



**“WE...WILL RULE OURSELVES”:
The Mashpee-Wampanoag Indians Claim Independence,
1776-1834**

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Though many did not recognize it, the transformation of British colonists into Americans resulted from a mix of Indigenous and European culture. When colonists created their citizenship and strove to define what it meant to be an American, they turned to the Indigenous peoples—the First Americans. The new nation’s government anchored its political and ideological roots in the Iroquois Great Law of Peace as well as European Enlightenment philosophy. As colonists struggled to redefine themselves as American in the aftermath of the American Revolution, so too did Native Americans struggle to redefine themselves in a homeland invaded.¹

In the study of Native American history, a discussion of Americanization can easily become confused with a discussion of assimilation. In the context of Native American history, assimilation is the process by which a people are forced to abandon their traditions and values and replace them with the traditions and values of their invaders (first European, primarily British and then later New Americans). The process of assimilation left its victims subjugated to the dominant hierarchy—it did not transform them into Americans but second-class citizens, caught between Indigenous and New American culture and fully accepted in neither. Americanization is a chosen strategy in the maintenance of Indigenous culture and existence, used by converts as a tool to attain or retain a share of the establishment of political voice and self-determination and the acquisition of property and property rights, referred to in this instance as the American dream.

The assumption at work in the confusion of assimilation with Americanization is that Native Americans are not agents in the construction of the American dream. If anything they are objects preventing others (colonists, settlers) from fulfilling that dream which necessitates their subjugation or extermination. It would seem obvious to those who subscribe

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¹ For more on this theme see Lyons *et al.* and Deloria.

to the theory that for First Peoples the non-Indigenous conquest of the continent and the creation and pursuit of the American dream would lead only to tragedy and destruction for Indigenous populations. Even today there persists a belief that, in all cases, Indigenous peoples who were not exterminated were forced to replace their traditions with those of their conquerors, thereby acknowledging their own cultural, spiritual and political inferiority and accepting their defeat.

However, history teaches us that this was not always the way. The modern study of Native American history is more the study of the cultural persistence and evolution of Indigenous peoples than their destruction, domination and extinction. Scholars recognize Native Americas as historical agents rather than objects simply reacting to colonial invaders or conquering settlers. Native Americans, as much as their contemporaries, made deliberate choices calculated to ensure both their immediate and long-term survival. The Mashpee Wampanoag Indians of Cape Cod, Massachusetts, are one such tribe. Their deliberate choosing to become Americans while refusing to relinquish their Indigenous identity provides a fascinating and instructive case study in Americanization.

Uninvited

The Mashpee Wampanoags first encountered the New English in the early 1600s. Survivors of the smallpox or typhus epidemics that preceded permanent colonial settlement in 1620, many converted to the Congregational faith [Hutchins: 9, 12, 36; Bratton: 351-83; Salisbury: 103-9]. The English Pilgrim missionaries insisted that their conversion be total. In order to bear witness to their conversion, they exchanged wits (or wigwams) for shingled houses [Benton; Hawley *Letters*]. They exchanged animal skins for cloth, and they exchanged their language, Massachusetts, for English. By 1665 through the auspices of their first missionary and protector, Richard Bourne, the Mashpees became landowners in the English fashion, with an Indigenous twist. They owned Mashpee “fee simple” with the same land rights as their New English colonial counterparts, but they also owned it in common. The tribe made the decisions about the allotment and use of the land as a group.

In the century that passed between the building of Cape Cod’s first Indian meetinghouse a year later and the American Revolution, the Mashpees successfully established themselves as a community of Praying Indians. The same laws that protected the colonists’ land rights protected the Mashpees’ land rights from the colonists. So in that century or so, the Mashpees had made considerable changes in the areas of religion, landownership, language, clothing, and culture. However, contrary to what the Pilgrims demanded and believed, the change was not total. Not all Mashpees lived in shingled houses (although more and more would as time progressed). Not all spoke English (the biggest change came as New Mashpees joined the tribe without speaking Massachusetts). Not all cultural ways were abandoned, but rather were hidden from disapproving eyes. Did these changes make the Mashpees Americans? No.

These changes were proof of their accommodations of newcomers, not their Americanization. The Mashpees, like the colonists, were subjects of the English Crown. Their Americanization took place at the same time as that of their colonial counterparts—during the age of the American Revolution. As American colonists and their supporters convinced themselves of their “inalienable rights,” the Mashpees were also persuaded of their own rights within the context of emerging Patriot ideology. The Mashpees chose to fight against the British government in defense of the principles put forth in the Declaration of Independence—“Life, Liberty and the Pursuit of Happiness” [Jefferson: 1]. Fighting in the War for Independence they did not fight for the colonists, but alongside them and with the same motivations in mind. Unlike the colonists, the Mashpees did not gain independence from victory; in fact, the opposite occurred. Their sacrifice, initially unacknowledged by the New Americans, led the Mashpees to exert their rights as New Americans. Winning the war meant the *loss* of Mashpee independence. Instead of accepting their defeat and their place as illegitimate and unacknowledged Sons of Liberty, they continued over generations to exert their right to their own independence as both Americans and Mashpees. This evolution helped to define and protect their identity as Mashpees.

