

*** UNMARKED BURIAL SITE PROTECTION***

The Unmarked Burial Site Protection Act is back on the legislative agenda in 2023!

Please urge your state legislators to act swiftly to pass the **New York State Unmarked Burial Site Protection Act (2023-S630)** and send it to the Governor before the legislative session ends in June.

With this legislation, New York will join the forty-seven other states in protecting all human burials from unmitigated disturbance or destruction. Read the Action Alert:

<https://preservationlongisland.org/action-alert-burial-site-protection/> to learn more about the issue and for information on how to contact your NYS representative.

Kindred to Wyandanch

Tackapousha and the Sachems of Western Long Island

John Strong

(Ethnohistory Conference, Penn State Univ., 9/25-28/ 2019)

Governor Nicolls rules that there is no longer a “superior sachem” on Long Island *Court of Assizes*, Oct 3, 1665
Department of State Book of Deeds 2: 127.

“The declaration of Pauquatoun, formerly chief counsellor to the Old Sachem Wyandanch who doth relate as followeth: That to his knowledge Cattawamnuck (Catawamuck) land did belong to the forefathers of the Old Sachem Wyandanch and that the grandmother of the forenamed sachem lived on that land formerly.... And he heard Assawkin (Asharoken) the sagamore of Oyster Bay and Nassaskonsuk (Nasseconsett) both of them say to the Old Sachem Wyandanch, he might dispose of all that tract of land as he pleased...”

“The Sunk squaw of the Montaukett sends word by her husband and Obadiah, that the foresaid land was her father’s own land and that those Indians if they were living durst not deny it....shee said those sachems above mentioned were kindred to Tackapousha and to her father and to her mother, and they had an interest in the land above said but passed it over to her father for him to

dispose of and to give them above said part of the pay he received of the English.”

These particulars above declared to ye best of my understanding before me.

Thomas James

And deposed before me John Mulford “

Records of the Town of Smithtown 1:16-17 (June 22, 1666)

Introduction

The above testimonies, taken sometime between October 3, 1665 and June 22, 1666 have been dismissed or viewed with caution by ethnohistorians. In-part, because a close kinship connection between the Massapequa and Montaukett sachems on the opposite ends of the island seemed counter-intuitive. Also partly, because there was so little surviving information about kinship systems and the nature of family hunting territories in the coastal Algonquian peoples on Long Island. Because as part of a suspicion that they were self-serving efforts by the Montauketts to preserve their alliance with the English on eastern Long Island

This alliance had been formed at the close of the Pequot War on 1637 when Wyandanch approached Lyon Gardiner, the commander of Fort Saybrook, asking for trade and friendship. The testimony was taken by Richard Smith to support the legitimacy of his title to a tract of land that later became Smithtown.

Wyandanch Deeds, Leases or Confirmations 1648-1659

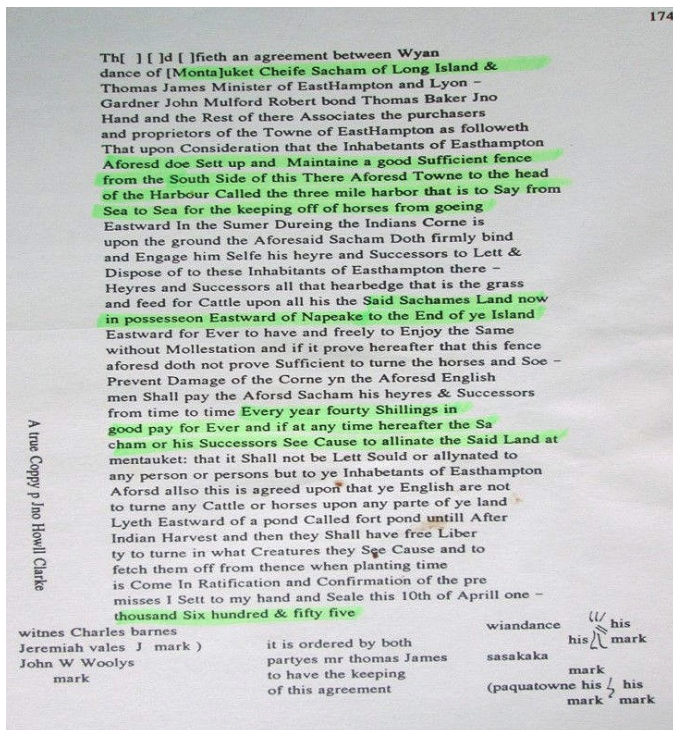
- 12. Aug. 17, 1658 Deed of 3 necks of land to Huntington
- 13. Nov. 13, 1658 Whale rights on Napeague Beach.
- 14. Jan. 30. 1659 Wyandanch confirms sale of Corchaug lands
- 15. Apr. 27, 1659 Wyandanch sells Plum Island
- 16. May 12, 1659 Wyandanch sells Shinnecock land to John Ogden
- 17. May 12, 1659 Wyandanch confirms July 23, 1657 sale
- 18. May 23, 1659 Wyandanch and Tackapousha confirm Aug. 17 sale
- 19. June 8, 1659 Wyandanch sells whale rights to Shinnecock beach
- 20. July 14, 1659 Wyandanch gives Nesseconseke’s land to Gardiner
- 21. July 28, 1659 Wyandanch sells whale rights to Gardiner (Wenecoheage consent)
- 22. Summer, 1659 Wyandanch sells Maukeehu’s land to Setauket



