

Wabanaki Homeland and Mobility: Concepts of Home in Nineteenth-Century Maine

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Abstract. In the nineteenth century the Penobscot and Passamaquoddy Indian nations preserved considerable mobility across their traditional homeland. This case study uses petitions and other primary sources to show that many Native families maintained connections to places that their ancestors once inhabited. While the Penobscot reservation consisted of the river islands above the head of tide, families continued to return to Penobscot Bay to harvest marine resources. Other kin groups revisited old sites on the Kennebec River. Non-Native town officials wanted to send the Indians home but were blind to the fact that the Wabanaki peoples already understood themselves to be home. For the Passamaquoddy at Pleasant Point (Sipayik), resources such as birch bark and firewood were scarce, prompting them to harvest wood on private property for survival. Tension between private property and traditional homeland remained unresolved as Wabanaki peoples persevered in their partially colonized homeland.

Keywords. Native American, New England, mobility, petitions, Wabanaki

In August 1857, after two weeks in the Maine woods, two canoe paddlers descended the Penobscot River. The view of Old Town Island, the seat of Penobscot tribal government, signaled the end of the journey. The rhythmic sound of water falling off the paddles stopped when Henry David Thoreau inquired whether Joseph Polis, the Penobscot guide, was glad to be home. Polis replied, “It makes no difference to me where I am.” While Thoreau dismissed Polis’s answer, the comment offers valuable insights on cultural values about Wabanaki homeland in the nineteenth century. In addition to being an influential guide, Polis lived in one of only three two-story homes

Ethnohistory 63:4 (October 2016) DOI 10.1215/00141801-3633232
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on the island along with his wife Mary and son Newell. Polis was a Protestant, unlike many Penobscots, who were Catholics, and he subscribed to a newspaper from nearby Bangor. When Polis first met Thoreau, he wore typical lumberman's clothes as he tanned a deer hide by scraping the fat off the hide with a sharp stick.¹ While some of Polis's everyday practices were identical to those of his Euro-American neighbors on the mainland, he and many other Wabanaki people retained a distinctive perspective on their homeland that included regular use of important places that had long fallen out of tribal ownership. Polis's comment, then, could very well reflect the Wabanaki understanding of home being anywhere within Wabanaki traditional lands.

This analysis of Wabanaki mobility in nineteenth-century Maine builds on over thirty petitions about Penobscot and Passamaquoddy people living outside their reservation communities, a small but important subset of the many petitions submitted from reservations that attempted to protect Native rights through skillful use of a long-standing genre of corporate expression in Anglo-American governing systems.² Wabanaki people often approached a trusted intermediary to write a petition that they frequently signed with the letter X. Maine towns had the responsibility to care for their poor, but since Maine possessed jurisdiction over its Native peoples before federal recognition in the late twentieth century, municipalities sometimes petitioned Maine for the reimbursement of expenses paid to Native peoples, often providing details about Wabanaki experiences to support their case.³ These petitions document a broad geographic distribution of Native families, and an analysis of their contents reveals three themes about a sense of place for autonomous people struggling against colonial dispossession.⁴ First, in addition to living on their reservation islands and camping in the interior, the Penobscot remained active along the lower Penobscot River and its large bay with its rich marine resources.⁵ Second, the Wabanakis reoccupied the Kennebec River Valley in small enclaves long after formal dispossession by treaties and deeds. Third, Passamaquoddy families harvesting natural resources in their traditional homeland sometimes collided with private property laws. All told, Maine officials grew increasingly intolerant of assisting Native families in need outside their reservation communities by attempting to impose a sedentary concept of home limited by the specific parameters of the reservation (fig. 1).

Central to this divergent conceptualization of home was a related oppositional understanding of family and kin. Perhaps the most important aspect of Wabanaki life that influenced daily activities and shaped social interactions was the family band. Structured around "the broadest, most inclusive" relations—aunts, uncles, cousins, siblings, in-laws, grandparents, and extended kin—bands occupied varied geographic locations that

