sovereigns. They knew well the boundaries of the land and waters over which their rule extended, and they were equally aware of the boundaries claimed by other sovereigns. Winslow and Williams were particularly clear on this point. Williams noted that “the Natives are very exact and punctuall in the bounds of their lands, belonging to this or that

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<sup>19</sup> This work joins a growing chorus of literature that insists on the need to examine the meaning of imperial “sovereignty” primarily at the micro level of enacted practice rather than at the metropolitan level of legal articulation. Recently, Lauren Benton has emphasized the pluralistic and divisible nature of sovereignty in the early modern Atlantic, see Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge, U.K.: Cambridge University Press, 2010). Jeremy Adelman has emphasized that the pluralism of early modern conceptions of sovereignty was constrained by a general alignment of sovereignty with imperium, a parallelism that remained consistent into the revolutionary era, see Jeremy Adelman, *Sovereignty and Revolution in the Iberian Atlantic* (Princeton, N.J.: Princeton University Press, 2006). Of direct relevance with this work, Andrew Fitzmaurice has also noted the increasing attention paid to *use* in early modern Atlantic metropolitan discourses of sovereignty, see Andrew Fitzmaurice, *Sovereignty, Property, and Empire, 1500-2000* (Cambridge, U.K.: Cambridge University Press, 2014). The differentiation between use and determination of use employed here is derived from David Armitage’s dyad of *dominium* and *imperium* as utilized in David Armitage, *The Ideological Origins of the British Empire*, (Cambridge, U.K.: Cambridge University Press, 2000), though note that Armitage does not apply the language of “use” specifically. A common theme within the historiography of indigenous peoples has been to view sovereignty not as a construct of positive law, as is held by all of the above works, but rather as a natural or “inherent right” derived from “prior occupation” that exists transcendent of political negotiation as an essentially spiritual component of indigenous identity. See for example Henry Reynolds, *Aboriginal Sovereignty: Reflections on Race, State, and Nation* (St. Leonards, Aust.: Allen & Unwin, 1996); Roxanne Dunbar-Ortiz, *An Indigenous Peoples’ History of the United States* (Boston: Beacon Press, 2014). Not coincidentally, this is also the view taken by John Strong in his assessment of sovereignty on Eastern Long Island, see Strong, *The Algonquian Peoples of Long Island*, 153, 166. This spiritual conception of sovereignty is also a feature of Southern New England generally in Neal Salisbury’s *Manitou and Providence*, esp. 238-9, though it has largely been replaced by the positive law model in more recent scholarship.

Prince or people,” and Winslow observed in agreement that “every *Sachim* knoweth how farre the bounds and limits of his owne Countrey extendeth.”

Territory was the “proper inheritance” of the sachems—the birthright that made their other heirloom, the office of sachem itself, most meaningful. The station of territorial sachem meant first and foremost, in practical terms, the ability to allocate use-right, or usufruct, to those community members who possessed full community membership (with the specific exclusion of the *matnowesuónckane*). Winslow observed that if any Ninnimissinuok men desired to use a parcel of land to cultivate corn, the sachem would “giveth them as much as they can use, and sets them their bounds.”<sup>20</sup> Williams, Winslow, and Mayhew also all noted a hunting ritual that reified the sachem’s particular sovereignty over land. Winslow observed that any Ninnimissinuok who killed a deer on the landed territory controlled by a sachem would “bring him his fee, which is fore parts of the same.” However, if this deer was killed “in the water,” the hunter was commanded to forfeit “the skin thereof.” Mayhew and Williams both verified this practice, with

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<sup>20</sup> Williams, “A Key into the Language of America,” 89; Winslow, *Good Newes from New England*, 57. The historiography here is generally in agreement about the distribution of use-right being a prerogative of the sachemship. Kathleen Bragdon’s analysis of seventeenth-century court records on Martha’s Vineyard and Natick revealed that the majority of land disputes between sachems and their subjects were contestations of “the legitimacy of a sachem’s claims to leadership and hence the right to allot or alienate land, not over the alienation itself.” Thus, even though certain records indicate that some natives challenged the rights of particular sachems to allocate use-rights, these challenges were denials that certain individuals could legitimately claim sachem status rather than repudiations of the notion that legitimate sachems possessed allocation prerogatives. See: Bragdon, *Native People of Southern New England*, 137-8; Kathleen Bragdon, “Another Tongue Brought In’: An Ethnohistorical Study of Native Writings in Massachusetts” (PhD diss., Brown University, 1981), 105-08. Faren Siminoff has also argued that sachems “embodied and symbolized” their people’s territoriality, and were responsible for the management and allocation of land that was “owned” by the “corporate community.” She notes the exclusion of the *matnowesuónckane* from allotments, see Siminoff, *Crossing the Sound*, 21, 126. For additional applications see Lipman, “The Saltwater Frontier, 41; Lorraine Elise Williams, “Ft. Shantok and Ft. Corchaug: A Comparative Study of Culture Contact in the Long Island Sound Area” (PhD diss., New York University, 1972), 21; Cronon, *Changes in the Land*, 58-60.

Mayhew noting that one of the privileges of sachemship were the “Wrecks of the Sea” and the “Skins of Beasts killed in their dominion.” and Williams recording a term for forfeited skins—“*Púmpom*, tribute skin.”<sup>21</sup> Territorial sovereignty for the Ninnimissinuok was ultimately defined by the ability to exert determinative control over the use of natural resources within either landed or maritime space, which often meant claiming those resources for their own personal use.

The extent of use-right determination, and especially the degree to which such allocation was the exclusive privilege of principal sachems, could hardly be murkier in existing literature. In order to more deeply comprehend the significance of the relationship between sachemship sovereignty and usufruct, it is obligatory to make a detour into the complex historiography of Native New England. Such a detour necessarily begins with the work of William Cronon; no scholar has been more important in developing the concept of Ninnimissinuok sachems as territorial sovereigns and distributors of usufruct. It is worth examining Cronon’s work in detail here, as it would not be an exaggeration to say that Cronon has defined the basic contours of the sachem-usufruct relationship scholarship for the past four decades.

Cronon was interested in the legal theorization of property rights generally, and especially the relationship between property and polity. He adopted Huntington Cairns’ conception of the property relation as “A owns B against C.” In other words, A is an entity that claims a “certain bundle of rights” over a possessed object, B, and is capable of enforcing possession of those rights

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<sup>21</sup> Winslow, *Good Newes from New England*, 57; Williams, “A Key into the Language of America,” 144; Mayhew, *A Brief Narrative of the Success which the Gospel hath had*, 9.



against another entity, C. With this definition of property in hand, Cronon presented his definition of sovereignty, which he understood in terms of the property theorem: sovereignty is a political community's ability to make territorial claims (meaning the ability to control use-right over territory) in opposition to other political communities. Sovereignty had to be either tacitly accepted by other communities or defended against them. It is from this definition that the notion of sachem as the sovereign giver of usufruct is derived.<sup>22</sup>

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<sup>22</sup> William Cronon, *Changes in the Land: Indians, Colonists, and the Ecology of New England* (New York: Hill and Wang, 1983), 57-8. What follows is a basic introduction to the sachem-resource relationship historiography that preceded Cronon. The prevailing concept of usufruct resource tenure among Northeastern Native Americans can be traced to the mid-twentieth-century, in the work of anthropologist Eleanor Leacock. A self-professed Marxian scholar writing in the post-war period, Leacock ascribed to the primitive communism of Fredrick Engels, who had earlier theorized on forms of resource tenure within "barbarian" (horticultural) societies. Engels believed that upon the introduction of horticulture, "cultivated land belonged as yet to the tribe and was assigned first to the gens [clan], which in its turn distributed it to the households, and finally to individuals; *always for use only, not for possession*" (emphasis added). See Frederick Engels, *The Origin of the Family, Private Property, and the State*, trans. Ernest Untermann (Chicago: Charles H. Kerr & Company, 1909), 29-30. This concept of resource tenure as based upon distributed rights to "use" rather than "possess," quickly became known as usufruct, and was adopted by Leacock in her analyses of political economy among northeastern Natives. Leacock first developed her arguments about usufruct ownership while completing her doctoral dissertation at Columbia University in the early 1950s. At this time, the dominant concept of Indian resource tenure, as articulated by John M. Cooper and Frank G. Speck, was that Indians in the northeast allocated access to resources (here, land) through a property scheme that was essentially equivalent to fee-simple or 'full' ownership. Leacock countered Cooper and Speck forcefully by asserting that among northeastern Natives, land tenure was more "a form of usufruct than 'true' ownership." The allocation of usufruct was structured "primarily through kin connections." Kinship, not civic structures based upon political economy, determined the allocation of resource tenure. An obvious complication of Leacock's kin-centric theory of usufruct was the absence of any such civic or political structures at all, and Leacock herself characterized Native societies as "cooperative" and "stateless." The primitive communists thus emphasized Indian use-right and the centrality of kinship at the expense of sovereignty. See Eleanor Leacock, "The Montagnais 'Hunting Territory' and the Fur Trade" (PhD diss., Columbia University, 1952), 8, 17; Eleanor Burke Leacock, "Introduction," in *North American Indians in Historical Perspective*, eds. Eleanor Burke Leacock & Nancy Oestreich Lurie (New York: Random House, 1971), 4, 26, 14, 19. For the work of Cooper and Speck, see: John M. Cooper, "Land Tenure Among the Indians of Eastern and Northern North America," *Pennsylvania Archaeologist* 8, no. 3 (1938): 55-9; and Frank G. Speck, "The Family Hunting Band as the Basis of Algonkian Social Organization," *American Anthropologist* 17, no. 2 (1915): 289-305. Leacock and Engel's usufruct argument was enshrined permanently and built upon in the work of Marshall Sahlins, whose 1972 monograph *Stone Age Economics* became basic historiographical reading for Native economic historians of all stripes. Sahlins argued that fascinations with property "titles" or "abstract claims of 'ownership'" in Indian communities were misplaced. The real attention needed to be focused on "real privileges of use and disposition." Sahlins, unlike either Leacock or Engels, insisted on the

Though Cronon began his work by offering a trans-cultural model of ownership, he immediately chose to differentiate Native usufruct from English systems of land tenure in his discussion of dispossession. Cronon argues that sales of land by the Ninnimissinuok to Englishmen were conceived of by the former as “applying only to very specific uses of the land,” usually maintaining the “most important hunting and gathering privileges” attached to land ceded. Indians understood themselves as agreeing to joint occupation of the land. But, Cronon says, the English did not see it this way, instead believing that they were “purchasing complete and final ownership rights” to “the land itself,” (fee-simple ownership) rather than a “bundle of usufruct rights.” And yet there is a contradiction here, as Cronon also cautions his reader not to oversimplify English tenure, and says that English land transactions were *a/so* the exchange of “bundles of culturally defined rights that determined what could and could not be done with land and personal property.” This would seem to suggest that the main

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reality of political life within Native communities, and he understood the need to discuss how political communities allocated resource tenure while recognizing and maintaining sovereignty through tiers of use-right claims. He argued that higher “owners” in indigenous societies, such as chiefs, lineages, and clans, all had their access to the means of production (land) “mediated by the entrenched domestic groups,” i.e. kin groups. Therefore Native kin groups were not “exclusive” owners of the resources they harvested, but they did retain a “primary relation” with these resources from their usufruct or use-rights. The advantage of this primary relation was a power to determine *how* resources to which they possessed usufruct would be exploited. Primary relation also meant that they had control over “appropriation and disposition of the product,” and no other “supervening group” could go so far as to “deprive the household of its livelihood,” resulting in a complete absence of “landless paupers in primitive society.” In such systems, “expropriation” was merely “accidental to the mode of production itself.” Exploitation was simply “a cruel fortune of war for instance, and not a systematic condition of the economic organization.”<sup>22</sup> Sahlins thus acknowledged the significance of political life and tiered claims to resource tenure within sovereign Indian societies, while making it clear that he did not believe that such polities enacted any significant exploitation or deprivation of their constituents. Cronon’s theory of sachem-usufruct is almost entirely derived from the theoretical models of Sahlins, as is his lack of emphasis on inequality. Note that his theories explicitly rule out the existence of *matnowesuónckane* persons as incompatible with Native political economy and emphasize consensus-egalitarian relations. See Marshall Sahlins, *Stone Age Economics* (Chicago: Aldine & Atherton, 1972), 92-3.

differences between Indian and English land ownership concepts lay not in fundamental differences of what “ownership” constituted, but rather a difference in what a use-right bundle included. The only possible reconciliation is that the English *believed* they were purchasing “complete and final ownership rights” while in *reality* they only ever purchased (even from one another) limited, culturally defined bundles, and in exchanges with Indians, these bundles were more limited than they believed. This is the “misunderstanding” hypothesis of Indian land sales that appears sporadically throughout the Ninnimissinuok historiography, and notably has been embraced by John Strong in the context of Long Island.<sup>23</sup>

The misunderstanding hypothesis is of great historiographical import in the sense that it resolves the tension between the documented fact that Indians agreed to land transfers with Europeans, and the political imperative within contemporary works of Native history to stress that such transfers did not surrender Indian sovereignty. If Indians merely meant to transfer partial or shared use-rights to territory, some limited form of ‘ownership’ only, then it could be argued that sovereignty itself (determinative authority over use-right allocation) was never surrendered. Cronon acknowledged this tension between the surrender of ‘ownership’ and the retention of sovereignty, arguing that “ownership and sovereignty among Indian peoples could shade into each other in a way Europeans had trouble understanding,” and his lack of further explication indicates that he felt himself one such European.<sup>24</sup> Cronon made no effort at

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<sup>23</sup> Cronon, *Changes in the Land*, 67-9; Strong, *The Algonquian Peoples of Long Island*, 204.

<sup>24</sup> Cronon, *Changes in the Land*, 58-9.

further clarification, instead building a usufruct/proto-capitalist-fee-simple binary, and few historians who wrote after Cronon were any more prudent than he was in abiding his words of caution.