Mashpees Dream of Liberty

In the three generations following first contact, the Mashpees had persisted as a part of the political and religious landscape of Cape Cod. As owners of the district of Mashpee, they had not faded away; they had not been dispossessed of their land and subsumed into the community of the colony’s landless wage earners. Neither were they seen collectively as landowning free men equal in political and social stature to the New English. They were wards of the colonial government. In 1763 the General Court of Massachusetts had promoted the Mashpee community from plantation to district status, a move hard won by the Mashpees and supported by King George III. The Massachusetts General Court granted the Mashpee Indians the right to determine who could become the proprietors (members) of Mashpee. In turn, those proprietors were granted the right to elect their board of overseers. Within the district they were adults with rights and a voice in the political process. Outside of the district they were children whose well being was the duty of the General Court. In 1776 the district of Mashpee was only thirteen years old. The rights conferred by the legislature on the Mashpee Indians were by no means inalienable.

Between 1763 and 1776, the Mashpees enjoyed a degree of independence from their colonial overseers. It seemed like freedom. The coming conflict with Great Britain, described by Patriots as a war to secure independence, seemed like the Mashpees’ fight as well. The Mashpees ranked the chance to secure their future ahead of any political obligation to the Crown. While the king’s intervention had made their district status possible, they were still his subjects and ran the risk of his rescinding that liberty as he had done to his subjects in Boston and elsewhere in the

colonies. In the dozen years since the General Court had elevated Mashpee from plantation to district status, the Natives had found political allies among the colonists. Remaining loyal to England would jeopardize the Mashpees' tenuous position as a community of free people and landowners. They might lose their lives and their lands, but it was a risk the Mashpees were willing to take. England was an ocean away. The colonists were much closer. The combination of ideology and geography proved persuasive.

Rev. Gideon Hawley, Congregational missionary to the Mashpees from 1757 until his death in 1807, opposed Mashpee involvement in the war and yet acknowledged: "What can they [the Mashpee men] do but enlist into the army! And from there many of them will never return. Alas what numbers have they given to our cause! " [Hawley *Letters*]. The successful pursuit of their own liberty in partnership with colonial rebels seemed the Mashpees' best chance at recognition as full adults and citizens of the new republic. Surely men who fought for such noble and seemingly inclusive ideals would not continue to oppress the Mashpees? Would they? Fighting against Britain to secure their rights as citizens of America made colonists into Americans. It had the same effect on the Mashpees, who fought against the king and parliament with as much or more fervor as any colonist.

Early in the war colonists were divided as to whether or not they would fight to win their freedom from England. In December 1776 on the same day General George Washington defeated General Howe at Trenton, New Jersey, and captured 1000 Hessians, Rev. Hawley reported news from the surrounding towns on the cape.

I hear that the Vineyard people have voted in case of an invasion to make no resistance but they are not united in the matter. Sandwich militia have pulled their 1/4 according to [the order] of court, but it is said the greatest part refuse to obey, and will go to goal rather than into the service. Barnstable [has] voted [to increase the monthly allowance of the General Court] but none appear to enlist. They have a meeting tomorrow upon the business. It is said that it will be to no effect to draft men. Falmouth had a meeting this week and [has] voted six dollars per month in addition to the courts allowance and to advance the money before the soldiers the money before they march and they expect to get part of their quota—[Hawley *Letters*].

While colonists remained reluctant to join the war, the Mashpees stood out in their commitment to fight to liberate themselves from their inequality.

I hear about 10 of my Indians have [enlisted] into the continental service during the war. Considerable numbers of men are in the service one way and another, both by sea and land. Two were taken in the engagement upon the lake last summer and got home and one is [enlisted] again [Hawley *Letters*].

The two strongest external influences on the Mashpees concerning their participation in the war were Rev. Hawley (opposing), and the ship owners and captains in the whaling industry (supporting). Hawley was financed by the Company for the Propagation of the Gospel in New England and adjacent territory, which was headquartered in London and, at the beginning of the war, terminated its support of all the missionaries in the rebelling colonies. Rev. Gideon Hawley, denied the majority of his income

and suspected of being a Tory, spent the war quietly tending to as much of his flock as his reduced circumstances would allow.