Wyandanch, the Grand Sachem of Long Island, or not?

The English had established a close alliance with Wyandanch, the Montaukett sachem, at the end of the Pequot War in 1637. The sachem, whose people had been paying tribute to the Pequot in exchange for military support, came to Fort Saybrook and negotiated a similar alliance with Lion Gardiner, the fort commander. Wyandanch continued to serve as an effective intermediary between the two cultures in matters of trade and in the resolution of potential conflicts until his death in 1659.

The first mention in the colonial records of a “superior sachem” over the Long Island Indians was in the spring of 1655, when Lion Gardiner joined with the East Hampton town officials in anointing Wyandanch “the Chief Sachem of Long Island,” a fictive title, at best, but one that would soon enable them to control the dispossession of Indian lands on eastern Long Island (Cooper 1993, 174).



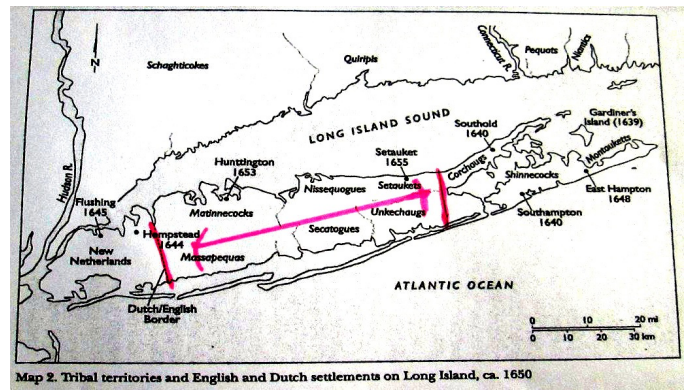
Two years later, in March 1657, the Dutch formed a similar alliance with Tackapousha, the Massapequa sachem. The men became the most prominent sachems on Long Island at the time. The Dutch agreement acknowledged Tackapousha’s authority over all the western Long Island communities; the Massapequa, the Matinecock, the Secatogue, the Merrick, the Rockaway, and the Canarsee, and affirming his acceptance of the governor of New Netherland “as his and his peoples’ protector” (RTNSH 1: 43-45).

The same year that Tackapousha affirmed his alliance with the Dutch, Wyandanch, was given “official” authority over Shinnecock lands as part of a resolution to a violent conflict between the Shinnecock and Southampton Town in the spring of 1657. Several buildings including the homes of the Reverend Robert Fordham and Elinor Howell, the widow of one of the town founders, were burned by three Shinnecock men aided by

an unidentified African-American woman (RPCC 22: 175-76; Trumbull 1: 295-96; RTSH 1: 154-55). The Connecticut Court sent a troop of men under the command of John Mason, one of the men who had commanded the massacre of the Pequots at Mystic in 1637, to confront the Shinnecock and force them to recognize Wyandanch’s authority over their lands (RTSH 1: 158).

The Scramble for Indian Lands 1650-64

The territory between the three eastern towns of Southold, East Hampton and Southampton and the Dutch towns on western Long Island remained contested until 1650. Attempts by English companies to settle there had been blocked by Dutch troops who arrested one such party, charged them with trespass and sent them packing (NYCD 2: 144-50;14:31). The Hartford treaty compromise between the English and the Dutch in September 1650, however, divided Long Island at the Papaquatunk River on the western border of what is now the town of Oyster Bay and had opened up the land from the western borders of Southold and Southampton to English settlement.



English companies and entrepreneurs now rushed to purchase Indian land and establish townships. Between 1650 and 1664 eighteen purchases were made here.

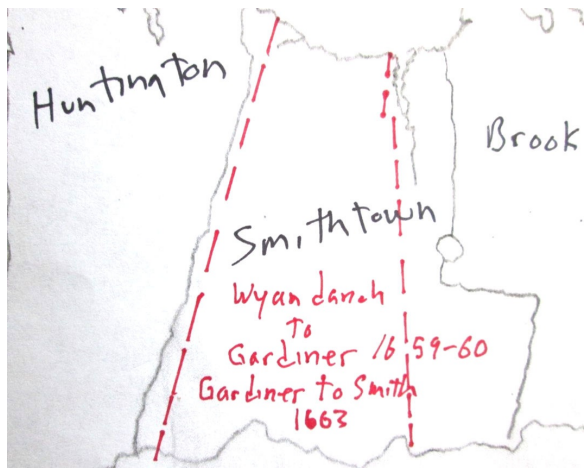
During the period from 1648 to 1659, when Wyandanch died, he negotiated or confirmed twenty-two purchases and/or confirmations for the English in this area.