The misunderstanding hypothesis and the usufruct/fee-simple binary is the primary take away from Cronon's model of Native ownership. However, his model of Native sovereignty as a form of communal ownership has received less attention, and therefore is rife with unaddressed contradiction. Of utmost significance to Cronon's model of sovereignty was his commitment to the consensual model of Native polities, which was reified in his argument that the sovereign power of sachems over territory was incompletely "vested" and "symbolic," in the sense that real possession of use-right resided in familial networks of kinship. Though sachems were responsible for assigning the "territorial right" that was surrendered to them, the investment of power in sachems was: a. deeply insecure, being justified primarily by the "personal assertiveness" of sachems; b. severely contingent, in that it was dependent on the consensus of "other powerful individuals"; and c. profoundly limited, especially towards secondary sachems to whom the sachemship's authority was "practically unimportant," and "exaggerate[d]" by the European observers discussed above. Independent kin groups, which could inhabit villages in separate polities, had their own usufruct claims to resources like fishing sites, a use-right that transcended all political boundaries—kin groups were the real sources of power and authority. This usufruct was "limited to the period of use, and...did not include many of the privileges Europeans commonly associated

with [ownership],” such as the right to prevent “trespassing or gathering nonagricultural food on such lands,” or “deriving rent” from them.”<sup>25</sup> The historian and Abenaki scholar Lisa Brooks has recently added to this conception of native usufruct by arguing that use-right included an obligation to *conserve* resources for the future use of others.<sup>26</sup> Native usufruct was therefore a tenure system in which the right to use natural resources, and the obligation to conserve them, was both something distributed by sachems and possessed independently by kinship groups. Sovereignty itself, Cronon implies, was distributed bilaterally, but was mostly allocated into the domain of kin, with sachems acting as essential figureheads; disempowered mediators oriented towards achieving consensus among the diverse kin groups to which they were accountable.

It is worth pausing for a moment to consider the tense implications of such a system upon the territorial sovereignty of Ninnimissinuok communities. A village and its sovereign sachem were theoretically invested with some claim over the territory which its member families possessed use-right over—except, apparently, to those areas where it wasn’t, and those families retained full use-right without investing that use-right into the sovereignty of any political

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<sup>25</sup> William Cronon, *Changes in the Land: Indians, Colonists, and the Ecology of New England* (New York: Hill and Wang, 1983), 62-3. It is worth noting that in his theories about the relationship between kin group and sovereign claims to resources, Cronon reproduces a Lockean theory of property. This application occurs when Cronon implies that family groups were the primary or original possessors of resource use-right, and that sovereigns emerged as the representative of these claims fused through social compact. See John Locke, *Second Treatise of Government*, ed. Richard Cox (Wheeling, Illinois: Harlan Davidson, 1982), esp. 73-4. This conception of property assumes the possibility of property claims in the apolitical state, which problematically reinforces the notion that the apolitical state is historical reality rather than a theoretical construct. I echo the recent insights of Alan Greer in critiquing the “lingering influence” of Lockean property models, see Alan Greer, “Commons and Enclosure in the Colonization of North America,” *American Historical Review* 117, no. 2 (April 2012): 365-86.

<sup>26</sup> Lisa Brooks, *The Common Pot: The Recovery of Native Space in the Northeast* (Minneapolis, Minn.: University of Minnesota Press, 2008), 68.

community and its sachem. Considering that Ninnimissinuok kin groups were usually spread throughout multiple political communities, the existence of politically independent, kinship-controlled claims to usufruct would imply that an entirely separate and sovereign network of power inhabited the Ninnimissinuok landscape in addition to that created by hereditary sachemships. Such a purely bilateral system threatens to undo the notion of Indian territorial sovereignty altogether by disconnecting use-right allocation (sovereign power) from the political institutions of Ninnimissinuok societies. It also fails to offer any property defense mechanism—If A and C are separate kin groups and *only* kin groups, and B is a use-right claimed by A, it is unclear how A would ever protect B against C in a manner that did not mobilize collective defense or third-party adjudication, a circular paradox that ends only when either A and C are endowed with political form.

Recent scholarship has attempted to take steps towards remedying these confusions by focusing on similarities between European and Indigenous systems of property-governance. These efforts are best encapsulated in Nancy Shoemaker's 2004 monograph, *A Strange Likeness*, in which Shoemaker attempted to dissolve classical cultural binaries characteristic of the early colonial historiography. She applied this critique forcefully to the dualistic notion of Native communalism vs. European individualism, arguing that aspects of communalism were found in both Native and European communities during early contact. Communalism underpinned the way in which both Europeans and Native considered "their land to be their collective, or national property" at a 'secondary'

level of ownership, while notions of private claims belonging to individuals or families characterized another cultural parallel at the immediate level of use-right. Shoemaker sees communal property as vested in the sovereignty of the sachems, who were “authorized by kin networks and consensual support.” Through the allocation of primary use-right from the secondary level of communal sovereignty, Native groups certainly “did have systems for distributing rights to use land among individual families.” On the flip side, Europeans also understood that their ‘full’ ownership of property consisted only of limited “community sanctioned rights to use” the sovereign territory of a polity.<sup>27</sup> For both Natives and Europeans, “ownership” constituted sovereign-endorsed use of resources.

The problem with Shoemaker’s remedy is that, while it succeeds marvelously in exposing the folly of drawing harsh lines between usufruct and ‘full’ ownership, it also reproduces the bilateral sovereignty used by Cronon, as well as its concomitant model of consensual Ninnimissinuok polities. Shoemaker, like Cronon, simultaneously argues that kin groups receive their use-rights from

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<sup>27</sup> Nancy Shoemaker, *A Strange Likeness: Becoming Red and White in Eighteenth-Century North America* (Oxford, U.K.: Oxford University Press, 2004), 15-22. Faren Siminoff, in her monograph that was published the very same year as Shoemaker’s, offers a highly analogous model, which she has also applied to Eastern Long Island. Siminoff argues that English settler towns and native villages displayed “some striking similarities” in their concepts of sovereignty and property. She describes a shared “Atlantic American form of inhabitancy,” rooted in a shared concern with outmigration, in which “land and resource access” were tied to “mutuality and community membership.” Siminoff makes great headway in recognizing the parallels in the land-community relationship between English and Algonquian villages, but reproduces Cronon’s older usufruct vs. fee-simple binaries in her characterization of the usufruct aspects of Atlantic American inhabitancy as based in “Ninnimissinuok ways” that required Englishmen to “disca[r]d the more traditional feudal underpinnings of English land holding.” This differs markedly from the framing of usufruct/use-right allocation here as a fundamental component, if not *the* defining element, of “sovereignty” in all polities. Siminoff’s work is also pioneering in its application to Bragdon’s stratification model to Eastern Long Island, though it problematically maintains the traditional emphasis on consensus as the central principle of Native politics. Similarly to Shoemaker, Siminoff also duplicates bilateral sovereignty, and favors ultimate sovereignty as the possession of the “corporate community,” by which she means Ninnimissinuok kin groups. See Siminoff, *Crossing the Sound*, 138-9, 55, 20-1.

sovereign sachems, and also that those same kin groups are in fact the *real* sovereign powers of their societies. Such delineation leaves the location of sovereignty within Ninnimissinuok political economies utterly confused, and therefore can only offer obscured insight into how Native peoples themselves understood their dispossession. And yet perhaps there is a reconciliation to be found. If one could, say, find a Ninnimissinuok realm where the sovereignty of kin and the sovereignty of sachem were clearly revealed to be one and the same, the bilateral paradox could be resolved. It just so happens that such a place existed, right across the sea—in the world whose winds sung the name of Mongotucksee.

*V. Wyandanch's Choice: The Wampum Revolution, the Pequot War, and the Dawn of English Suzerainty*

To look out from a hilltop in Plymouth or New Amsterdam in the 1630s was to peer upon a convulsing, feverish world consumed by the apprehension of uncertainty and the excitement of possibility. In the decades after permanent Dutch and English settlement began in the northeast, Europeans began to push steadily into the Connecticut River Valley, where Ninnimissinuok peoples reacted to their arrival with trepidation and an eye towards aggrandizement. Commerce was the arena in which each party competed to structure the networks of influence being forged in this new world. A triangular trade quickly developed between Ninnimissinuok producers of wampum (shell beads used within Native



communities as prestige goods, mnemonic devices, and diplomatic gifts), European distributors of textiles, weaponry, and other manufactures, and interior Native fur trappers. After acquiring beads from the Ninnimissinuok in exchange for imported manufactures, Dutch and English merchants traveled inland to exchange wampum with Lenape, Iroquois, and Abenaki fur producers for large profits.<sup>28</sup> The English were first introduced to this trading network in 1627 by New Netherland Secretary Isaac de Rasière, who told Plymouth Governor William Bradford “how vendible [wampum] was at their fort Orania [Orange, modern Albany], and did persuade them they would find it so at Kennebec [Maine].” English traders were eager to follow de Rasière’s advice, and entered the trade when able two years later. Bradford was markedly less enthusiastic about the trade, fearing that wampum might “prove a drug in time” as Indian demand for the shells continued to grow, and noted with apprehension that the wealth generated by the wampum trade allowed Ninnimissinuok near Plymouth to arm themselves with “pieces, powder and shot, which no laws can restrain.”<sup>29</sup> His fears would prove to be well founded, especially as a similar process of Indian armament from the trade occurred even more intensively further west.

The Pequots, whose territory extended chiefly along the coastline of modern Connecticut, especially benefited from this trade due to the strategic position of their settlements. Pequot villages bisected shell bead producers and hinterland

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<sup>28</sup> Lynn Ceci, “Native Wampum as a Peripheral Resource in the Seventeenth-Century World-System,” in Laurence M. Hauptman and James D. Wherry, eds., *The Pequots in Southern New England: The Fall and Rise of an American Indian Nation* (Norman, Okla.: University of Oklahoma Press, 1990), 58. For a primary account of this trade see Williams, “A Key into the Language of America,” 128.

<sup>29</sup> William Bradford, *Of Plymouth Plantation*, ed. William T. Davis (New York: Barnes & Noble, 1952 [MSS written sometime between 1630-51]), 195.

fur producers, as well as Dutch and English import centers. The wealth and power of the Pequots grew throughout the 1620s and 1630s, during which time they assembled a tributary network of subject tribes who paid duties to them in wampum. These tributaries included the Ninnimissinuok communities of Eastern Long Island—if Mongotucksee had in fact been a historical figure, his rule as an independent, primary sachem was transient. Mongotucksee's realm was undoubtedly one of the Pequot suzerainty's most treasured possessions, as it was well known by the 1630s for its abundant, high-quality wampum. De Rasière's successor, Secretary Cornelis Van Tienhoven, advocated for the Dutch to colonize Eastern Long Island, since he believed that doing so would secure direct control over what was considered "the mine of New Netherland," where "the greatest part of the Wampum for which the furs are traded...is manufactured...by the natives."<sup>30</sup> Tienhoven was likely inspired by de Rasière's earlier investigations of Eastern Long Island, from which the Secretary had concluded that the easternmost section of the island was inhabited by Indians who "support themselves by planting maize and making *sewan* [wampum], and who are called Souwenos and Sinnecox [Shinnecock]." De Rasière emphasized that the Eastern Long Island bead producers could not trade autonomously, but were instead "held in subjection by, and are tributary to, the Pyquans [Pequots]."<sup>31</sup>

English observers reached similar conclusions in classifying the Long Island Ninnimissinuok as being of secondary political standing but primary economic

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<sup>30</sup> DHSNY 4: 27-8; DRCHSNY 1:361.

<sup>31</sup> J. Franklin Jameson, *Narratives of New Netherland, 1609-1664* (New York: Charles Scribner's Sons, 1909), 103, 109

eminence. Daniel Gookin observed in awe that the Pequot “chief sachem held dominion over divers petty sagamores; as over part of Long Island.” Far from a noble, mutually beneficial protectorate, Gookin characterized Pequot suzerainty as “very warlike and potent,” a dominion that was reinforced by “four thousand men, fit for war.”<sup>32</sup> The wampum producing capabilities of the Eastern Long Island Ninnimissinuok were confirmed by Massachusetts Bay Governor John Winthrop, who in 1633 sent a bark known as the *Blessing* to explore the southern portions of the Long Island Sound. Winthrop wrote that the *Blessing* had sailed along the shore of Long Island, where the vessel had discovered Indians who, though “very treacherous,” also possessed “store of the best wampampeak, both white and blue.” Winthrop’s report contained an additional detail—that the natives of eastern Long Island possessed “many canoes so great as one will carry eighty men,” vessels that were certainly capable of crossing the Sound. Such crossings seem to have often begun with the impressive canoes being begrudgingly filled with wampum the Long Island Ninnimissinuok were forced to deliver to their Pequot suzerains.<sup>33</sup>

By the 1630s, imported wampum had become the dominant currency within the monetary systems of the New England colonies, leaving Anglo administrators without any direct control over the money supply of their burgeoning regional economies. This insecurity, along with the ambitions of other Ninnimissinuok

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<sup>32</sup> Gookin, *Historical Collections of the Indians in New England*, 7.

<sup>33</sup> John Winthrop, *Winthrop’s Journal, “History of New England,” 1639-49, Volume 1*, ed. James Kendall Hosmer (New York: Charles Scribner’s Sons, 1908), 109. For an overview of the rise of the Pequot tributary network after the beginning of the “wampum revolution,” see Oberg, *Uncas: First of the Mohegans*, 34-62. For a summary of Dutch descriptions of eastern Long Island, see David Grayson Allen, “Dutch and English Mapping of Seventeenth-Century Long Island,” *The Long Island Historical Journal* 4, no. 1 (1991): 45-62.

peoples who desired the dismantling of Pequot hegemony, mounting ecological instabilities, intercultural strife, and an untimely series of murders, led to the outbreak of open war between the English (along with the collaboration of the Mohegan and the Narragansett Ninnimissinuok) and the Pequot.<sup>34</sup> The war would ultimately dismantle the Pequot tributary system, bring the English into direct contact with the Long Island Ninnimissinuok, and pave the way for the colonization of the large island 'mine' to the south.

The Pequot-English conflict had been exacerbated by the intrusion of the English onto the Connecticut River, an expansion that was simultaneously motivated by the desire of the English to extract profits from the region's trade, and the desire to stop the Dutch from doing the same. Especially at the river's mouth, the English military engineer Lion Gardiner had led an effort to prevent Dutch trading in the region through the construction of stronghold known as Fort Saybrook during the mid-1630s. Gardiner described himself as an "ingeannere or archeckteckor," and was working as the "Master of works of fortification" for the Dutch stadholder when the Puritans John Davenport and Hugh Peters recruited him to immigrate to their fledgling Connecticut colony. He arrived on the river to build his fort as the winter chill of 1636 descended over New England, and rumors swirled about the recent murder of an Englishman at Pequots hands.