As a result, the influence of the whaling concerns went largely unchecked on the cape and the islands, especially among the Mashpee men, many of whom made their living on whaling vessels. Many of the Patriots who the Mashpees worked with and for had been influenced by the Great Awakening. They were New Lights or Baptists who combined the egalitarian call to worship with the necessity of dismantling social and political hierarchies. They asserted that since God held them as equals, how could any man make them his subjects? Were not all men equals? They reasoned yes and extended the ideology to meet the Mashpees' desire for equality and to suit the Patriots' need for adherents to the cause. A truer answer was no; while God might see all men as equal to one another, the definitions of the words "men" and "equal" in the 18th century American colonies and early republic were dishearteningly exclusive. For the Mashpees and other minorities who were seduced by the potent mix of Great Awakening and Patriot ideology, that point would become painfully clear in the aftermath of the war.

Waking from the Dream

In 1763 the Mashpees' political victory had been sweet. They had achieved a modest liberty, a modified self-rule. On the one hand, they had acquired the right to determine their government through the election of a board of overseers (three Natives, two Whites) who governed within Mashpee district. On the other hand, they had men like Rev. Hawley appointed by the governor as commissioners, protecting them from the manipulation of outsiders. The Mashpees' self-determination did not extend beyond Mashpee, as the commissioners made decisions regulating the Mashpees' relationships with outsiders, for instance the Mashpees' employers in the whaling industry. Then war broke out. When the American War for Independence was over, so was the Mashpees' liberty. The limited independence they enjoyed for a quarter of a century was for all intents and purposes over by 1788.

In 1787 the Mashpees organized themselves into two factions: some Mashpees were represented by Rev. Hawley and others by businessmen from neighboring communities. Independently from one another, each faction sought the state legislature's support and guidance. Both groups accused the white overseers of using alcohol to gain control of their Native counterparts, swaying the board's vote in ways meant to benefit those corrupt overseers in transactions involving everything from land sales to the indenturing of Mashpee men aboard whaling ships. The Mashpees' liberty was at stake. Each faction used their powerful political ties to get their concerns heard by the General Court. Each realized that with a sponsor their grievances stood a better chance of attracting the attention of the court.

Curiously, both sponsors inserted complaints about the presence of "Negro" trespassers in Mashpee. It is curious in that the complaints

illustrate one of the unique aspects of Mashpee Americanization. Although willing to accept and pursue aspects of Americanization that would help preserve the tribe and its autonomy, the Mashpees refused to replace traditional practices of adopting people into the tribe with European and New American racial prejudices prohibiting such acts. The Mashpees' problems with trespassers preceded the American Revolution. The problem was never race, but whether or not the individual or group was invited and therefore welcome. The multi-racial Mye family was proof of that. Descendants of the Sunskasin family, they claimed among their members persons of mixed racial heritage. It is clear from the high level of acceptance experienced by the Myes and other mixed race members of Mashpee that the Mashpees' sponsors, not the Mashpees themselves, had the problem with "Negro" trespassers [Hawley Papers].

In 1788, the Mashpees looked to the government to grant them greater powers to rid Mashpee of this manipulative alcohol-enforced tyranny, and allow them to return to the business of running Mashpee. The Mashpees got more than they bargained for. Instead of strengthening the Act of 1763, the court unceremoniously rescinded it.

Whereas by experience, it has been found, that [the Act of 1763] made and passed in the thirteenth year of the Reign of King George the Third, hath not answered the purposes therein designed:

Be it therefore further Enacted by the Authority aforesaid, that the aforesaid, be, and it is hereby repealed [Act of 1788].

The new act of 1788 implied that while the Mashpees, who had in their own words "enlisted into the service of the United States; and there the greater part of them had lost their lives," were able to fight and die for liberty, they were incapable of exercising it. The lawful inhabitants of Mashpee were stripped of their right to elect their overseers. Three governor-appointed guardians replaced Mashpee's board of five overseers. "The Reverend Mr. Hawley, of said Mashpee, and Mess'rs John Percival and Reuben Fisk, both of Barnstable, shall be Guardians over the said Indians, mulatto and Negro proprietors." As guardians these men exercised the same powers previously held by the overseers [Act of 1788].

The General Court underestimated the effect of the Mashpees' Americanization. Their participation in the Revolution had been complete. They had been inspired by ideology that echoed their own desires for liberty. The actual fighting had been a trial by fire and although many Mashpees had not returned, the Mashpee community was strengthened by an influx of new Mashpees and made stronger for it. Just like their New American counterparts, they had paid a high price for liberty and they would not be denied.

Less than two months after passing the Act of 1788, the General Court realized that it had erred. On July 30, 1788 thirty-two Mashpee Indians petitioned the assembly in Boston. They sought the removal of two of Mashpee's three guardians, John Percival and Simeon Fisk. Rev. Hawley had composed the petition and the sentiments were both his and the signers. Although he had been appointed as one of the guardians, he had accepted the position as a duty to his charges and not as a reward for his part in the

work that led to the new act itself. Six weeks after the act's adoption, he had had time to see just what rotten choices Percival and Fisk were.

The Indians protested the loss of their personal freedom and their property while under the control of these legislative appointees.

Your honors will not suffer us to be deprived of liberty and property which we are in danger of lest we lose our spirits and become more debased [*Mashpee Indians petition*].