The eastern towns, therefore, had a significant invested interest in the legitimacy of Wyandanch’s authority to distribute lands. After his death in 1659, his son Wyancombone continued to indorse land transactions until Charles II seized New Netherland from the Dutch and established the colony of New York. The legitimacy of the previous sales and endorsements were soon to be challenged.

The testimonies from Pauquatoun and Quashawam, when they were entered into the Smithtown records, were related to controversies over purchases of Indian lands that had been negotiated by the newly established towns of Oyster Bay and Huntington or by individuals such as Richard Smith who aspired to establish his own town named after himself, and Robert Seely and Thomas Topping who were private entrepreneurs.

At the time of these purchases, from 1649 to 1663, eastern Long Island was under the jurisdiction of Connecticut and New Haven. Neither of the colonies had any interest in getting involved with these local disputes. When, for example, Nasseconsett, the Nissequogue sachem, complained to the Connecticut Court that

Richard Smith had taken a tract of his land called Catawamuck (Crab Meadow by the English), Smith responded that he had purchased the land from Lion Gardner, who had originally been given the land by Wyandanch, the Montaukett sachem.



The court, however, made no ruling on the dispute, advising Smith to make a separate settlement with the Nissequogue sachem. Instead, Smith went to Montauk and solicited testimony from Wyandanch's daughter, the last surviving member of the Montaukett sachem's immediate family (Smith 1882, 5; DSBD 2: 121-22). Quashawam, denied the validity of Nasseconsett's complaint. The sachem, she said, "...did give Catawamuck to her father," and made no mention of any reserve agreement. She acknowledged to Smith that she had no written evidence of the gift. Smith returned and purchased the land from Nasseconsett, but soon found himself in a decade long acrimonious court battle with the Town of Huntington who claimed that Catawamuck was within the bounds of a purchase they had made from Ratiocan, the Matinecock sachem in 1653 (RTH: 1-3; Smith 1882, 6-7).

All of these controversies were still unresolved when the political landscape shifted dramatically in the summer of 1664. Charles II dispatched a fleet of four ships under the command of Richard Nicolls to seize New Netherland and to establish the colony of New York. The king appointed Nicolls governor and instructed him to put a system of governance in place with an administration, a colonial court, and a body of laws. This was accomplished with the help of legal advisors led by Matthias Nicolls (no relation), and two experienced barristers, John Sharpe and John Rider. (Hamlin 1939, 73-74, 150).

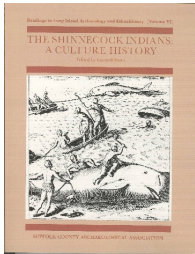
The governor called a meeting at Hempstead in February 1665 for representatives from all the Long island towns and presented them with a framework of laws for the new colony called "the Duke's Laws" and a Court of Assizes to settle disputes (NYCD 14: 564-66; Christoph and Christoph 1983, xi; Ritchie 1977, 31-32). Nicolls asked the representatives to bring with them town records and papers related to any controversies about their town boundaries. They were also told to inform the Indian sachems, "...whose presence may in some cases be necessary." about the meeting. The Southampton freemen sent Thomas Topping and John Howell to represent them, but there is no record of any of the sachems who may have attended this meeting.

Although Nicolls had no experience with Native Americans, he was aware that purchases of Indian lands by private entrepreneurs had led to many conflicts. He knew that the Connecticut Court in the spring of 1663 had ordered that such purchases could only be made by town officials for use of the town (RCC 1: 402). Following that example, the Duke's Laws stated that "No purchase of lands from Indians after the first day of March 1665 shall be esteemed a good title without leave first had been obtained from the governor and after leave so obtained, the purchasers shall bring the sachem and right owner of such lands before the governor to acknowledge satisfaction and payment..." (Lincoln 1894, 40-42).