Whispers soon turned into outright war, and Gardiner's fort became a focal point

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<sup>34</sup> The historiography of the Pequot War is vast, but Lynn Ceci's work in particular is notable for its tracing of the Pequot War's causation to economic factors, see Ceci, "Native Wampum as a Peripheral Resource in the Seventeenth-Century World-System"; Lynn Ceci, "The First Fiscal Crisis in New York," *Economic Development and Cultural Change* 28, no. 4 (July 1980): 839-47. For an excellent overview of the murders which ultimately sparked the Pequot War, see Lipman, *The Saltwater Frontier*, 106-25; and Andrew C. Lipman, "Murder on the Saltwater Frontier: The Death of John Oldham," *Early American Studies* 9, no. 2 (Spring 2011): 268-94.

of Pequot attacks as well as a base for the launching of English aggression. After a year of back and forth violence, an alliance of Massachusetts Bay and Connecticut soldiers under the command of John Mason assembled at Fort Saybrook with Ninnimissinuok allies from Mohegan and Narragansett villages. They launched an assault on the main Pequot fortification of Mystic, and successfully laid waste to the former hegemons.<sup>35</sup>

Three days after the devastation of Mystic, a Ninnimissinuok man arrived at the gates of Fort Saybrook, likely with a large entourage in tow. His name was Wyandanch, described by Gardiner as the “next brother to the old Sachem of long Iland,” Poggatacut, who at that time was the “great Sachem of all long Iland.” Wyandanch had journeyed to Saybrook to represent his brother’s sachemship, which was reeling from the news that its Pequot suzerains had been scattered by the English-Mohegan-Narragansett alliance. Though one might think the Long Island Ninnimissinuok would have rejoiced at this development, the Pequot defeat quickly became a political and demographic crisis. Canoes full of hungry Pequot refugees soon began to dot the shores of their island. Well aware of the New Englanders’ ongoing efforts to hunt down those Pequots who had survived the attack, Wyandanch arrived at Saybrook in order to cautiously inquire whether the English planned on holding the Long Island Ninnimissinuok accountable for accepting the Pequot into their villages.

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<sup>35</sup> Lion Gardiner and Andrew Newman, “Relation of the Pequot Warres,” *Early American Studies* 9, no. 2 (Spring 2011, og. written 1660): 468-481; Laurence M. Hauptman, “The Pequot War and Its Legacies,” in *The Pequots in Southern New England: The Fall and Rise of an American Indian Nation*, 69-80; Oberg, *Uncas: First of the Mohegans*, 63-86.

Inside the fort, Gardiner and Wyandanch sat together, and readied themselves to discuss the contours of this new landscape of power.<sup>36</sup>

In coming to Saybrook as the proxy of Poggatacut, Wyandanch acted as a diplomat for Long Island's Paumanack Confederacy. Though Gardiner's characterization of Poggatacut as sachem of the entire island was an exaggeration, he did rule over a confederated polity of at least four distinct Native groups—the Montaukett, the Manhasset, the Shinnecock, and the Corchaug, all of which were concentrated on the eastern end of the island. *Paumanack* is a term derived from the Ninnimissinuok terms *pauman* or *pomman*, meaning, "he offers," or "he devotes," and the noun *ack*, meaning, "land," or "country." The term therefore translates semantically into "The Land of Tribute."<sup>37</sup> Residing at the bottom of the Pequot tributary system, the Long Island Ninnimissinuok were quite literally defined by their subjugation. The demands of this subjugation—regular payment of wampum tribute—encouraged collective organization, and centralized, stratified political institutions. Poggatacut, the Confederacy's prevailing sachem, governed from the Manhasset homeland of Shelter Island, but was almost certainly Montaukett himself, while Wyandanch led as an inferior

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<sup>36</sup> Gardiner and Newman, "Relation of the Pequot Warres," 481.

<sup>37</sup> William Wallace Tooker, *The Indian Place-Names of Long Island and Islands Adjacent, With Their Probable Significations* (New York: G.P. Putnam's Sons, 1911), 162, 182-84. The translation of Paumanack is attributable to Tooker, a self-described "Algonkinist." Tooker argued that the Paumanack Confederacy expanded across the entirety of Long Island, a deeply problematic assertion that relied on later seventeenth-century documents that contain clear indications of English authors exaggerating Paumanack authority in order to legitimate Native dispossession, as aptly demonstrated in John A. Strong, "The Thirteen Tribes of Long Island: The History of a Myth." *Hudson Valley Regional Review* 9, no. 2 (1992): 39-73. Tooker's massive embellishment of the Paumanack polity [especially in Wm. Wallace Tooker, *Indian Place-Names in East-Hampton Town, with their Probable Significations* (Sag Harbor, NY: J.H. Hunt, 1889), 2] encouraged Strong to reject its existence outright, a repudiation which is taken here as an overcorrection that cannot adequately account for the documentary evidence of political connections across eastern Long Island that are laid out below.

sachem among the Montaukett. Two younger brothers of the family, Momoweta and Nowedonah, ruled from a similarly inferior station over the towns of Corchaug and Shinnecock. Nowedonah was accompanied at Shinnecock by a fourth sibling, a sister known as Weany. These sachems were likely able to allocate usufruct on Eastern Long Island prior to the war, since it is improbable that the Pequot (who as primary sachems did possess the authority to control usufruct if they desired) much cared, so long as resources were used appropriately to generate tribute. Poggatacut and his brethren were both a family and a ruling class, a group of siblings, sachems, and secondary sovereigns who led a diverse confederation of Ninnimissinuok through the trails of Pequot subjugation, and who now faced the opportunity to forge a new path in the wake of Pequot defeat.<sup>38</sup>

Determining this path led Wyandanch to leave his family's realm and cross the Long Island Sound, a trip he and his men had certainly made many times in years past to deliver tribute to the Pequot. As Wyndanch gazed upon Fort Saybrook during his canoe's approach, it is unlikely that he was particularly impressed or enamored with the decrepit, war-torn stronghold. In fact, Wyandanch was well accustomed to wooden forts of the European style: he himself controlled one, and his larger family possessed at least two others.

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<sup>38</sup>Modern Montaukett oral tradition holds that the death of Poggatacut in 1653, his remains were carried to an ancient burial ground at Montauk "for interment with his forefathers." Poggatacut's gravesite was known as "Sachem's Hole," and was considered a sacred space by the Montuaket and regularly maintained by them at least as late as the 1870s. See John Morice, *Long Island: A History of Two Great Counties, Nassau and Suffolk* (New York: Lewis Historical Pub. Co., 1949), 112; Barron, *The Long Island Indians and Their New England Ancestors*, 66; Furman, ed., *A Brief Description of New York: Formerly Called New Netherlands*, 40; William Wallace Tooker, *John Eliot's First Indian Teacher and Interpreter: Cockenoe-de-Long Island and the Story of his Career from the Early Records* (New York: Francis P. Harper, 1896), 28-9.

These fortifications, known as Fort Montauk, Fort Shinnecock, and Fort Corchaug, were used variously as temporary refuges and sites of wampum storage and production. Almost certainly constructed under the auspices of Dutch wampum traders, the forts were illustrative of the Eastern Long Island Ninnimissinuok's ability to profitably accommodate change, as well as the insecurities wrought by the upsets of the earlier decades. Resting on both hillsides and seashores, acting to facilitate defense as well as exploitation of resources, the forts were also emblematic of the Paumanack Confederacy's claims to territoriality and its benefit of use-right, yet uncompleted under Pequot subjugation.<sup>39</sup>

Within Saybrook's damp, rotting, and arrow-riddled walls, Wyandanch and Gardiner sat facing one another. Wyandanch cautiously inaugurated the diplomacy by inquiring whether the Long Island Ninnimissinuok should interpret the recent war as evidence that the English were "angrie with all Indeans." Gardiner replied in the negative, assuring Wyandanch that there was anger only towards those Indians who had "kild Englishmen." Relieved, Wyandanch asked Gardiner if he would be receptive to Long Island Indians who hoped to trade at

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<sup>39</sup>For an overview of the Paumanack forts, see Ralph S. Solecki, "Indian Forts of the Mid-17th Century in the Southern New England-New York Coastal Area." *Northeast Historical Archaeology* 22, no. 1 (1993): 64-78. Of the Paumanack forts, Fort Corchaug, which was used mostly as a site for wampum manufacture, is by far the most thoroughly excavated, see Ralph S. Solecki, "Epilogue to Historic Fort Corchaug," in Gaynell Stone, ed., *Native Forts of the Long Island Sound Area* (Stony Brook, New York: Suffolk County Archaeological Association, 2006); Williams, "Ft. Shantok and Ft. Corchaug: A Comparative Study of Culture Contact in the Long Island Sound Area"; Elizabeth Shapiro Peña, "Wampum Production in New Netherland and Colonial New York: The Historical and Archaeological Context" (Ph.D. dis., Boston University, 1990), esp. 152; Ceci, "The Effect of European Contact and Trade," 79. For a thorough literature review of historical and archaeological analyses of wampum production see James W. Bradley, "Re-Visiting Wampum and other Seventeenth-Century Shell Games," *Archaeology of Eastern North America* 39 (2011): 25-51. For Fort Montauk, see Edward Johannemann, *Stage 1 Cultural Resource Survey of Fort Hill and Vicinity, Montauk, Suffolk County* (Stony Brook, N.Y.: Long Island Archeological Project, 1983). Fort Shinnecock's location has unfortunately been lost to time.



Saybrook, to which Gardiner coldly unraveled an ultimatum: trade would be possible only if Wyandanch's people agreed to "kill all the pequits that come to you" and "send...their heads." Wyandanch reacted agreeably to this proposition, but reminded Gardiner that his brother's authority was paramount, and that his approval was necessary before any final agreement could be reached. Before leaving Saybrook, Wyandanch conveyed to Gardiner his hope that a relationship could be established in which "peace and trade" predominated and the Long Island Indians could give unto the English "tribute as we did the pequits." Wyandanch calculated that negotiating a protected space within the rapidly growing English chiefdom, rather than exposing his people to the violence of this tributary apparatus by remaining without it, was an imperative of survival.<sup>40</sup>

Such a calculation meant choosing subjection to the fiendish English over subjection to the devil he knew: Ninnimissinuok hegemony. Wyandanch was well aware that the Niantic-Narragansett sachem Ninigret was attempting to position himself as the new Ninnimissinuok suzerain, and for his own reasons believed that relations with the English would be preferable. Two summers after Wyandanch's negotiations with Gardiner, Ninigret arrived at Montauk in an

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<sup>40</sup>Gardiner and Newman, "Relation of the Pequot Warres," 481 About a month later, a similar meeting occurred between Israel Stoughton, commander of Massachusetts Bay forces, and a "Squa-Sachem...of long island," probably somewhere near Fairfield, Connecticut. Stoughton reported that this female sachem had 200 men under her command and that until recently the "pequids haue forst [forced] treasure [wampum] from her by exaction." The sachem was more than happy to comply with Stoughton's demand to "submit to the English, and do no harme to the English." She appears to have viewed the circumstances as a useful means for overthrowing Pequot dominion, and "promised her utmost aid to compass [the Pequot sachem] Sasacus now resident in long lland." The sachem brought ten fathoms of wampum "as a present" for the English. Given the estimated size of this sachem's population, her professed tributary status to the Pequot until the war, and her ready access to wampum, it can be inferred that this female sachem was Wyandanch's sister, a woman identified in other documents as "Weany." Weany was a sachem who presided over the Shinnecock. For Stoughton's report see Allyn Bailey Forbes et al., eds., *Winthrop Papers* (Boston, Mass.: The Massachusetts Historical Society, 1943), 3: 442.

attempt to persuade Wyandanch to reconsider. He disembarked with both persuasive words in his heart and eighty armed warriors at his fingertips. The Montaukett sachem refused to meet with Ninigret, and fled into hiding in order to avoid being made a captive, but was quickly apprehended. In front of his involuntary audience, Ninigret assured Wyandanch that the English were but “liars” who wanted an alliance “only to get your wampum.” When Wyandanch continued his refusal to submit, Ninigret stripped him of all clothing and jewelry in front of his people, seized thirty fathoms of Montaukett wampum, and burned several wigwams. Ninigret then attacked neighboring villages, and through his violence convinced several Montaukett elders and secondary sachems to return to the fold of Ninnimissinuok suzerainty. Ninigret sternly informed them of his demands for future tribute payments of corn and wampum, and then departed the island. Wyandanch immediately appealed to Connecticut leader Roger Ludlow, demanding that his wampum be recovered in order to facilitate his tributary payments to the English hegemons he preferred. Ludlow ordered John Mason to confront Ninigret, who upon consultation with Roger Williams agreed to peace and returned the wampum.<sup>41</sup> There is little reason to believe the Long Island Ninnimissinuok’s first incorporation into a Southern New England tributary system did not occur under similar conditions of threatened and realized violence.

Gardiner had good reason to suspect that Wyandanch would be willing and able to fetch him the Pequot heads he desired. Soon after Wyandanch’s canoe left Saybrook in the spring of 1636 and slipped back over the horizon of the

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<sup>41</sup> *Winthrop Papers* 4: 43-44.

Sound, Roger Williams reported news he had heard through Native messengers that “a hundreth” Pequots were fleeing to “Long Iland.” By the summer, this group was the largest cluster of Pequot migrants anywhere, as the Pequot grand sachem Sassacus had fled to the Mohawks with only “4 score” other followers.<sup>42</sup> Wyandanch appears to have taken a handful of these Pequots, perhaps those he felt were most responsible for his people’s prior subjugation, and used them as sacrifices to secure peace and trade with the English. Gardiner reported that Wyandanch “sent [him] 5 heads, 3. & 5. Heads for which I paid them that brought them as I had promised.” The war-weary engineer was pleased with Wyandanch’s efforts, especially after the English translator Thomas Stanton explored the island for Pequot survivors and returned to announce that Wyandanch had “kild so many of the pequits...that they durst not cum there.”<sup>43</sup> Though Stanton may have failed to discover Pequots roaming about the Island, it is doubtful that Wyandanch executed most of the hundred or more Pequots who sought refuge among his people’s villages, especially considering the relatively low head count delivered to Gardiner. In all likelihood, the vast majority of Pequot refugees who journeyed to Long Island in the aftermath of Mystic were incorporated into Ninnimissinuok polities there, a process that would have been eased by the lack of linguistic differentiation between the Pequots and Eastern Long Island Natives.<sup>44</sup>

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<sup>42</sup> Glenn W. LaFantasie, ed., *The Correspondence of Roger Williams, Volume 1: 1629-1653* (Hanover, N.H.: Published for the Rhode Island Historical Society by the University Press of New England, 1988), 96.

<sup>43</sup> Gardiner and Newman, “Relation of the Pequot Warres,” 481.