Laying out their grievances, the July petitioners attempted to make themselves partners with the court in an effort to keep trespassers at bay. In a section that may express Hawley's sentiment more than that of the Mashpees, because it echoes a lament he wrote to Smith fourteen months earlier, the petitioners expressed their displeasure over the encroachments of "Negroes and English."

We are tenants in common, all our lands being undivided, but our improvements are in allotments; and we conceive, that it never was designed that these lands should be alienated from the praying Indians as long as any of them are alive. And therefore the coming of Negroes and English who, unhappily have planted themselves here, hath wronged us, and it is to be feared, that they and their Children, unless they are removed, will get away our Lands and all our Privileges in a short time.

We therefore humbly petition, that your honors would take this address into Your consideration, and, as shall seem meet, provide for our safety and tranquility, and as in duty bound we shall always pray [*Mashpee Indians petition*].

The problem of trespassers (not the influx of invited Africans, Europeans or peoples of African descent) on Mashpee lands, first addressed in 1746 and in the 1760s, still remained to be solved. That problem had become more pressing for Hawley and others in post-revolutionary Mashpee because these were not trespassers, but New Mashpees. If these *trespassers* and their children had gained access to privileges, they were not just moving in on the land (trespassers) but joining the community by marrying Indian women and/or fathering children (invited, accepted and therefore New Mashpees). This was not a concern of all the Mashpees, but of Hawley and his followers. It seems most likely that these New Mashpees would side with others against Hawley and the July petitioners. As wards of the state system, the July Mashpees looked to the legislature to resolve the problem. The General Court moved to draft laws addressing these Mashpees' concerns; however, five years later Hawley was still seeking assistance on this front [*Petition of Gideon Hawley*].

As an afterthought written down and later crossed out, the Indians added another reason why they sought the removal of Percival and Fisk. The two men had "undertaken to officiate without [their] Minister." They had held services. Not being ministers themselves, it seems very likely that the men had attempted to hold Baptist meetings. Baptist clergy need not have been formally educated, only "called by the spirit" to spread the Word. Also the couple had no experience holding office, since they "were never in any office in their own town or any other place" [*Mashpee Indians petition*].

Hawley and his Mashpee supporters wanted the Act of 1788 *strengthened*. They did not seek the return of self-rule. Self-rule would have meant majority rule, clearly an advantage the July Mashpees did not believe they had. Under the Act of 1788 they were represented by their political ally, Rev. Hawley. To that end the Mashpees sought two concessions: the replacement of Percival and Fisk and the removal of the “trespassers.” Both concessions had the goal of regaining some political stability, although not autonomy, within the Mashpee plantation.

Then as now, autumn in New England was an expected time of change, of colder temperatures and brightly colored leaves. One change the members of the General Court did not expect came from Mashpee. By October 1788 the Mashpee community seemed to have done an about face. They had sent a remonstrance, “from a number of the most Stable Indians and Proprietors of Mashpee in the County of Barnstable,” refuting the validity of the complaints in the petition that had been sent from Mashpee in July.

There has been lately a law made for the benefit of the Proprietors of ...Mashpee...and an appointment made of the Reverend Mr. Hawley, John Percival and Reuben Fisk of Barnstable as our Guardians. We in a State of sober minds pray they may be continued against any petition or pretended petitions which may be presented by any person under the character of an agent [*Remonstrance... in the County of Barnstable*].

Signed with many of the names which appeared on the July petition, it *contradicted* the July petition. These Indians now assured the legislature that the Act of 1788 was working beautifully. They warned the legislature that the July petition was a fraud. Some “Mashpee Indians and a number of Negro trespassers” had been “seduced by false representations and led away by our most inveterate enemies.” Notice how new Mashpee members on the side of the opposition were named “negro trespassers” by this faction as well. The October petitioners charged that their enemies had manipulated the truth with words and manipulated the Mashpees with alcohol. The lies submitted to the court in the July petition had been the result [*Remonstrance... in the County of Barnstable*].

Although the stated intention of the document was to maintain all three guardians, the petitioners actually wanted to keep only two. In the remonstrance, the petitioners lauded Percival and Fisk while they subtly criticized Hawley. While the July petition sought Hawley’s retention and both Percival and Fisk’s dismissal, the October remonstrance sought Percival and Fisk’s retention and Hawley’s removal.

Unlike the July petitioners, their October counterparts took a more subtle approach in attempting to achieve their objective. Hawley’s opponents tried to make their point through implication. The October petitioners explained that the former overseers had forced them to uphold the fiction that was the first petition as a way to maintain control over the Indians and their land. The explanation was a thinly veiled accusation against Hawley, who as a commissioner had been linked with the old regime in charge of Mashpee interests. The October petitioners also accused their enemies of fabricating stories for the purpose of upsetting the Mashpees. “There has been every argument made use of, false and seditious,

to make us uneasy." Their former overseers drew a picture of what life would be like under plantation status. It was a picture that mirrored the lives of slaves in plantations much further south.