The following October the governor met with several of the Long Island sachems. An entry into the Department of State Book of Deeds for October 4, 1665 entitled, "*A general Agreement made before the Right Honorable Governor at the General Court of Assizes, by the Sachems and chiefs of the Long Island Indians, unfortunately, gives no details about the deliberations* (DSBD 2: 127). The only sachem mentioned was "the sunksquaw of Montaukett, daughter of the sachem Wyandanch," a reference to Quashawam. Among the issues they discussed were the boundaries of the Montaukett lands, grazing rights, damage to Indian crops by English cattle, payments owed to Quashawam by East Hampton, the rights of Indians in the English courts, and the controversy over the legitimacy of a "superior sachem" of Long Island. The relevant issue here, of course, was the latter. The governor ruled that, "that there shall be no superior sachem upon Long Island, but that every sachem shall keep his particular propriety over his people as formerly." Nicolls decided that there was no longer a need for a fictive "Grand Sachem" to serve as a convenient mechanism for acquiring the remaining Indian lands on Long Island. The ruling now opened up all of the deeds signed and/or indorsed by Wyandanch from 1655 to 1664 to court challenges.

Governor Nicolls's ruling that only the local sachems had the authority to negotiate the sale of their lands alarmed those who held titles purchased and/or indorsed by Wyandanch prior to his death in 1659. These were the concerns that brought John Mulford and the Reverend Thomas James to seek out Quashawam and Pauquatoun in an effort to strengthen their land claims. In particular, they wanted specific evidence that Wyandanch had a legitimate right to sell the lands in question now that the governor had raised serious questions about the political authority of a "grand sachem." What Quashawam offered was a claim based on kinship links to the sachems west of Montauk. There was undoubtedly some skepticism about the claim that Wyandanch was related to the Matinecock and Massapequa sachems through his grandmother. Certainly the Huntington town officials suspected that Quashawam and Pauquatoun were simply attempting to appease the English in East Hampton and protect a long-standing alliance that had worked so well for them over the decades. There is no clear reference in the colonial records establishing a kinship connection between Tackapousha and Wyandanch, but there is a well-documented deed confirmation in the summer of 1657 and a decision by the Court of Assizes in 1665 that provide circumstantial support for Quashawam's claim

To be continued....



Book news: *The Shinnecock Indians: A Culture History* has been reprinted and is now available through our SCAA web site.

Also available is the recently revised ***Language and Lore of the Long Island Indians***. This latest edition contains languages used by the East Coast Natives. Edited by Carl Masthay, a noted linguist. www.scaa-ny.org.



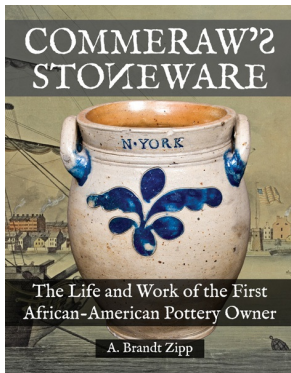
Commeraw' Stoneware

NYS Historical Society Exhibition 1/22/23-5/28/23

Crafting Freedom: The Life and Legacy of Free Black Potter Thomas W. Commeraw is the first exhibition to bring overdue attention to a skilled craftsman whose racial identity was long overlooked. Born enslaved, Commeraw rose to prominence as a free Black entrepreneur, owning and operating a successful pottery. Over a period of two decades, Commeraw amassed property, engaged in debates over state and national politics, and participated in the life of New York City's free Black community. The exhibition explores Commeraw's multi-faceted history -as a craftsman, business owner, family man, & citizen.

Crafting Freedom presents more than 20 stoneware jars and jugs produced by Commeraw's pottery between the late 1790s and 1819 alongside examples by his contemporaries, exploring the production, decoration, and markings of these beautiful utilitarian forms. The potter's personal, political, and civic activity come alive through other artifacts, newspaper clippings, broadsides, books, and documents, including a certificate of freedom bearing Commeraw's signature and first-hand accounts of his fraught journey to Sierra Leone with the American Colonization Society.

(Note: The dredging in Sag Harbor featured in SCAA Vol. 46, No. 1 noted that Jean Held found a piece of pottery on the beach, it has now been identified as Commeraw Stoneware.)



Commeraw's Stoneware Book

The book tells the fascinating life story of Thomas W. Commeraw from childhood to death. It also tells the story of the renowned Manhattan stoneware potters. *Commeraw's Stoneware* can be ordered from the publisher or via Amazon. A. Brandt Zipp

Correction Vol. 48, No. 1 - We were pleased to hear that the Native American Pipe is located at the Southold Indian Museum. These pipes are extremely rare and if any are found should be given to the Museum for care taking. - SCAA

Publications of the Suffolk County Archaeological Assoc.

Readings in Long Island Archaeology & Ethnohistory
All volumes are \$30. + \$5. Shipping, except Vol. III, 2d ed., which is \$50. + \$8. Shipping, both plus sales tax in N.Y. State for individuals. Vol. I is out of print. Bulk pricing is available.

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- VI *The Shinnecock Indians: A Culture History*
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Membership in SCAA includes 3 Newsletters per year and a 10% reduction in workshop and publication costs. All contributions are tax deductible.

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Send check to: Suffolk County Archaeological Association,
P.O. Box 532, Wading River, NY 11792

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