<sup>44</sup> Linguistic evidence suggests that the Mohegan-Pequot language is extremely similar to, if not identical with, the Montaukett language. Though the Corchaug language has been completely lost, and the Shinnecock language is scattered and poorly documented, most Algonquian

As the dust of war settled, the Paumanack sachems similarly took steps to incorporate themselves into the region's new dominant power. Wyandanch returned once again to mainland New England, this time with his older brother Poggatacut and "twenty fathom of wampum [120 feet of strung beads]" in hand, which they offered to the English in ritualized subjection. Winthrop considered the act to have confirmed the Paumanack as "tributaries...under our protection" within the English suzerain system.<sup>45</sup> This subjection to English suzerainty was reaffirmed explicitly in 1644, when Poggatacut met with the Commissioners of the United Colonies of New England and received a certificate that announced "the Indians in the Eastern p<sup>t</sup> of long lland are become tributaries to the English and have engaged their land to them."<sup>46</sup> Free from their Pequot tributary overlords and invigorated demographically, the Long Island Ninnimissinuok might have been empowered to attempt liberation in the uncertain climate of post-war

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linguists believe that the Mohegans, Pequots, Montauketts, Shinnecocks, and Corchaugs all spoke a mutually intelligible dialect. See Lorraine Elise Williams, "Ft. Shantok and Ft. Corchaug: A Comparative Study of Culture Contact in the Long Island Sound Area" (Ph.D. diss., New York University, 1972), 6.

<sup>45</sup> Winthrop, *Winthrop's Journal*, 231 ("twenty fathom"); Forbes, *Winthrop Papers*, 3:457 ("tributaries"); Bradford, *Of Plymouth Plantation*, 398. For the mechanics of early English wampum-tribute collection from the Long Island Natives see Edward Everett Hale, Jr., ed., *Note-Book kept by Thomas Lechford, Esq., Lawyer, in Boston, Massachusetts Bay, from June 27, 1638, to July 29, 1641* (Cambridge, U.K.: John Wilson and Son, 1885), 434. This reading of the sachem's wampum gift as a means to enter into a coercive tributary polity of the English, of course, challenges the commonly held consensus-egalitarian view which holds that such overtures were aimed towards the creation of alliances between consenting equals most interested in reciprocity, with protection being a form of reciprocity, cf. Strong, *The Algonquian Peoples of Long Island*, 156-8; Andrew Lipman, "'A Meanes to Knitt them Together': The Exchange of Body Parts in the Pequot War," *The William and Mary Quarterly* 3d ser. 65, no. 1 (Jan. 2008): 10. To place emphasis on the protective benefits of entering into a tributary relationship is to misdirect away from the coercion and inequality on which the promise of that protection is based and the potential for 'internal' violence for acts such as treason. It is held here that such a view diminishes the intellectual capacities of Ninnimissinuok leaders to understand that such a relationship was in no way representative of what Englishmen desired from their post-war diplomacy. Like any other group pressured to "voluntarily" offer subservient allegiance to a coercive, stratified polity, the Long Island Ninnimissinuok hoped to navigate their constrained circumstances to the best of their ability, but all documentary evidence indicates that they did not harbor delusions about entering into a compact between equals with the English.

<sup>46</sup> RCNP 9: 18-19.

New England. And yet the impulse of the Eastern Long Island Natives was not to pursue independent freedom by embracing local, consensual-egalitarian polities, but rather to seek refuge in what they knew best: a hierarchical, stratified, coercive, and tributary based polity. The English were only too happy to oblige.

#### VI. A New Order of Use: English Colonization of Eastern Long Island

Just weeks before the defeat of the Pequot at Mystic, the Paumanack were already on their way to becoming English subjects, unbeknownst to them. In April of 1636, King Charles I had granted William Alexander, Earl of Stirling, a land patent that included all of Long Island. The English Crown and its imperial architects were not particularly concerned with resolving Ninnimissinuok claims to territorial sovereignty on Long Island—squashing the competing Dutch claim to the island through the planting of English settlers was far more pressing. Stirling, who was of course far too polished to endure a transatlantic crossing and the triviality of colonial management himself, appointed an agent named James Farrett to make the voyage and properly “dispose” of the Long Island tracts. Once Farrett arrived in New England, however, he found the legal situation surrounding the allocation of land ownership less straightforward than his sponsors had assumed. Though his paperwork from the English courts empowered him to distribute ownership claims to Long Island among the New Englanders, Farrett was caught off guard by the local reality that claims disputes between New England and New Netherland in Connecticut had produced a

general distrust towards the security of Whitehall's patents. Though patents continued to be necessary in order to enforce ownership claims against other Englishmen, they were treated not as endowments of possession themselves, but rather as writs of preemption: exclusive authorizations to purchase land from Indians who had legitimate use-right ownership.<sup>47</sup> The acquisition of Long Island lands thus occurred not through the jurisprudential mechanisms of *vacuum domicilium* or the Doctrine of Discovery, but rather through the recognition and subsequent alienation of legitimate Ninnimissinuok territorial possession. Patents were not, however, recognitions of autonomous Indian sovereignty: with the voluntary subjection of the Paumanack following the Pequot War, the English and the Paumanack alike agreed that hegemon status lay with the English. Instead, the patents were an expression of the Crown's claim to sovereignty over both the Paumanack and the Anglo settlers, and an attempt to structure, through representatives, the negotiation of use-right between its tributaries on the East End.

The earliest known formal English land negotiation with the Paumanack occurred not on Eastern Long Island itself, but an adjacent island, known by the Ninnimissinuok as Manchonat, and to modern Americans by the family name of its first and final English purchaser, Lion Gardiner. Gardiner used his existing connections to the Paumanack leadership in order to secure ownership over

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<sup>47</sup> For an overview of Stirling and Farrett, see Benjamin F. Thompson, *The History of Long Island From Its Discovery and Settlement, to the Present Time* (New York: Gould Banks & Co., 1843) 1: 117-18.

For patents as preemptive documents see Siminoff, *Crossing the Sound*, 114. For Dutch geopolitical influence on the English treatment of Native territorial sovereignty, see Lipman, "The Saltwater Frontier," 79-125.

Manchonat in the spring of 1639. Manchonat was a depopulated island, abandoned by the Ninnimissinuok because it had been the site of a disease outbreak. In an apt demonstration of the local insignificance of imperial land grants, Gardiner purchased his island without any English legal authority whatsoever. He negotiated the purchase directly with Poggatacut, identified in the deed with his proper title as the “Sachem of Pommanocc.” Poggatacut’s wife, who was identified as “Asaw Sachem,” was also listed as a transacting party. Gardiner’s deed contains one facet in particular that is notable for its presence at the outset of English-Paumanack land negotiations: the clear concern with securing, through direct and repetitive clauses, expansive use-rights over resources.<sup>48</sup>

The deed was unambiguous that the transfer from Poggatacut and Asaw included “the appurtenances” and “all...right, title & demand of, in & to the same, to have and to hold the said Island with the appurtenances unto the said Lion Gardiner his heirs & assigns forever.”<sup>49</sup> Appurtenances and rights—in other words, the privileges, uses, and infrastructure improvements attached to a property—were clearly not taken as simply implied by the purchase of ‘the island’ or ‘the land itself.’ These rights and privileges needed to be secured explicitly, and protected from any potentially malevolent sophists through repetition. Gardiner’s apathetic approach to acquiring imperial authorization before making

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<sup>48</sup> A photographic facsimile of the deed can be found in Curtiss C. Gardiner, *Lion Gardiner and His Descendants, 1599-1890* (St Louis , Mo.: A. Whipple, 1890), 58-9. For further discussion of the Gardiner purchase, see Strong, *Algonquian Peoples of Long Island*, 167; Siminoff, *Crossing the Sound*, 74-5.

<sup>49</sup> Curtiss C. Gardiner, *Lion Gardiner and His Descendants, 1599-1890* (St Louis , Mo.: A. Whipple, 1890), 58-9.

his purchase is telling—he likely hoped to evade the pesky regulations on use-rights and privileges that he knew would follow in the wake of English law’s expansion over the East End. Unfortunately for the clever engineer, remaining beyond the pale of English jurisprudence would prove impossible, and perhaps ultimately undesirable, considering that the lack of a legal English patent made Gardiner’s possession vulnerable to any who could acquire a preemptive license.

Less than a year after his purchase, James Farrett had caught up to Gardiner, and forced him to legitimate his claim to Manchonat by acquiring a painfully restrictive patent from the Earl of Stirling. Farrett prohibited Gardiner from using his island as a trading station with the Paumanack, though he was permitted to purchase provisions. As for non-foodstuff commodities, all were to “remayne with the said Earle and his successors.” Stirling, apparently, had visions of realizing the Dutch dream of reaping great riches from the Eastern Long Island wampum mine. If he dared trade with the Indians for wampum, Gardiner was to be compelled to pay Stirling 20 shillings as punishment for every fathom acquired. Gardiner also agreed to pay the Earl a tribute of 5 pounds annually for this rather limited use of the island, a sum to be paid in either the “lawfull money of England” or “such comodityes as at that tyme shall pass for money in the country”—meaning that Gardiner could pay his annual rent in wampum, if he could somehow acquire it without trading on “his” island.<sup>50</sup>

Gardiner’s vision of acquiring an island kingdom of his own, without tribute or use-right restriction, was a failure. He was neither the first nor the last

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<sup>50</sup> Sylvester Manor Archive (NYU) Series I, Box 112, Folder 20: Printed Reproduction of Land Grant to Lion Gardiner for Gardiners Island (Original Date, 10 March 1639) [Copy can be found in DHSNY 1: 463].



disgruntled, but “consenting,” party to be taken as an English tributary—none were to be permitted to live and use unregulated within the new chiefdom.

Settlement on Eastern Long Island proper would occur through a similarly disjointed process. Though legal, patented settlement would not begin until the 1640s, English squatters (who preferred to refer to themselves as “adventurers”) inhabited the North Fork of the island as early as 1636. Not much is known about the intrepid trespassers except that they dubiously engaged in “distillinge sperrits,” a potentially disruptive activity, though there is no evidence to indicate that the Paumanack disapproved. One of these men, Matthew Sinderland, became a collaborator of Farrett’s after his arrival, sailing the clueless metropolitan to the various islands and coves he was responsible for managing. Sinderland was rewarded for his service with a proper grant to a small neck of land on the North Fork, though his patent was clear that its function was merely to make it “lawfull for the said Mathew to compound and agree with the Indeans that now have possession of the said Necks, for their consent and good will.” Sinderland and another squatter, William Salmon, appear to have negotiated an agreement with the North Fork’s Corchaug possessors that allowed them to remain on the land until patented settlement began in the 1640s.<sup>51</sup> Any

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<sup>51</sup> The story of Matthew Sinderland and the other Hashammomock (the name of the neck eventually given to Sinderland) squatters has been better preserved than the legal settlement that followed. For primary evidence of the earlier squatting, see Wesley L. Baker, *Study of the 1658 and 1686 Depositions of Thomas Osman and Early History of Hashamomuck in the Town of Southold, Long Island, N.Y.* (n.p., 1969). For Sinderland’s patent see STR 1: 203. For further secondary research, see William Wallace Tooker, “Analysis of the Claims of Southold, L.I., for Priority of Settlement over Southampton, L.I., and how they are Disproved by the Early Records and Contemporary Manuscripts,” *Magazine of New England History* 2, no. 1 (January 1892): 1-16

unregulated liberty that they had previously enjoyed to distribute alcohol to the Corchaug was quickly quashed with the imposition of real colonial order.<sup>52</sup>

It was fitting that the most brazen defiance of regional authority over settlement occurred on the necks of the North Fork, since the Indians in possession of those necks were the Corchaugs, the Ninnimissinuok who were lowliest within the Paumanack Confederacy. Their leader was Momoweta, the youngest brother of Wyandanch, whose name translated into “he gathereth or brings together in his house.” Unfortunately for Momoweta, his house was not one where many Ninnimissinuok sought to be brought, perhaps compelling him to seek other means of acquiring respect. Momoweta first appeared in the historical record in 1645 with his brother Nowedonah, sachem of the Shinnecock, when both men traveled to Fort Amsterdam along with forty-five other armed Natives to “offe[r] their services” to the Dutch, by which they meant intelligence and mercenary work against the Delaware Indians. Momoweta was given a Dutch West Indian Company sloop and ordered to “sail to the place where he is to land his spies to discover the enemy...report the enemy’s whereabouts, and...then endeavor to beat them with all his force.” He did just that, returning

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<sup>52</sup> For the regulation of alcohol distribution to Indians within the New Haven Colony see, RCNH 2: 217-9; *New-Haven’s Settling in New-England and some Lawes for Government: Published for the Use of that Colony* (London, 1656), 53-4. Some Englishmen did obtain formal licenses to sell alcohol, which was allowed after prohibitions were enacted, though the squatters do not appear to have done so. See RCNH 2: 97. There is also evidence that these regulations were generally ineffective, with one notable 1656 source complaining that there were “sundrie disorders at Southold” caused by those who sold alcohol unlicensed, resulting in “unseasonable meetings of youth and also elder people in the night, with unreverent behaviour of divers both young & old in the publique solempne assemblies.” See RCNH 2: 177.

with “a head and hands of the enemy.”<sup>53</sup> A champion in war and foreign diplomacy, Momoweta must have felt quite proud. He had proved himself an established warrior, ambassador, and sailor. But he was also only an inferior sachem, beholden to the authority of his brother, Poggatacut. The arrival of more English ships on the shores of Paumanack would force Momoweta to confront, and then defy, this humble standing.

In the spring of 1648, the Governor and Deputy Governor of the fledging New Haven colony in the Connecticut River Valley, Theophilus Eaton and Stephen Goodyear, decided to more aggressively expand their own tributary possessions. The Puritan minister John Youngs had assembled a congregation in New Haven, and was anxious to settle his flock; the North Fork no doubt seemed like a safer bet than moving further West into Dutch-claimed territory. They negotiated with the Pauamanck sachemship for land on the North Fork, the domain under the immediate administration of Momoweta, in order to create the township known as “Southold.” The Governors and the Pastor met with Poggatacut, in these documents identified as “Uxsquepassen...otherwise called the paummis Sachem, together with his three brothers.” In exchange for “two fathome of wampum, one iron pott, six coats, ten knives, fower hooks, and forty needles,” the English acquired “all that land lying between Comhake [Corchaug] and Ucquebaak [Aquebogue], commonly called Mattatuck,” This track included an important creek (the modern Mattituck Inlet) which was used by Indians for the

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<sup>53</sup> Tooker, *Cockenoe-de-Long Island*, 19; DRCHSNY 14: 60. Momoweta is identified in this document as “Mamawichtouw, sachem of Catsjeyick”; Nowedonah is identified as “Witaneywen,” for this name as an alias of his see Tooker, *Indian Place Names on Long Island and Islands Adjacent, with their Probable Significations*, ed. Alexander F. Chamberlain (New York: G. P. Putnam’s Sons, 1911), 165.