There does not appear to be any real Proprietors dissatisfied with the appointment of Mr. John Percival and Mr. Reuben Fisk but those who are deceived with false stories from our enemies, which have made them drunk and infused into their heads that we were all a going to be made slaves and could not buy a Bushel of corn without the consent of the Guardians or do a days work without liberty obtained from them [Remonstrance... in the County of Barnstable].

The October petitioners addressed the questions about their marks and signatures. Disagreeing with the July petitioners was one thing. Rejecting their petition as a fraud was another. The fact that both petitions carried some of the same marks (made *in lieu* of signatures) weakened the credibility of both documents. The October petitioners maintained that their signatures or marks had been forged. They had "never signed a petition in [their] own names." They had been aware of "a petition being sent" but past experience had taught them that they were incapable of handling the responsibilities of self rule and for that reason they had not signed.

[We] have found for many years experience that those persons who have been chosen by ourselves as overseers could not be removed nor brought to any Settlement while the power rested in our hands [Remonstrance... in the County of Barnstable].

The October petitioners feared that their votes "always could be purchased by small presents as our number did not exceed seventeen voters at a full meeting in March last the remainder being gone to Sea." Under district status they had been made vulnerable. They desperately required the stability of guardianship. The Act of 1788 was working so well that their enemies had hired

A number of mercenaries to displace the above mentioned Guardians from Acting, we your humble Remonstrances pray that [the July] petition may be rejected [Remonstrance... in the County of Barnstable].

The fact that the July and October Mashpees took their grievances to the General Court demanding redress is indicative of their Americanized status.

Mashpees Fight for Liberty

Seven years passed and the Mashpee were not satisfied. In May 1795 seventy of Mashpee's inhabitants of color wrote to the General Court once more. Writing in the third person, their "petition and remonstrance" set their grievances before the assembly. "October" Mashpees complained about the loss of liberty and blamed Rev. Hawley. In 1789 Hawley had "procured a new law...which stripped them of the new freedom they had enjoyed [To the Honorable Senate].

From the year 1789 to the present time they have been repeatedly applying to the Legislature for a redress of their grievances and to restore them to as free a government as they enjoyed under his British

~~Majesty George the Third~~ previous to the late Revolution [*To the Honorable Senate*].²

They accused Hawley of having “effected” [*sic*] the revocation of their district status “that he might” exchange his role as missionary for a more powerful one as their “temporal lord and master.” Hawley had assumed the mantle without these Mashpees’ consent. It was a position that apparently included the authority to divine and speak the Mashpees’ minds for them. Rev. Hawley had lied about their unified consent. He had attempted to evoke a kind of “virtual representation” and just as the New Americans had not accepted it, neither had the Mashpees. Hawley had lied to the General Court. The Mashpees’ took this opportunity to explain the events of the preceding four months. Earlier, during the winter session of that same year, the Mashpee proprietors and inhabitants had sent another petition to the General Court. Its content was similar to that of the “petition and remonstrance.” Upon inquiry from the assembly,

Mr. Hawley addressed a letter to the Speaker informing him and the honorable house that his Indians, Mr. Hawley [meant] the proprietors of the District of Mashpee, the information was false, ...he had no authority from them, nor could he be justified by existing facts in making that assertion [*To the Honorable Senate*].

They countered his usurpation of their voice by refusing to accept his tyranny over them. They put their political struggle into language fellow Americans would be sure to understand. The petitioners drew the lines very clearly between Hawley the oppressor and the Mashpee oppressed, Hawley the despot and the Mashpee revolutionaries. To make the comparison even clearer, they struck the reference to the former English king in an earlier passage. By removing that reference, the Mashpees clarified their role in the battle to regain their district status, not as a people who had benefited under the former king (which they had), but as revolutionaries seeking independence from a tyrant.

As the petitioners continued to express their grievances, they intensified their use of the language and ideas of the American Revolution. In a crossed out but still mostly legible passage of text, Mashpee petitioners referred to their “natural rights” and described their lives at Mashpee under the Act of 1789 as “bondage.”

Legislators of Freeman, why do you violate our natural rights? Why subject us to bondage? Is it from compassion to our weakness and wants? Is it necessary that Indians should be governed by white men? If so, how did the [Indians take care of] themselves before the Whites [invaded?] their Country? When they themselves [were numerous and?] happy? Was not there the Sea Coast then from Georgia to New Hampshire lived with black inhabitants? Where are they now, destroyed as are... [*To the Honorable Senate*].³

They evoked not only the rhetoric of the revolution, but they challenged the commitment to the ideals of freedom and equality of the men who comprised the General Court of the fledgling state of Massachusetts.

² The stricken text mimics the text in the original document.

³ The rest of the text is unreadable.