“drawing over of their Canooes” from the Bay into the Sound. The deed stated that Uxsquepassem would retain certain “privilidges of his Ancestors” over the land in question, “namely, the skins of such Dear [deer] as are taken by the Indians in the waters and the Indian Canoes drawn upon the shore.” It should be noted that this statement of retained use-right placed obligations only upon those *Indians* who remained on the tract. It concluded by guaranteeing to the English purchasers “warrantie against the aforesaid Paummis Sachem and his three brothers and there hayres and assignes, and all, every other person whatsoever claiming any right or title”; common reaffirmation language found in contemporary land transfers between English parties.<sup>54</sup> A second deed signed that spring further transferred all land on the easternmost tip of the North Fork, including the isle known as Plumb Island, to the New Haven men. This deed listed “*Mammawetough*, Sachem of *Corchaug*,” explicitly as a seller, though it also affirmed his inferiority. The deed was apparently intended as a replacement for a lost document written ten days earlier, in which Momoweta had neglected to “recognize the Indian *Uxquepassun*’s claim,” an ownership he asserted based on

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<sup>54</sup>Though local histories typically date the founding of Southold to 1640, when the town’s founders first incorporated their congregation on mainland New England, no documents corroborate the presence of Englishmen on the North Fork beyond the unincorporated squatters until 1648. For a common defense of the 1640 founding date as the result of “lost records,” see STR 1: xiv; For a refutation of this rationalization, see William Wallace Tooker, “Analysis of the Claims of Southold, L.I., for Priority of Settlement over Southampton, L.I., and how they are Disproved by the Early Records and Contemporary Manuscripts,” *Magazine of New England History* 2, no. 1 (January 1892): 1-16; For the founding of John Youngs church in New Haven in October 1640, see William S. Pelletreau, *A History of Long Island: From Its Earliest Settlement to Present Time, Volume II* (New York: The Lewis Publishing Company, 1905), 406. For the deed, see RTB: 76-77; For a discussion of the geography of the Indian Carrying Place and its modern nomenclature, see Charles E. Craven, *A History of Mattituck, Long Island, N.Y.* ([Mattituck, N.Y.?], Published for the Author, 1906), 16-8.

an “ancient right in the land.”<sup>55</sup> Momoweta had failed in his attempt to use the new English hegemony as a vehicle for challenging the ancient prerogatives of his family’s hereditary sachemship.

The most well documented English colonial effort during this period was that which was most unusual in its neat conformity to English legal customs. This was the settlement of Southampton, on the South Fork of the island.

Southampton’s settlers were former townspeople of Lynn, Massachusetts, a town that was struggling under the stresses of land shortage and recent destruction wrought by earthquakes in the late 1630s. Its out-migrants hoped to establish the English village life that had been denied to them in mainland New England. They obtained the proper patents from Farrett, and after a failed attempt to encroach on Dutch-claimed territory on the western edges of the Island, they arrived on the East End in the winter of 1640 order to negotiate with the Paumanack for a new home.<sup>56</sup>

The first sale of Indian land to the Southampton settlers concerned a tract nearest to the Paumanack living at Shinnecock. Presiding over the transaction were men listed with Ninnimissinuok names that are recognizable aliases for Poggatacut, Wyandanch, and Momoweta. Undoubtedly, their fourth brother, Nowedonah, was also present, considering the tract in question concerned land under his direct administration, though none of the other native signatories are

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<sup>55</sup> The original deed is located in the Book of Deeds, volume ii, p. 210, in the Office of the Secretary of State, Albany. A partial reprint can be found in William Wallace Tooker, “Analysis of the Claims of Southold, L.I., for Priority of Settlement over Southampton, L.I., and how they are Disproved by the Early Records and Contemporary Manuscripts,” *Magazine of New England History* 2, no. 1 (January 1892): 5-7. The above quotations are the words of Tooker.

<sup>56</sup> For background on the Southampton settlers, see Siminoff, *Crossign the Sound*, 98-102; Pelletreau, *A History Of Long Island*, 403; Strong, *Algonquian Peoples of Long Island*, 167-8.

listed with names that closely resemble any of his known aliases (“Wainmenowog” is perhaps the closest). The Paumanack seemingly agreed to part with an enormous tract of land for “sixteene coats...[and] three bushells of Indian corne,” as well as a promise of military defense from the English. This sale included all privileges over the “lands, woods, waters, water conrses [sic], easements profits & emoluments” found on the entirety of the South Fork east of a portage later transformed into the Shinnecock Canal. The Lynn men must have known that their deed was particularly suspect for conveying such a huge tract, as they made an extra effort (not found in later deeds) to emphasize that the sale was being committed “without any fraude, guile, mentall reservation or equivocation.”<sup>57</sup> Though the deed’s expansiveness was questionable, and this dubiousness would later be confirmed through the creation of new sales for lands supposedly sold within it,<sup>58</sup> the act of its creation served the same purpose as each of the other early cessions. The English deeds gave Poggatacut the opportunity to reaffirm his position at the head of the Paumanack, even as they simultaneously reaffirmed the assimilation of the Paumanack as an inferior sovereignty of the English tributary system. It was not an arrangement he seemed to be particularly distraught about. After all, such dependency relations

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<sup>57</sup> RTSH 1: 12-14. Though historians of Southampton have traditionally cited Mandush as the primary signatory to this cession, being that his name is the first known Shinnecock to appear at the top of the deed, all seem to have overlooked that the first Indian who left their mark at the bottom of the deed was “Manatacut.” This is an alternative spelling of “Montauk,” and a lesser-known alias of Wyandanch. His placement here as a primary signatory on a 1640 Shinnecock land cession is an overlooked indication of Montaukett entanglement with Shinnecock community politics that predates significant English intervention. For etymology of Manatacut see, E.M. Rutenber, “Indian Geographical Names,” *Proceedings of the New York State Historical Association: The Seventh Annual Meeting...* (1906), 75, 79 and Tooker, *The Indian Place Names of Long Island*, 141-43.

<sup>58</sup> This is best encapsulated in the numerous land sales that were performed in order to ensure English use-right over the territory used to create the town of East Hampton, see for example EHTR 1: 172-4.

were the only political conditions he had ever experienced, and the dangerous, quite literally cutthroat, realities that awaited any who attempted to pursue autonomy in the landscape of New England power were incentive enough to drive the Paumanack into English suzerainty.

Poggatacut's acceptance of English hegemony did not mean he was willing to accept the corruption of Englishmen. In fact his actions demonstrate a nuanced awareness of the differentiations between governance and property within English jurisprudence, and a willingness to defend his own property claims through these distinctions against any who pretended their tributary status superseded his own. In 1652, Poggatacut sent an agent to meet with New England officials in order to make an accusation of fraud. An Englishman identified as "Capt. Middleton" and "his agents" had arrived at Poggatacut's home of Shelter Island and claimed ownership of the isle "upon pretence of a purchase from Mr. Goodyear, of New Haven," who had obtained a patent from James Farrett. Poggatacut's agent, a man named Checkanoe, stressed to the English officials that they had not "sold the said island to the said Forrett; and that the said Forrett was a poor man, not able to purchase it, but the said Indians gave the said Forrett some part of the said island...yet never, that themselves should be deprived of their habitation there." In other words, Middleton was attempting to claim ownership of Shelter Island based only on the possession of a Farrett patent and without negotiating with Indians—a course of action that would have been considered illegitimate by both Ninnimissinuok and English authorities. The Paumanak understood the differentiation between sovereignty and property, and

while they made no attempt to contest the legitimacy of English sovereignty (in fact actively recognizing its preeminence through this appeal), they did contest maltreatment from those who were not their legitimate hegemons. The English authorities validated Poggatacut's complaint, a reminder that acknowledging the early incorporation of the Paumanack into the English imperial polity does not mean accepting all English land claims as legitimate. Middleton and his party (which included the island's eventual exclusive owner, Nathaniel Sylvester renegotiated with the Paumanack later in 1652 and 1653 in order to secure proper use-right over the island.<sup>59</sup>

In determining how either English purchasers or Paumanack sellers understood these deeds, there are a number of readings that can be applied, the most obvious of which is certainly the misunderstanding hypothesis—that the Paumanack believed this transfer was only one of limited and shared use-right to the English, while the English saw themselves as acquiring a transfer of complete usufruct (sovereignty). However, none of the deeds listed above denied the rights of Indians to continue using the land in some capacity. Some, such as the first Corchaug deed in fact explicitly assumed the continuity of a

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<sup>59</sup> For Poggatacut's complaint through Checkanoe, see PRCC 2: 477. For the later legitimate purchases, see STR 1: 158; EHTR 96-7. Though this deed reaffirmed English suzerainty by clearly transferring "full possession," it was not used to force the dislocation of the Ninnimissinuok. It should be noted that even though the earlier of these deeds [STR 1: 57] described Poggatacut giving the English purchasers "one turfe with a twige...according to the usuall custome of England," and then "with all his Indians....did freely and willingly depart the aforesaid Island," there is abundant evidence that a Ninnimissinuok presence on Shelter Island remained until at least the mid-1670s, though there is no evidence that Poggatacut himself remained on the island after the sale. For archaeological evidence of this inhabitation, see Hayes, *Slavery Before Race*, 77, 92. In 1672, Nathaniel Sylvester complained that the Indians on the island frequently got drunk and "breed Disturbance, & make Commotions," while the same year George Fox, a founding father of Quakerism, reported meeting with more than a hundred Indians on the island, see DRCHSNY 14: 671; SMA Series H Box 107 Folder 14: Extracts of George Fox's Journal (1672).



Ninnimissinuok presence, as evidenced by Poggatacut's preservation of his right to tribute skins from Indians. In addition, it is highly unlikely the English would have seen themselves as purchasing full sovereign use-right: those who had acquired the proper patents through Farrett were all too aware of the limitations on their use, and those who hadn't were merely pursuing a short-term fantasy of independence that was quickly quashed. In the wake of the misunderstanding hypothesis's lack of plausibility, then, the question remains open as to how either party comprehended these negotiations.

Comprehension of the deeds on the English side is less shrouded. Though English deeds often used sweeping language in an attempt to claim expansive use-right, "complete" or "full" levels of ownership was mere wishful thinking. None could claim such levels of ownership besides the King himself. For example, before they ever set foot on the Island, the Southampton settlers had already been significantly restricted in their ability to acquire use-rights over any territory. Partly this was their own doing—the settlers (or more accurately, the leaders among them) arranged to maintain a maritime commons, agreeing that along "the bankes" of the future town's "seas, rivers, creeks, or brooks," no individual could claim "proper [private] Interest" that would infringe on the "ffreedom of fishing, fowling and navigation...common to all." The explicit references to creeks and brooks made it clear that maritime privileges would be common throughout the entire township and not just restricted to the coasts,

regardless of the private 'ownership' claims over tracts that included these waterways.<sup>60</sup>

Farrett had additional restrictions in mind. Just as he had done with Gardiner's patent, Farrett prohibited the Southampton settlers from using their township as a trading post for wampum exchange. The settlers were allowed to appoint "one man amongst them that shall fully trade with the Indians in their behalfe for any victuals with in their owne plantations but not for Wampom." Anyone discovered to be engaging in this trade "secretly" was to be fined twenty shillings per fathom illegally obtained. As he had done for the New Haven men, Farrett also insisted that the settlers purchase their land "from any Indian that Inhabitt or have Lawfull right to any of the aforesaid Land." Settlement was to proceed in an orderly and lawful fashion: all of the Crown's tributaries were to be respected, and all were to be reminded of their incomplete control over use and therefore incomplete sovereignty.<sup>61</sup>

Controlling use-right was a strategy for structuring sovereignty at the local as well as the imperial level. Common lands, as the collective property of the township itself, were of course tightly regulated throughout New England. Regulations within the plantation of New Haven provide a particularly well-documented example. On New Haven's grazing commons, no townsman could "put in any catle...before the time ordered for the yeare," and any who chose to accept private grazing tracts were forced to "relinquish all right to the common pasture." In addition to regulating use-right common pasturage, the New Haven

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<sup>60</sup> RTSH 1: 4.

<sup>61</sup> DRCHSNY 14: 627-28.

plantation prohibited the free use of all lumber on all public land, prohibiting the cutting down of “any tree, uppon any occasion, for any use, uppon any common within 2 miles of any part of the town, without special lisenche.” However, the strict limitation of use-right within the Southampton Township through the maintenance of public access to resources, even as “the commons” were divided into private lots, was also standard practice within New England. At New Haven, “private” pastures could not be enclosed unilaterally—fences were prohibited from cutting off access to “all springs,” which “though within their proprietye,” needed to be available “for [all of the planters’] cattle to drinke at.”<sup>62</sup> Private property in New England really meant the possession of a select bundle of use-rights, which often did not even include control over one’s own “private” water supply.

Disputes about use-rights among tributaries could result in the calling in of an official from a higher tier of authority—in fact, the ability to resolve such disputes by virtue of proximity to the Crown’s ultimate sovereignty was a central constituting element of belonging to such a tier. This was aptly demonstrated in the late 1660s, when Southampton and Southold engaged in a bitter land dispute over fertile grazing lands known as the Aquebogue meadows. The conflict eventually escalated to the point of direct intervention by the Governor of New York, who appointed special mediators “to reconcile the said difference.” The reconciliation ended strongly in the favor of Southampton, which acquired the vast majority of the meadows, with the “restriction or provision that William Wells of Southold shall have and retain eighteen acres.” All the rest of the meadow not

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<sup>62</sup> RCNH 1: 198-200. For a similar conservation regulation on timber in East Hampton, see EHTR 1: 388.

included in the Wells or Southampton tract would “lay in common for mowing for all the inhabitants of both Towns who have interest according to their propriety.” This common land would eventually be divided when the towns “mutually agree[d]” to do so, and at that time, the Wells tract was to “be accounted as part of the quantity which Southold are to have.” Southampton, however, seems to have emerged from the negotiations with a high degree of use-right allocation authority over the entire Aquebogue tract. The official statement of compromise was clear that if the “creatures belonging to Southampton” were at “any time” discovered on “any part” of the “said tract of land or meadow” they were not to “be molested.” In contrast, Southolders were prohibited from placing “any of their creatures at any time on any part thereof,” but if some animals ventured onto the land “accidentally” it was not to be counted as “any trespass.” The use-rights of Southold Town and William Wells were therefore limited to the mowing and collecting of grasses for feed only—they were prohibited from using Aquebogue as open grazing land, and were even forced to tolerate the grazing of Southampton animals on the lands considered their “private” and common territories.<sup>63</sup>

Reinforcing tiered authority over the English settlers became even more pressing after the East End towns were transferred into the sovereignty of the newly seized New York Colony in 1664. There were good reasons for New York officials to be uneasy about the incorporation of Long Island tributaries. Southold had long been in an ongoing dispute with New Haven about its fragile loyalties to

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<sup>63</sup> BHS, “Landon Family Papers: Suffolk County Land Matters (1 of 2)(1667-1850). Box 1 Folder 7. 1977.025”

the colony throughout the 1650s, with rumors constantly abounding that its leading men were considering allying the town with the rival Connecticut Colony.<sup>64</sup> For this reason, New York Governor Richard Nicolls mistrusted the East End towns, and punished them by reducing their territory—removing Shelter and Gardiner’s Island from the townships and placing them directly under his own authority. On Shelter Island, political authority “in all matters of government was to derive only from “the Governor and his Council”; the Gardiner family, too, was instructed to “bee onely accountable to the Governour.” Something else was required of Shelter Island’s Sylvester family proprietors: “one Lambe, upon the first day of May, if the same shall be demanded.” The same tribute of “one Lambe to be paid on the first Day of May Yearely if the said Sould [sic] be Demanded” was extended to David (son of Lion) Gardiner in 1670. Another sixteen years later, the Gardiner’s were again reminded of their inferiority when the New York government explicitly reminded them that their use-rights included ““fishing Fowling Hunting Hawking Mines Mineralls (SILVER AND GOLD MINES EXCEPTED) [original caps].”<sup>65</sup> The Ninnimissinuok were not the only tributaries to believe in the limitation of use-right and the symbolism of animal bodies as acknowledgements of one’s inferior claims to authority.

The Paumanack would have looked with comprehension and admiration upon these methods of authority creation and reinforcement. In negotiating with

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<sup>64</sup>For this conflict in the first half of the 1650s, see RCNH 2: 51-2, 92-4; for the second half through 1664, see RCNH 2: 285, 478.

<sup>65</sup> SMA Series A Box 146 Folder 20: 1666 Nicolls Shelter Island Grant; SMA Series H Box 106 Folder 28: Grant to David Gardiner for Gardiner's Island (1665); SMA Series H Box 106 folder 31: Grant to David Gardiner for Gardiner’s Island (1686); Governor Nicolls demanded the same from John Winthrop in his renewal of Winthrop’s grant to Fisher Island, see SMA Series H Box 106 Folder 38: Grant to John Winthrop For Fisher’s Island (1668).

the English, the Paumanack sachems most likely hoped to shore up their authority among their own people and to retain use-rights over those resources they valued most, all while knowingly operating in the extremely precarious context of recent tributary incorporation. It is possible that Poggatacut might have understood himself as the sovereign, primary sachem over the North Fork, and these deeds as mechanisms for establishing either a dual, shared sovereignty over the area, or perhaps as a means of incorporating the English into his own sachemship. Yet such an explanation would require believing either that the Paumanack were inclined to establish voluntary, consensual compacts of shared power (they weren't), or that they possessed a profound forgetfulness that they had already been treating the English as primary sachems through the payment of tribute for nearly a decade (they didn't). In fact, Poggatacut was undoubtedly acutely conscious of his compromised power position in the face of English suzerainty, as were his younger kin, who had moved to further undermine that power by negotiating with the English without him. The most reasonable explanation for Poggatacut's insistence that the Corchaug continue to pay him tribute skins is not that he had illusions of himself as a fully sovereign primary sachem (he had never been one), but rather that he wanted to chastise his haughty younger brother for overstepping his authority in negotiating use-right with the English autonomously. Rather than being a symbol for the continued possession of Paumanack sovereignty, the deed gave Poggatacut an opportunity to remind his inferior kin that the exchange of Pequot for English hegemony had not diluted nor reshuffled the power relations below the level of primary sachem.

Later deeds, examined in detail below, make it clear that the Paumanack sachems did not conceive of themselves as having sacrificed all use-rights through these sales. However, the Paumanack no doubt understood that they were giving something up—most likely, use-right claims over agriculturally productive areas, which they never made any effort to protect—by welcoming English settlement in their communities.

Retaining use-rights over certain resources, particularly the ones that were used to bolster their own status, was especially important for the Paumanack sachems. Within the spiritual pantheon of the Long Island Ninnimissinuok were two manitous (spirits/deities) that were directly tied to the products of natural resources—Mesingw, the manitou of wild game, and Moshup, the manitou of sea creatures. Gifts from either of these manitous were considered sacred possessions, and angering them could result in the withholding of their valuable resources altogether.<sup>66</sup> For this reason, maintaining control over game and maritime resources was of the upmost importance for the Paumanack sachems—they needed these goods in order to reinforce their unequal status and authority position within their own societies. In negotiations over use-right after the initial grants, the Paumanack sachems made special care to retain use-right over hunting, fishing, and whaling resources. They were also careful to retain control over these use-rights ‘forever’ and secure the inheritance of them in an attempt to retain their lineage’s power indefinitely.

In renegotiating their capacious original deed to the South Fork in 1648, the four Paumanack sachems demanded the “Libertie” to “freely...fish in any or

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<sup>66</sup> Strong, *Algonquian Peoples of Long Island*, 112-13, 116.

all the cricks and ponds, and hunt up and downe in the woods without Molestation,” as well as the rights to “the fynns and tails of allsuch whales as shall be cast upp [on the shore],” and the ability to “fish for shells to make Wampum of.” The sachems’ insistence on retaining fishing and hunting rights was accompanied by a final, additional demand: the rights to “the skin” of any deer killed by the English in the water after being chased there by an Indian hunter.<sup>67</sup> Deer killed in the water were sacred gifts from Mesingw and their seizure by sachems was a critical symbol of authority that could not be compromised. The preservation of shell collection was also a calculated maneuver by the sachems to maintain their control over the production of prestige goods. They seemed to have secured this right from Nathaniel Sylvester on Shelter Island, since Sylvester, in his sale of the island immediately adjacent (Roberts/Robins Island), ordered its purchaser not to “trouble nor molest any Indian or Indians belonging to Shelter Iland yt shall come to Roberts Iland to fish for shells or Catch any other fish whatsoever about Roberts Iland.”<sup>68</sup> The sachems were fully willing to surrender use-right over those resources they made little use of, such as grass the English desired for grazing, in order access to what they really cared about—those resources which produced the status-generating goods that reinforced lineage authority and inequity.<sup>69</sup>

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<sup>67</sup> EHTR 1: 2-4; alternative transcription available in DHSNY 1: 458. For additional deeds maintaining hunting privileges see EHTR 1: 156-57; BHS, “Landon Family Papers: Suffolk County Land Matters (1 of 2)(1667-1850). Box 1 Folder 7. 1977.025.

<sup>68</sup> EHTR 1: 104-08.

<sup>69</sup> For the surrender of grassland and the maintenance of whale harvesting see: Brooklyn Historical Society {BHS}, “Pelletreau Family Papers (1662-1921), ARC.142. Box 1 of 3,” Deeds: Native American, 1650-1703, also published in RTB: 4 and RTSH 1: 170. These transcriptions have some important errors—notably they record Wyandanch stating “this beach shall belong to



Through cessions of land, the Paumanack sachems, and particularly Poggatacut and Wyandanch, acted to affirm the continuity of preexisting hierarchies in the wake of the disintegration of Pequot suzerainty and incorporation into the English chiefdom. While early deeds involved the transfer of use-rights, what was sold was not a 'complete' use-right bundle, since this would have been equivalent to a sovereignty transfer. This had already occurred with the Paumanack's acceptance of tributary status in 1636, and in any event, the Englishmen who purchased Paumanack land were also not sovereigns capable of negotiating for complete use-rights, but English tributaries themselves. The English authorities promptly chastised those who pretended to be something more, like Gardiner and Middleton. As tributaries, the Englishmen and the Paumanack were capable of exchanging only limited use-right, some of which was retained by the sachems in order to maintain their station vis-à-vis those Ninnimissinuok they considered inferior. Those resources the Paumanack sachems were most likely to retain use-right to were those least important for their subsistence and most critical in the generation of the products that provided spiritual, economic, or social reinforcement to their authority within the Paumanack community.

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me and the rest of *the* indians" rather than "this beach shall belong to me and the rest of *my* indians," as is found in the original.

## VII. Tiered Tributaries: Coercion Within the Post-Incorporation Paumanack

The notion that the Paumanack head sachems (Poggatacut, and then after his death, Wyandanch) were empowered enough to engage in transactions of use-right to begin with is contestable when one is operating within the consensus-egalitarian framework. If sachems were merely the figureheads of consensual polities in which real possession of use-right lay in the diverse lineages of kinship networks, the sale of use-right by these sachems to English settlers without widespread community consent is categorically illegitimate. Certainly the deeds themselves, which almost always compose the entirety of evidence surrounding any given transfer, rarely indicate the procurement of common consensus. This is especially amplified in the case of the Paumanack, where sales were negotiated by head sachems that were typically not even community residents where land was being sold. It is thus possible to read the Paumanack deeds as the illegitimate, self-interested machinations of avaricious sachems intent on exaggerating power to eager Englishmen in order to gain benefits from such embellishments.<sup>70</sup>

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<sup>70</sup> This has been the general interpretation of John Strong towards the power of Paumanack sachems and their sales of land to the English, especially as pertains to sales made by Wyandanch in the wake of Poggatacut's death in the early 1650s. Strong called Wyandanch an "alliance chief"—a sachem whose office and authority was invented in order to facilitate the dispossession of his own people. See Strong, "Wyandanch Sachem of the Montaukett," 48-50; Strong, *Algonquian Peoples of Long Island*, 23. Lara M. Strong and Selcuk Karabag have concurred, arguing that the Long Island English propped up the authority of Wyandanch since doing so allowed them to "by-pass the local sachems and buy large tracts," see Lara M. Strong and Selcuk Karabag, "Quashawam: Sunksquaw of the Montauk," *Long Island Historical Journal* 3, no. 2 (Spring 1991): 192. Strong derives his concept of puppet chief from the work of Francis Jennings, who first articulated the notion of the "deed game." Jennings argues that the deed game was a strategy enacted by New Englanders to acquire land by first strategically recognizing "the claim of a corrupt Indian [to a tract] who was not [its] legitimate landlord," and then purchasing said tract from said deviant Indian, see Francis Jennings, *The Invasion of America*:

However, viewing the authority of the Paumanack deeds as mere exaggeration, or even more skeptically, as English contrivances enshrined in the documentary record, is to ignore the abundant evidence of Paumanack sachem power during the early settlement period. Examples of the Paumanack sachems enacting stern authority over the communities under their subjection provide excellent supporting evidence for the model of Ninnimissinuok coercive political hierarchy provided by the early ethnographers of mainland New England. In the specific context of Eastern Long Island, this evidence also supports the notion that meaningful inequalities among the Ninnimissinuok structured and facilitated their incorporation into the English polity through the legitimate surrender of sovereignty and use-right in tributes and land sales.

As in the case of the early mainland New England ethnographies, there is no greater evidence for coercive power among the Eastern Long Island Ninnimissinuok sachems than the ability to determine life or death. One early incident in particular demonstrates the way in which the Paumanack adapted their exercise of coercion within the context of English hegemony. In the spring of

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*Indians, Colonialism, and the Cant of Conquest* (Chapel Hill, N.C.: Published for the Institute of Early American History and Culture by the University of North Carolina Press, 1975), 144. It is important to distinguish between the purported status of the Paumanack head sachems as 'Grand Sachems' over all of Long Island, a claim that is almost certainly fictive, and their purported status as the leader of a tributary network that extended over the eastern end of Long Island. This was the mistake made by the earliest historians of Long Island against whom John Strong reacted so strongly. For example, the nineteenth century historian David Gardiner (descendent of Lion) claimed that at the time of eastern Long Island's settlement, "all of the native tribes of the Island" were "under the subjugation of, and tributary, in a greater or less degree," to Poggatacut. After the succession of Wyandanch, this dominion included "ten to fifteen sachems, with whom his word was law, and over whom he exercised despotic sway." His despotic power included the right to final assent over all land sales—without his consent, "no sales...were held good." [David Gardiner, *Chronicles of the Town of Easthampton, County of Suffolk, New York* (New York: 1871), 2.

1649, chaos erupted in the town of Southampton after a “pequit [Pequot]” man who was “known to be a murderer” among the English was executed. Apparently the man had connections to the nearby Shinnecock community, and it is probable that he was one of the Pequot who had joined the Paumanack after his people’s loss to the English. The “frends” of the Pequot man at Shinnecock did not take kindly to his execution, and responded by killing, in the words of Lion Gardiner, a “good honest woman,” most likely a white female settler of Southampton. The local Shinnecock sachem, identified explicitly as “the brother” of Wyandanch (Nowedonah), was being uncooperative or unsuccessful in rooting out the revenge killers in his village. Wyandanch, afraid that the English would hold him accountable for his brother’s failure, assembled his people at Montauk and proposed journeying to Shinnecock in order to intervene. The Montauketts responded to this suggestion by crying out in protest to Wyandanch that the English would “eyther bind you or kill you and then us both men women and Children.”<sup>71</sup>

The palpable fear of the Montaukett is worth pausing to consider. Such terror was no doubt reflective of a very real and rational comprehension of the situation—they were, as Montauketts, also members of a larger political category, the Paumanack, another constituent member of which, the Shinnecock, had just openly defied the suzerain to which they were all subservient, the English authorities. One might read the Montaukett fear as a simple awareness that racist Englishmen threatened to hold all Indians accountable for the actions of a marginal and unrelated group. This was, however, most definitely not the

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<sup>71</sup> Gardiner and Newman, “Relation of the Pequot Warres,” 485-6.

case. The Paumanack had real, structured relations of power within it that made the Montaukett particularly accountable for the actions of the Shinnecock as their political superiors. Montauketts feared retaliation for the actions of the Shinnecock not because the English were ignorant to the dispersed nature of Paumanack authority and responsibility, but rather because the English were all too aware that the opposite was true.