Finally, the inhabitants of Mashpee beseeched the legislature to remember their own recent past and the responsibilities implied by their actions in defense of their political beliefs.

We [ask] the Legislature by the recollections of their own struggles in the cause of freedom and by their sacred obligations to do justice, to attend to our wretched situation and grant us relief [*To the Honorable Senate*].

The General Court established a committee on June 11, 1795. They would

Repair to the district of Mashpee and inquire into the circumstances of the inhabitants of color there, to ascertain the causes of their uneasiness and to consider whether any alterations can be made in the laws regulating the said Plantation or the Government thereof consistent with the preservation of their property and by which their condition may be meliorated or improved [*To the Honorable Senate*].

In September of that year, the three committee members arrived in Mashpee. The committee had come “to Mashpee to make inquiries... and hear all concerned and were met “by several of the persons employed in the government and most of the inhabitants.” There was no single spokesman, so the committee was forced to discern a list of grievances “from the observations of individuals, who came forward and from persons most conversant among them.”

In short, the inhabitants of Mashpee (who appeared to be made up of members of the “October” contingent) sought:

- 1 the right to vote for offices within Mashpee,
 - 2 the right to manage their own lands,
 - 3 the right to sell their lands to one another,
 - 4 the right to manage their own finances,
 - 5 the removal of the Rev. Gideon Hawley from his position as Treasurer,
- and also

6 his removal from his position as missionary [*To the Honorable Senate*].

In the end, the Mashpees’ liberty was not restored, but the committee suggested a more transparent handling of Mashpee’s finances and Rev. Hawley stepped down as treasurer (but not missionary), leaving his son to take over the position.

The Mashpees Continue to Define Themselves

By 1795 the Mashpees’ struggles for political autonomy with Rev. Hawley (and the General Court) had become racial as well as political. The findings of the 1795 committee had decided against resurrecting Mashpee’s district status because they were concerned that “non Indians” (people of African or European descent) who had gained their proprietorship through

marriage might take over the running of Mashpee. The General Court refused to reinstate the inhabitants' rights as they had existed under the Mashpee Act, based in part on its desire to prevent African Americans and their mixed race progeny from gaining control of Mashpee.

Almost a decade had passed and the Indians still did not have the same objections as their missionary and the General Court. They had accepted these individuals into their community. How else would they have been able to achieve such a foothold? By 1795 Mashpees were not only Indians; they identified themselves as Mashpee's "Inhabitants of Color" [*To the Honorable Senate*].

Beginning in the aftermath of the revolution, Mashpees' observers began attempting to redefine what it meant to be Mashpee. A Mashpee stopped being a person who lived in Mashpee and was accepted by the Mashpee tribe and started being an Indian born from a family who could trace its lineage back to one of the original recorded inhabitants of Mashpee. Under these conditions, the Mye family was not Mashpee. They were of Native, African and European descent. The Myes and other Mashpees disagreed with the observers. The Mashpees viewed themselves as inhabitants and Hawley saw them as Indian proprietors mixing dangerously with Africans and English.

English, Negro and Indian make a very bad composition in a moral view. They are crabbed and haughty (with only a few exceptions) of this mixture of blood... Let me also observe that mixing Indians and English in a settlement spoils and finally extirpates the former [Gideon Hawley to R.D.S. August 1802].

The Mashpees did not share their missionary's view. Mashpees' self-perception experienced a major shift between 1788 and 1795. In 1788, the Mashpees had signed one petition or another. In 1795 they had signed one together. Regardless of race, they saw themselves as belonging to Mashpee.

Hawley's opposition to Mashpee self-rule and self-determination ended with his death in 1807, but the Mashpees continued to strive for liberty. Two months after Hawley's death, they petitioned the General Court. The goal of the petition surprised no one. The Mashpees sought a reinstatement of district status. They protested "the restraints on the inhabitants, which were ever considered by them as infringements of their freedom, to which they were as men justly entitled" [*To the Honorable Senate*]. The American victory in the War of Independence had raised their expectations. "We anticipated the time, when a liberal and enlightened philanthropy, would extend its view and its influence to the increase of Liberty of social happiness among all ranks and classes," including them [*To the Honorable Senate*].

They had assumed their own inclusion in such largesse because they had earned it with their service on the "encrimsoned battle field." Half the male population of Mashpee had been sacrificed to "the cause of their country and Liberty," and Mashpee veterans still "exhibited traces of wounds received in facing the enemies of America." American victory had left a bitter taste in their mouths.

At the close of this war and since we say, How were and still are our pleasing anticipations blasted! How could we conceive it possible that a people who were exhibiting such illustrious proofs of their attachment to freedom & so enlarged ideas of civil Liberty, and of the origin and design of Government that they should not respect those rights in others which they contended for themselves? ["The Inhabitants... in the County of Barnstable"]

The petition went unanswered and the Mashpees continued their struggle.