One might also read the climactic events of this spring night in 1649 as a prime opportunity for the Eastern Long Island Ninnimissinuok to stage a rebellion against the threatening Englishmen. Perhaps now was the time that the Paumanack could release all their frustrations, to focus their resistance and channel it towards the re-creation of a truly indigenous community free of European infringement. And yet this was not at all how the Paumanack chose to respond. They had, first in 1638 and then again in 1642, rejected cooperation with other Ninnimissinuok groups in favor of English hegemony.<sup>72</sup> In the next decade the Paumanack would also be embroiled in intermittent, bitter, and often violent feuds with other mainland Ninnimissinuok.<sup>73</sup> They menace of hegemonic

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<sup>72</sup>1638 marks the original appeal made by Ninigret to Wyandanch in which the Montaukett sachem was stripped of his belongings after refusing. In 1642 Wyandanch was again visited by a Narragansett sachem, this time the Pequot War veteran Miantonomi, who urged the Montaukett leader to remember the world before the English in which “all Indeans” had possessed “plenty of deare, & Skins.” Wyandanch might have chosen to characterize the pre-English world in different terms—as the world of Pequot subjugation. Whatever his reasoning, Wyandanch rejected Miantonomi’s appeal. See Winthrop Papers 3: 442; Gardiner and Newman, “Relation of the Pequot Warres,” 484-5.

<sup>73</sup> For an overview of these conflicts see Fisher and Silverman, *Ninigret Sachem of the Niantic and Narragansetts*, 79-81, Strong, “Wyandanch: Sachem of the Montauks,” 60-61. Violence was especially heated between the years of 1653-54, when the Niantic-Narragansett sachem Ninigret dared to temporarily kidnap Wyandanch’s daughter and again attempted to him into tributary status. Ninigret even sent assassins to kill Shinnecock sachems, see RCNP 9: 97-9. Ninigret claimed that Wyandanch was also guilty of malice through the murder of some of his men on Block Island, see RCNP 10: 169. For English efforts to arm and protect the Paumanack during this conflict, see RCNH 2: 16, 117-18, 171; RCNP 10: 151. Perhaps Wyandanch’s loyalties to the

coercion from those Ninnimissinuok who had similarly made themselves tributes to the English was a cause worthy of war; however, the threat of hegemonic coercion from the hegemon themselves was simply business as usual for the Long Island Ninnimissinuok. Wyandanch thus considered the cautious pleas of his people, but then rushed from Montauk to Shinnecock in order to correct the situation. He quickly discovered “4 that weare consenters” to the murder, “and brought them to [the English officials] at Southampton & they weare all hanged at harford [Hartford, Conn.].” One of those whom Wyandanch sent to die was “a great Man...comonly cald the blew Sachem.”<sup>74</sup> Wyandanch had used the event to reaffirm his status as a privileged tributary among the English, to remind his younger brother of this preeminence, and to demonstrate to the entire confederacy that Paumanack sachems still retained the right to punish their insolent subjects with death.

The 1649 murder, which was a particularly well-documented event, produced additional evidence that attests to the inner workings of hierarchy and coercion within the Paumanack. Testimony given by Southampton residents Thomas Halsey and Thomas Sayer detailed the response by the Shinnecock to Wyandanch’s direct imposition of authority of their community. Halsey testifies

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English can be explained by their leniency with his tribute payments—in 1656, Wyandanch admitted to the Commissioners of the United Colonies that he was “four yeares behind” in the “paiment of his Tribute.” The Commissioners agreed to respite Wyandanch’s past-due tribute payments “in respect of his prsent Troubles” with Ninigret, see RCNP 10: 171. Ninigret’s aggression extended into the late 1660s, after the death of Wyandanch, with Ninigret still attempting to claim hegemon status over the Paumanack, seemingly with some factional support among the island Ninnimissinuok, see John Russell Bartlett, ed., *Records of the Colony of Rhode Island and Providence Plantations in New England* (Providence, R.I.: Greene and Brother, 1856-65) 2: 269-74; John A. Strong, “The Imposition of Colonial Jurisdiction over the Montauk Indians of Long Island,” *Ethnohistory* 41, no. 4 (Autumn 1994): 577-82.

<sup>74</sup> Gardiner and Newman, “Relation of the Pequot Warres,” 485-6.

that after the “murther committeted by the Indians,” he witnessed the inferior Shinnecock sachem Mandush, cut up a “turf” or piece of ground in Southampton, and deliver it to Wyandanch, therefore giving up “all his right and interest [in the land] unto him.” Mandush and the “other of the chiefee of Shinecock Indians as ancient men,” a category that would have included Wyandanch’s brother Nowedonah, then signified “their consent and that they were contented, by their ordinary signe of stroaking Wyandanch on the back.” Sayer, who also claimed to have witnessed this act of Shinnecock submission, testified that Mandush had “gave up his right to Wyandanch,” stroked him on the back, and then proclaimed to Wyandanch that “now hee would bee all one dogge.”<sup>75</sup> In proclaiming to be a “dogge,” Mandush affirmed his subservient and markedly inferior status vis-à-vis Wyandanch within the political hierarchy of the Paumanack, a station that definitively meant a lack of ultimate possession over use-right.

Though at the time of this event of submission from the Shinnecock it was Poggatacut, and not Wyandanch, who ruled as the titular head of the Paumanack, this would soon change. In the first half of the 1650s, smallpox devastated the East End. Gardiner reported through the knowledge of Wyandanch that during this period “great Mortallitie...2 thirds of the Indeans

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<sup>75</sup> RTSH 1: 158. It should be noted that this testimony was generated in the context of a land claim squabble among the Southamptoners that revolved around Mandush possessed the authority to sell land in the years after the murder, thus explaining his focus here. Though Mandush may have delivered Wyandanch a piece of turf as a symbol of his submission, doing so is unlikely to have been understood by either party as a forfeiture of right and interest in the land, since this right and interest was already the claim of Poggatacut, and Wyandanch as an inferior sachem (albeit one of higher rank than Mandush) would have been unable to receive it regardless.

upon long lland died.” Poggatacut was one of them.<sup>76</sup> This left Wyandanch as the inheritor and leader of the Paumanack Confederacy, being that Poggatacut is not known to have produced any heirs. Wyandanch’s job was a difficult one—he had to be vigilant about maintaining authority over those below him, and the Shinnecock were not the only Eastern Long Island Ninnimissinuok who on occasion needed to be reminded of the power relations in which they were embedded. The Corchaug, too, had begun to stir against the traditional order.

In January of 1658, Wyandanch traveled north, and sent word that he “required Curchaug Indians to meete him at Southhold.” There, the Southolders asked him “by what right [the] Curchaug Indians held the lands in their possession,” since the Corchaug had apparently been telling the Southolders that they “now were and so for a long tyme have beene the sole and true proprietors” of the lands they occupied. Wyandanch scoffed at such a proposition, and “with an audable voyce in [the] presence” of the Corchaug, expounded that they were not “now or att any tyme heretofore...proprietors or true owners of the said Land called Curchaug.” Rather, Wyandanch claimed,

“These lands were his ancestors and descended and came from them to the said Sachem and his three brethren who possest the same until the ffower joined in a deed of guift under theire hands and seales divers yeares since, whereby they jointly and with one consent gave upp al theire right, tittle and interest of in, and unto the said lands called Curchaug.”

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<sup>76</sup> Gardiner and Newman, “Relation of the Pequot Warres,” 487. This mortality rate is supported by the observations of Daniel Denton, who reported that the “six towns” of Indians he had once known to be on Long Island were “reduced to two small Villages,” by which he almost certainly meant Montauk and Shinnecock, by 1660. Denton, *A Brief Description of New-York*, 7.



The Corchaug who stood before Muntalcutt at this time “remained wholly silent not in the least contradicting” his claim that they had no legitimate possession of their lands.<sup>77</sup> Momoweta was nowhere to be found; it is possible that he, too, had died in the great sickness along with his older brother. His absence did not free the Corchaug from their subservience to the Paumanack, and by direct derivation, subjection to English hegemony.

How Wyandanch and his brothers came to be in such a commanding position over the Shinnecock and the Corchaug by the early settlement period is an enigma that no historian has addressed directly. Clinging to consensus-egalitarianism and denying the existence of tiered authority altogether outside the fictions of English documents is one approach; turning to the legend of Mongotucksee is another. Yet there is another way, one that provides the more comforting support of direct historical evidence. This third path explains the inequities of the Paumanack using the language of those Ninnimissinuok who lived inside it, language that gives a clear answer as to how the Paumanak’s leading family acquired its power: war. Mongotucksee would have been proud.

These Ninnimissinuok voices come to us from the depositions of John Mulford, a Southampton official who interviewed a handful of Natives at Montauk in the late 1660s during an investigation over a land dispute. One of those he interviewed was named “Pawcatone,” or Pocatone. This was no ordinary Montauket, but rather “the ancientest and chiefest of the Indians at Mentaucke,” the esteemed and trusted former “conusillor” of Wyandanch. When asked about the history of relations between the “Southold Indians...and Shenecock Indians,”

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<sup>77</sup> STR 1: 193-94.

Pocatone unraveled his tale of subjugation. He explained, “In his tyme there was war... and that yeanocock [Southold/Corchaug] Indians were conquered and fled to severall parts of the maine [Connecticut].” Sometime after the defeat of the Corchaug and their flight to the northern coast of the Long Island Sound, they “returned againe,” and the Shinnecock “said that they had been old friends and that they might sitt downe and plant there again on the other side of Peaconect [Peconic River], and soe they did.” Settled as tributaries under Shinnecock dominion, the Corchaug soon discovered a bear “drowned in the [Aquabogue] meadows now in controversie,” and brought its skin and fat “to Shinecock Indians as due unto them.” This account is particularly revealing in its simultaneous portrayal of the Corchaug defeat as a “conquest” and as a quarrel between “old friends.”<sup>78</sup> With the additional details that the Corchaug felt compelled to flee across the sea after the dispute ended in their defeat, and that the Shinnecock demanded they perform the traditional rituals of subjecthood upon their return, there can be little doubt that the conflict was much closer to an act of forced hegemonic incorporation than a friendly spat.

Pocatone also referred Mulford to two women he knew of “living att Montaukut” who might be of use in further determining the Shinnecock boundaries. Mulford thus journeyed to Montaukett with three other East Hampton men, where they arranged a meeting with both women. One woman was “antient...called by ye Indians Akkobank Homes Squaw.” The other was “called wampquaims squaw [,] a middle aged woman.” The two women told Mulford’s

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<sup>78</sup> RTSH 1: 159; MPLIC, Document Book 3, “The Deposition of Mr. Thomas James taken at Easthampton,” 17. Also published in Records of the Town of East Hampton 1: 261, with numerous unfortunate errors.

party that “they formerly were of ye Akkobauk Indians,” a village group who had lived “formerly many years since...att Akkobauk, & that those Indians being few were driven of their land being conquered by other Indians,” namely, “the Shinnocut.” The women acknowledged that they had been tributary subjects of the Shinnecock, and recalled one incident in which a “beare some yeares since” had drowned in the Peconic River, and the “skin & thigh” of this bear was “brought to Shinnocut as acknowledging their right to it.” The bear tribute was delivered to “a Saunk Squaw then living there who was the old montaukut sachems [Wyandanch’s] sister.”<sup>79</sup> These accounts confirm at least two pieces of the Paumanack puzzle: that the confederacy was forged through and premised upon coercive force, and that it was stratified, with the North Fork Ninnimissinuok villages at the bottom.

The gift of bearskin tribute to “the old montaukut sachems sister” stands out as a perhaps unexpected complication in the Paumanack story. Though the Ninnimissinuok sachemships were ideally passed on through patrilineal inheritance, the system was in reality a cognatic one, in which the continuity of leadership through a single traceable lineage was privileged over the bestowal of power on any particular gender. The need to accept female sachems was even more pressing in the wake of disease depopulation and the rapid die-off of sachems. Wyandanch himself was dead by the summer of 1660, less than a decade after he had ascended to head Paumanack sachem after his older brother’s death. Unlike Poggatacut, Wyandanch did have heirs, and a wife as well. Immediately after his passing, it appears that his son, Wiancombe, took

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<sup>79</sup> MPLIC, Document Book 3, “The Deposition of Mr. Thomas James taken at Easthampton,” 17.

over the sachemship, with some degree of power falling to his mother, perhaps due to his young age. This rule was short-lived—by 1664, Wiancombe was dead, as was his mother.<sup>80</sup> They were in good company. By 1662 at the latest, Nowedonah, too, was dead, and the sister of the Paumanack sachem brothers, a “squaw sachem” named Weany, was negotiating with the English on behalf of the Shinnecock community. Weany’s rule was unique for the Paumanack in that it was contested, particularly after she sold a tract of land that was highly desired by Englishmen in both Southold and Southampton, a piece of fertile grazing land known as the Aquebogue. Her right to alienate this tract from the Shinnecock community was disputed in 1666 by the family of the—previously—inferior sachem Mandush, the very same Mandush that had proclaimed himself a “dogge” to Weany’s family seventeen years earlier. Now, the daughter, wife, and son of the humiliated sachem were having their revenge, claiming that Weany and her conniving allies “had noe right to make any such sale” of Aquebogue, as “the said land belongeth totally or principally unto us.” The usurpers found themselves an unlikely ally—the daughter of Wyandanch and heir to the Montaukett sachemship, Quashawam, who also signed their letter of protest against Weany’s sale.<sup>81</sup>

The squaw sachem of Montaukett, who seems to have been displeased with her aunt’s exercise of authority at Shinnecock, attempted to deploy her

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<sup>80</sup> For Wiancombe and his mother’s ascent in 1660 see EHTR 1: 172-4 and STR 1: 169-70. See also John A. Strong, “The Role of Algonquian Women in Land Transactions on Eastern Long Island, 1639-1859,” in *Long Island Women: Activists and Innovators*, eds. Natalie A. Naylor and Maureen O. Murphy (Interlaken, N.Y.: Empire State Books, 1998), 27-42.