The Mashpee Independence Day

Forty-five years of dissatisfaction and protest had gotten the Mashpees no closer to their goal. As Americans drawing on their military sacrifice, they had taken their quest to the legislature. They had appealed to the ideological foundations of the New Republic and still they found themselves denied inalienable rights in the birthplace of freedom.

Resolved. That we as a tribe will rule ourselves, and have the right to do so for all men are born free and Equal says the Constitution of the Country.

Resolved. That we will not permit any white man to come upon our Plantation to cut or carry off any wood or hay or any other article without our permission after the first of July next.

Resolved. That we will put said Resolution in force after that date July next with penalty of binding and throwing them from the Plantation, if they will not stay away without [Fiske: 5].

With these resolutions the Mashpees declared their independence from the state's corrupt plantation system to Governor Levi Lincoln, Jr. and his council on May 21, 1833. Fifty years after the New Americans had thrown off their colonial shackles, Mashpees were still no better than colonists. One hundred and nine Mashpee men and women gathered to "speak as the voice of one man... as former attempts has been fruitless and overruled by design[ing] men that cared not for the Indians any thing further than what they could cheat or rob them out of" [Fiske: 3].

These Mashpees informed the governor that they had been "distressed and degraded daily by those men, who we understand were appointed by your Honor." Together the overseers, treasurer, and sheriff controlled Mashpee. The Mashpees had no voice in the governing of the plantation and when they protested, "we are called poor drunken Indians, when we are in fact not, [as] we have joined the temperance cause and wish to be counted so and heard to by your honors" [Fiske: 3].

In 1776 colonists protested and fought to secure their own liberty and freedom from tyranny. It is in this era of revolutionary ideology, politics, and war that Mashpees by virtue of their participation became both Mashpee and American. Mashpees recognized parallels with their own circumstances and that of the colonists' joined the patriots' fight, hoping to improve the Mashpees' position within the new country. Complete self-rule seemed within their grasp. The Mashpees were cruelly deceived. The fruits of victory did not extend to Mashpee. With the assistance of their very own

missionary, the General Court had dashed their hopes in 1788 when it rescinded the Mashpees' district status and in 1789 when they strengthened it. While the court rescinded that status they could not undo the Mashpee's Americanization as it had not been bestowed, but earned.

The laws governing Mashpee became more constricting after Hawley's death in 1807. In 1819 an act was passed that narrowly defined Mashpee proprietorship and required them to seek overseers' permission to cut wood from Mashpee common lands and pay a fee to the overseers. This law was an attempt to strike down the last vestige of the Mashpees' right to self-determination. For over a century, proprietorship had been an inclusive definition arrived at and agreed on by the Mashpees. Newcomers either married Mashpees or were voted into proprietorship by the tribe. Now the government stepped in and closed the books. The General Court strictly defined a proprietor as "a child of lineal descendant of the person who is now a proprietor." There were to be no new proprietors through marriage. Non-Mashpee men and women could marry Mashpees but were given access to Mashpee land only through their Mashpee spouse or children. The Mashpees would cease to exist and their lands already rented to Whites without Mashpee consent would be purchased by those same people.

Almost a quarter century passed in relative calm if not contentment. The Mashpees seemed to have accepted their inevitable extermination. Then William Apess and his wife arrived. In Mashpee, the arrival of a preacher had always signalled great change. In 1833, William Apess proved no less a catalyst. Like Hawley, the Pequot (and eventual Mashpee) had gone directly to the meetinghouse. Whereas Hawley had found a meetinghouse in need of serious repair in order for it to serve its congregation of Mashpees, Apess found a meetinghouse in good repair with no Mashpee faithful welcomed within its walls.

By 1830 the majority of Mashpees had become Baptists. While Apess had found the meetinghouse in the possession of the Congregationalist Rev. Phineas Fish, he found the Mashpees worshiping in the home of "Blind Joe" Amos. After a twenty-eight year absence from Mashpee plantation, the Baptist community experienced a rebirth in 1830. The twenty-eight year old "Blind Joe" was Mashpee's newest Baptist minister. He had "educated himself by his ear and his memory" and had been serving the Mashpee community "in fellowship with that dominion" for three years at the time of Apess' arrival [Hutchins: 102]. The Mashpee meetinghouse symbolized the Mashpees' Christian conversion. It had been taken over by Rev. Fish. Did the meetinghouse serve the Mashpees or Congregationalism? The Mashpees believed the former. Apess found the Mashpees oppressed by their commissioners and shut out of the meetinghouse. It was time for a change [Hallett: 34].

On July 2nd Josiah Fiske, an emissary sent to Mashpee by Gov. Lincoln to "diligently inquire" into the nature of their grievances "whether real or supposed," met with the overseers and called a meeting of the Mashpee proprietors for the next day "at their usual place for holding meeting for the transaction of business [not the Mashpee meetinghouse]" [Fiske: 20].