<sup>81</sup> For Weany’s sale of the Aquebogue Meadows, see BHS, “Pelletreau Family Papers (1662-1921), ARC.142. Box 1 of 3,” Thomas Topping Deed.” A copy can be found in RTSH 1: 167-8. For the protest lodged by Mandush’s family and Quashawam, see RTSH 1: 169.

father's old trick of using the English hegemony to reinforce her existing claims to power. The reasons for Quashawam's displeasure are not clear, but she may have been irritated that Weany was not following Paumanack custom by deferring to her as the inheritor of the head sachemship. Quashawam certainly intended for Shinnecock to be her subordinates. In 1663, soon after her ascension, an agreement was formalized between the Montaukett and the Shinnecock in which Quashawam had been declared the "true heyre" of the Montaukett, and the Shinnecock had agreed to recognize Quashawam as "their supream," with "all honour" and "all prerogatives" according to their "custome." This agreement also contained a telling promise made by Quashawam—that she would not "authorize any Indians of [Montaukett] to plunder the Shinnecock Indians until the chiefe English [,] namely the authority, bee first acquainted with the neglect of [the Shinnecock]." Neglect here presumably referred to a failure to make timely tribute payments. The use of the term 'plunder' was especially notable, since it implied at least a shared fear that the Montaukett would exact violence against the Shinnecock in their collection of tribute. Past violence was implied by one of the document's final passages, which commanded all parties to adopt "universall forgetfulness in relation to any hostility on either side." This promise of forgiveness for conquests of yesteryear directly mimics the similar platitudes offered by the Shinnecock to their own inferiors, the Corchaug. The overlooking of past antagonism as a means towards current and future submission imposed by violence reinforces a characterization of the Paumanack polity as possessing more than a tinge of coercion, along with an oral historical

culture that encouraged the effacement of this coercion in self-comprehension and memory.

Quashawam's sachemship also offers a unique vantage into the mechanisms of Ninnimissinuok authority and heredity, as she is one of the only female sachems to leave a documentary record of how her claim to power was legitimated. This is supremely useful, since if there is one issue more confused than the relationship between sovereignty, sachems, and property in Ninnimissinuok communities, it is the way in which this relationship involved Ninnimissinuok women and their matrilineages.<sup>82</sup> Once again, the voice of

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<sup>82</sup> Susannah Shaw Romney has recently argued that "as a woman," Quashawam "stood at the center of the kind and social webs linking people to the land in a way perhaps not entirely shared by her late father and brother." She bases this assertion on women's known agricultural and gathering labors that created an "intimate relationship with the land." Romney claims that Long Island Algonquian kinship was based upon clans that were "usually matrilineal" and "determined residence." See Romney, *New Netherland Connections*, 273-4. Richard Grumet also argued that "matrilineal-matrilocal corporate kinship groups were the primary locally important form of Coastal Algonkian sociopolitical organization," and that succession to leadership within these communities was determined through such clans. See Robert Steven Grumet, "Sunksquaws, Shamans, and Tradeswomen: Middle Atlantic Coastal Algonkian Women During the 17<sup>th</sup> and 18<sup>th</sup> Centuries," in *Women and Colonization: Anthropological Perspectives*, eds. Mona Etienne and Eleanor Leacock (New York: Praeger, 1980), 46-8. In a similar but distinct vein, Lorraine E. Williams and Richard White have argued that patrilineality among Eastern Woodlands Indians was an epiphenomenon of colonization that modified aboriginal matrilineal customs, see Lorraine Elise Williams, "Ft. Shantok and Ft. Corchaug: A Comparative Study of Seventeenth Century Culture Contact in the Long Island Sound Area," (PhD diss., New York University, 1972), 23-27; Richard White, "What Chigabe knew: Indians, Household, Government, and the State," *The William and Mary Quarterly* 52, no. 1 (Jan. 1995): 154-55. Kathleen Bragdon has accepted the premise that 'ownership' of land was structured through matrilineal patterns, but (somewhat contradictorily) argues that they coexisted with "patrilineal chiefly lineages"; see Bragdon, *Native People of Southern New England*, 156-61. Other iterations of the matrilineal descent theory of resource ownership among New England Algonquians can be found in Lara M. Strong and Selcuk Karabag, "Quashawam: Sunksquaw of the Montauk," *Long Island Historical Journal* 3, no. 2 (Spring 1991): 191; Lisa Brooks, *The Common Pot: The Recovery of Native Space in the Northeast* (Minneapolis, Minn.: University of Minnesota Press, 2008), 25; and Ann Marie Plane, *Colonial Intimacies: Indian Marriage in Early New England* (Ithaca, N.Y.: Cornell University Press, 2000), 20; Kupperman, *Indians & English: Facing off in Early America*, 100. John Strong argues that a close reading of primary sources does not reveal clear matrilineal patterns of inheritance but certainly demonstrates a "prominent role" for women "in transactions regarding property," see John A. Strong "The Role of Algonquian Women in Land Transactions on Eastern Long Island, 1639-1859," in *Long Island Women: Activists and Innovators*, eds. Natalie A. Naylor and Maureen O. Murphy (Interlaken, N.Y.: Empire State Books, 1998), 35. Trudie Lamb laid the foundations for the revision to these theories argued here by recognizing the existence of squaw-sachems while

Pocatone guides the way. When asked in 1666 to explain Quashawam's claim to a tract of land known as Cattawamnuck (modern Huntington), Pocatone explained to his English examiners that the "Cattawamnuck land *did belong to the forefathers* of the old Sachem Wyandance, & that the grandmother of the fore [named] Sachem lived on that land formerly" [emphasis added]. Pocatone therefore testified that Quashawam's dominion over the Cattawamnuck tract descended primarily from her patrilineage—Wyandanch and his "forefathers."<sup>83</sup> The exact history of how Cattawamnuck passed into Wyandanch's lineage is muddled. A deposition given by Richard Smith, the English purchaser of the tract, testified to public declarations by Quashawam "before many of East Hampton" that Nassetteconsett, sachem of a village known as Nesaquouke, "did give Catawamuck to her father long ago, and that hee...did give the other part [of] Nesaquauke River to her brother Wogancombene [Wiancombe]. In sum, Quashawam's title over the Catawamuck tract derived from either an ancient inheritance (as her father's counselor claimed) or a more recent acquisition by her father Wyandanch (as she herself claimed); in either case, the tract had passed to her due to the deaths of her father and brother combined with the lack of alternative direct male heirs, and not from a matrilineal right."<sup>84</sup>

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insisting that it was "also important to remember that the lines of authority, line of descent and place of residency were always male-dominated The allocation of authority was vested in the male." See Trudie Lamb, "Squaw Sachems: Women who Rule. The Unique Role of Algonquian Women of Southern New England," *Artifacts* 9, no. 2 (Winter/Spring 1981): 1-3.

<sup>83</sup> RTST, 16-17. For the etymology of Cattawamnuck see Ruttenber, "Indian Geographical Names," 97.

<sup>84</sup> Cf. this reading of the Cattawamnuck deed with Romney's, which argues that the Montaukett "acknowledged Quashawam's authority in land sales as descending originally from Wyandanch's 'granmother' who 'lived on the land formally.'" Romney, *New Netherland Connections*, 273-74.

Genealogies produced to clarify the issue of Quashawam's succession also reinforce the notion that matrilineal inheritance among the Ninnimissinuok was secondary to patrilineage continuity. Though custom could tolerate the ascent of one female sachem, allowing the patrilineage to lose inheritance privileges altogether seems to have been a highly undesirable outcome. The official line of succession to the Montaukett sachemship asserted that "after the death of Quashawam," her "unchles son," a man named Awansamawge, would inherit "sole power." If he had no heir, power would pass "to the son of Corchaug sachem," and then "after his death to Ponoqt son of Sasagatacco," Neither Ponoqt nor Sasgatacco are known figures, but judging by the pattern outlined here, they were more distant patrilineal relatives of Wyandanch. Only in the event that Ponoqt, too, had no heirs, would succession potentially return back to a woman and her potentially female offspring—"the children of Quashawam." If Quashawam had produced no living children, the sachemship would pass to "ye nearest of blood to Wyandank then to bee found."<sup>85</sup> Quashawam was thus initially deprived of the ability to pass power to her own children, since Montaukett custom seem to have dictated a prerequisite search for male heirs within her patrilineage. This line of succession strongly suggests the predominance of a patrilineal succession system among the Montaukett, one that accepted female leadership when necessary to secure continuity of succession in the short-term, but that attempted to return power to male lineage heirs as

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<sup>85</sup> RTSH 2: 36-7. See also the genealogy of the Mohegan sachem Uncas, recorded in March 1679, which bears notable similarities with that of Quashawam's in its emphasis on cognatic kinship. [*The New England Historical and Genealogical Register. For the Year 1856. Volume X* (Boston, Mass.: Samuel G. Drake, 1856). 227-28.



soon as possible. Power and coercion were family affairs in Ninnimissinuok country, and as birthrights they had to be properly managed and bequeathed through customs that were often far from straightforward, but still logical. Unfortunately for Quashawam and her female ilk, this rationality privileged particular male parties in a predictable manner.

### VIII. Conclusion

Roger Williams wrote in his Ninnimissinuok dictionary that the Narragansett used the word “*Sachim*” to refer to their leaders, but also to “a little Bird about the bignesse of a swallow, or lesse.” The swallow was awarded the title of sachem not because it was an adept harmonizer with the other songbirds of the Eastern Woodlands, nor because it was known to spread its worms generously among the flock. The swallow was not a sachem because it soared in the sky, free of the tyrannies of other swallows, or because it left its flock serenely to pursue whichever migration path it desired. The swallow was a sachem because it possessed a “Princelike courage and Command over greater Birds,” a bravery that compelled it to “pursue and vanquish and put to flight the Crow and other Birds farre bigger than itselfe.”<sup>86</sup> Courage, aggression, and a willingness to subjugate others were what made the swallow a sachem.

There can be no doubt that the Ninnimissinuok valued communalism, reciprocity, balance, and egalitarianism as social ideals. The evidence of these categories being deployed in Ninnimissinuok discourses is overwhelming. Yet the

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<sup>86</sup> Williams, *A Key into the Language of America*, 87.

archaeological, documentary, and oral historical evidence of violent coercion within these same societies, often explicitly and intentionally paired with the minimization of this behavior through the privileging of the above categories in self-comprehension and memory, also hangs as a specter over the field of Native history. The historical framing of the indigenous mind, soul, and society as virtuous liberal archetypes is deeply appealing in the search for sympathies to aid modern Native peoples. This sympathy is deserved; the wounds and traumas of colonialism have hardly passed. We must acknowledge, however, that this framing has costs. These costs are particularly acute for historians, who must place value upon consistency and logic in our historical narratives, a task that becomes difficult when the contradictions of consensus-egalitarianism are unfolded. But there are also costs for Native peoples—working against consensus-egalitarianism does not necessarily mean working against the political objectives of modern Indians, and the contradictions of consensus-egalitarianism are not exclusively threats to Western historians' desire for rationality. Nowhere are the costs of consensus-egalitarianism more clearly revealed than in the model's tense and frankly contradictory relationship with Native territorial sovereignty.

Polities cannot simultaneously claim sovereign use-rights over territorial resources alongside non-stratified networks of kin that also possess claims to use-rights within this same territory independent of political bodies: this is not logically possible within a *realpolitik* definition of sovereignty as control over use-right. The notion that real authority over use-right resides within a multiplicity of

kin groups undermines the very possibility that Native groups can also be sovereign. The Long Island Ninnimissinuok invested sovereignty in both kin and sachem, since these categories were not bilateral among them: the Paumanack Confederacy was singularly kin-based in leadership, with inferior sachems being the close kin of principal sachems. The use-right claims outside of the Paumanack Confederacy's leading lineage were secondary or illegitimate according to Ninnimissinuok norms of political economy. Inequality became meaningful among the Long Island Ninnimissinuok through the authority that this hereditary, coercive, and sometimes tyrannical lineage exercised over resource allocation.

After 1636, the Long Island Ninnimissinuok were tributaries of the English and subjects to English sovereignty. They accepted this status from the outset and did not pursue an existence as independent agents; dependence was what they knew and it was what kept them safe. But this integration did not in and of itself entail the forfeiture of use-rights vis-à-vis England's other tributaries. The English Crown and its inferior levels of administration all had a vested interest in squashing the claims of English tributaries to dispossessing Natives (or anyone else) of their "complete" use-rights, since such notions undermined the polity's exclusive claims to primary sovereignty. At every level of the imperial government, including that of the Paumanack after 1636, use-rights were restricted in a hierarchical manner that became broader as one moved up the tiers of authority. Integration into this system gave the Paumanack sachems a means of reinforcing their existing claims to use-right allocation vis-à-vis one

another (typically reinforcing the authority of the preeminent lineage), though these claims were gradually eroded in the long-run by the failure of higher authorities to properly regulate its lower tiers of tributaries.

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### **Abbreviations**

BHS	Brooklyn Historical Society, Othmer Library Collections
DHSNY	O'Callaghan, E.B., et al., eds., <i>The Documentary History of the State of New York</i> , 4 vols. Albany, N.Y.: Weed, Parsons, & Co.: 1849-51.
DRCHSNY	O'Callaghan, E.B., et al., eds., <i>Documents Relative to the Colonial History of the State of New-York</i> , 15 vols. Albany: Weed, Parsons & Co.: 1853-87.
EHTR	Hedges, Henry Parsons, <i>Records of the Town of East Hampton</i> , 5 vols. Sag Harbor: John H. Hunt, 1887-1905.
MPLIC	East Hampton Town Library, Morton Pennypacker Long Island Collection.
PRCC	Hoadly, Charles J. and J. Hammond Trumbull, eds., <i>The Public Records of the Colony of Connecticut</i> , 15 vols. Hartford, Conn.: Brown & Parsons, 1850-90.
RCNH	Hoadly, Charles J. <i>Records of the Colony and Plantation or Jurisdiction of New-Haven [Records of the Colony or Jurisdiction of New Haven]</i> , 2 vols. Hartford, Conn.: Case, Tiffany, and Company, 1857-58.
RCNP	Pulsifer, David and Nathaniel Bradstreet Shurtleff, eds., <i>Records of the Colony of New Plymouth</i> , 12 vols. Boston: The Press of William White, 1855-61.
RTB	Hutchinson, Benjamin T. and Cynthia Hutchinson, eds., <i>Records. Town of Brookhaven, Up to 1800</i> . Patchogue: Printed at the Office of the 'Advance,' 1880.
RTSH	Pelletreau, William S., et al., eds., <i>Book of Records of the Town of Southampton</i> , 8 vols. Sag-Harbor, N.Y.: John H. Hunt, 1874- 1930.
SMA	Sylvester Manor Archive, Fales Library & Special Collections, New York University
STR	Case, J. Wickham. <i>Southold Town Records</i> , 2 vols. New York: S.W. Green's Son, 1882-84.

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