July 3rd came and went without a meeting. At 7 a.m. Fiske received “a friendly message” from Daniel Amos, President of the Mashpee tribe, informing him that the members of the tribe

Were unwilling to attend the meeting on the 3rd of July; and as they were doing business of importance on that day they wished to be excused for their neglect, but would wait with pleasure on [Fiske] July 4th, at nine o’clock, in *their* meetinghouse, [there] being no other place in which it would be desirable for them to see him [Fiske: 20].

It was a tactical move worthy of a savvy negotiator. The plantation was the Mashpees’ home. Mr. Fiske, like the overseers, was an uninvited guest, having been imposed on the Mashpees by the governor. The Mashpees put themselves in control. They would decide the time and place of the meeting. Not coincidentally, the Mashpee tribe elected to meet with Fiske in the Mashpee meetinghouse (the first community structure ever built in Mashpee) at 9 a.m. on July 4, 1833. On this Independence Day the Mashpees would once again seek to regain their own.

On the appointed day and “[a]t the appointed hour, [Fiske] repaired to the meetinghouse, situated in the midst of the forest, where he found from eighty to an hundred of the tribe ready to receive him” [Fiske: 23]. They received him and plantation’s overseers in their meetinghouse as any government would receive a visiting diplomat. President Amos called the meeting to order and Apess assisted. Fiske was impressed as the Mashpees conducted the meeting “with becoming calmness and deliberation and with great propriety” [Fiske: 23].

The Mashpees had listed their grievances with the overseers and Rev. Fish to Fiske. Fiske, instead of addressing their concerns, warned the Mashpees of “the serious consequences that might ensue from a longer continuance in a *mistaken and fruitless resistance* [italics mine] to the regularly constituted authorities of the Government.” Berating the attendant Mashpees as if they were errant children, his soft-spoken reprimands did not have the desired effect. The Mashpees refused to back down. Apess demanded the immediate suspension of the plantation government and the return of Mashpee self-rule.

The Mashpees’ defiant attitude brought Fiske’s patience quickly to an end. Determining that Apess was the ringleader, Fiske had Apess arrested “upon a complaint for the assault and riot committed on the first day of July, by the unlawful seizure and removal of the wagons and teams from the Plantation.” The arrest worked where Fiske’s quiet words had not. “From that moment [Apess] and his adherents began to hesitate both as to the right and the expediency of the measures which he had adopted” [Fiske: 25]. By July 8th the keys to the meetinghouse had been returned to Rev. Fish, and the fledgling tribal government (but not the tribe) seemed to have disbanded.

With the rebellion contained, the government was prepared to forget the uprising and return to business as usual, but it had not anticipated the Mashpees’ tenacity or that of their lawyer, Benjamin Franklin Hallett. The goal of the Mashpee uprising had been to achieve “unrestrained liberty and freedom from the controlling influence of the Government and *white men* in the management of property” [Fiske: 29]. The arrest had ended the meeting,

but not the revolution. Hallett, “a powerful figure in Massachusetts politics,” was a Baptist and a newspaper publisher. At the request of the Mashpee Tribal leadership, Isaac Coombs, Daniel Amos, and William Apess, Hallett publicized the Mashpees’ plight both in a pamphlet and in the pages of the *Boston Daily Advocate*. He laid out the history of Mashpee, the nature of their oppression and argued their fitness to rule themselves. He drew comparisons between the Mashpees’ quests for liberty and the American Revolution. He held the U.S. Constitution up, not as a document outlining American rights and freedoms, but as one illustration of American hypocrisy. For how could Americans guarantee their own rights while denying those same freedoms to the men who had helped secure them and their descendents? He concluded by asking, “Is there then, any danger in giving the Indians an opportunity to try a liberal experiment for self government? They ask you for a grant of the liberties of the constitution; to be incorporated and to have a government useful to them as a people” [Hutchins: 108; Hallett: 34]. With that statement, he added his voice to the Mashpees who cried out,

Give us a chance for our lives, in acting for ourselves. O! white man! white man! the blood of our fathers, spilt in the revolutionary war, cries from the ground of our native soil, to break the chains of oppression and let our children go free [*Memorial of the Mashpee Indians*: 34].

Hallett published the pamphlet on March 7, 1834. On March 31st, nearly one half century after the Americanization of the Mashpees, the State of Massachusetts heeded the Mashpees’ outcry and reinstated their district status [Hutchins: 108, 110].

The Americanization of Mashpees between 1776 and 1834 was a struggle for political autonomy. Examining the Mashpees’ struggle to create and later reclaim their political autonomy as a part of their right to life, liberty, and the pursuit of happiness expands our understanding of this politically active and culturally diverse tribe. Eighteenth- and nineteenth-century Mashpees are intriguing as historical actors in their own right, not vehicles set up to facilitate twenty-first century outcomes, but to broaden our perspective of political and cultural transformation that is “Americanization.”

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