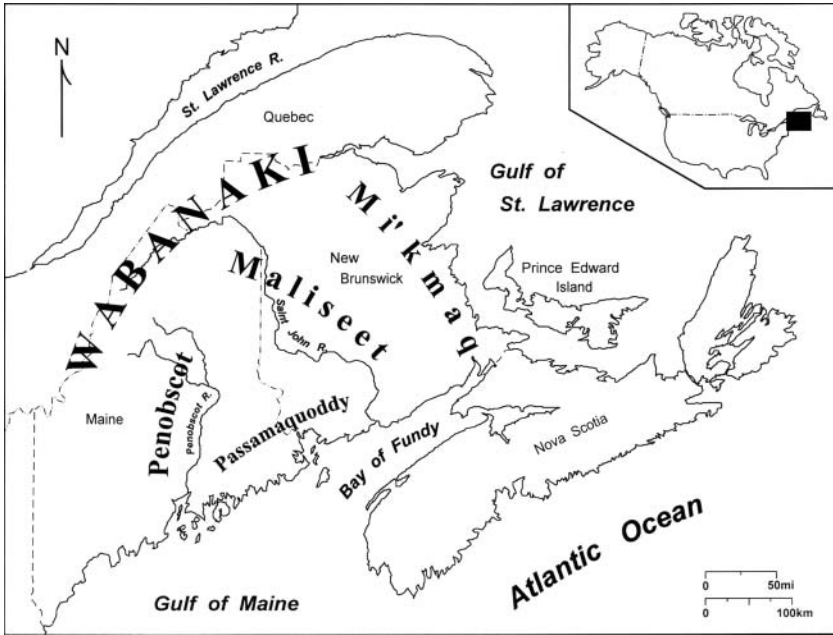


Figure 1. Wabanaki homeland in the nineteenth century. Map by Stephen Bicknell

were central in forging a common identity, a sense of place, and a degree of communal responsibility, integration, and unity across their homeland. The multilocality of family bands ensured greater success in many subsistence activities.⁶ Kinship made family band movement fluid in the sense that its size and intensity of relations fluctuated. As kinship definitions allowed individuals to change family bands, group changes and movement sometimes involved the breaking apart as well as the agglomeration of family bands, most of which occurred for the benefit of the band as a whole.⁷

For Wabanaki peoples, community provided the context in which numerous cultural activities and kin ties across the homeland emerged, flourished, dispersed, and again resurfaced. Homeland was not limited to physical territory in a narrow sense; rather, land was a necessary component that hosted human interactions that enabled homeland to occur, grow, and unfold on the landscape. Wabanaki homeland was the cultural understanding of space founded on persistent connections, knowledge, and use of familiar places. Home was not confined to a single place or bounded by walls or lines on a map but was a feeling of contentment and belonging

to a human network united across ancestral territory. As Polis implied, for most Wabanakis, home was about family and land integration. Maine officials attempted to draw lines around homeland and build roofs over it, but they failed to contain it. State policies and goals failed, in large part, because they struggled to hit a moving target.

In the nineteenth century Maine orchestrated a localized form of colonialism. In contrast to many Native groups who experienced removal, the Penobscot and Passamaquoddy continued to live in their homeland, a fact that shaped their decisions and swayed the state government's perceptions of Native people.⁸ Long before Maine tribes obtained federal recognition, the state created a bureaucracy in which appointed Indian agents fulfilled the state's responsibilities with Indian tribes. At statehood, Massachusetts paid thirty thousand dollars to Maine "for performing certain duties and obligations to the Indians."⁹ The state created an "Indian fund" for the money, and deposits from land transfers, lease payments, and agricultural income caused the account to grow. Indian agents possessed the authority to distribute or withhold interest money to tribal members and cover other expenditures.¹⁰ Despite the growing power of colonialism in Maine, it failed to encapsulate the full extent of Wabanaki homeland. In 1820 moose, caribou, and beaver bones covered a "favorite" camp site at the northern end of Chesuncook Lake, testimony to Wabanaki life beyond the reach of state power.¹¹ By 1830 Euro-American settlement in eastern Maine was along the coast and extended up the main branch of the Penobscot River, leaving much of the interior region in Native use. Treaties ceded tribal lands to the state, but Wabanaki access to these isolated regions persisted.¹² Wabanaki homeland, then, involved Native movement in and out of Euro-American society.

Within the vast Wabanaki homeland, reservation communities, key lands retained by treaty right, had been favorite places to live prior to European arrival. By the nineteenth century the movement of people made these communities distinct. In the fall of 1825 one visitor to Old Town Island learned that "in the spring and fall the tribe, which consists perhaps of three or four hundred, all assemble at Old Town. . . . In the cold winter months they go into the forest and stay, where they can procure wood for their fires without much labor, and in the summer season they scatter . . . on the rivers and on the sea shore."¹³ In the spring of 1836 another visitor witnessed a variation on this pattern in which "the young men of the tribe were nearly all absent on a hunting expedition up the river, and those left in the village were old men, women and children."¹⁴ Wabanaki family band mobility persisted in nineteenth-century Maine far beyond its reservation boundaries.

Although the Wabanaki frequently returned to preferred locations, they increasingly had to navigate around the growing density of Euro-American settlement. New Euro-American homes, farms, and towns rendered old camp grounds inaccessible or less useful.¹⁵ As fishing grounds were depleted, new ones sometimes emerged elsewhere. When overhunting exhausted caribou and moose populations, prosperous hunting surfaced in adjacent areas. Pockets of game and rich fishing survived in Maine, and the region's enormous size and comparatively small Euro-American population permitted Native families to camp beyond their reservations.¹⁶ Petitions indicate these places of rehabilitation at specific camp locations and often suggest multiple reasons why Native families and individuals resisted fixed residency. However, participation in the local economy offered a way to combine a more traditional mobile lifestyle with the growing market for crafts and other opportunities for employment.¹⁷ Some Native people strove to interact with non-Indians and to participate in a broader political and economic life, as these two worlds were not separate at all but emerged from a seamless network of personal and family experiences.¹⁸

Petitions reveal ambiguities and conflicts about private property in Wabanaki homeland. The fact that some Wabanaki families who lived beyond their reservation lands refused to commit trespass suggests a difference in Native perspectives, and by the same token some non-Native landowners did not enforce trespass laws. While absentee proprietors may not have even known about Natives camping on their land, others may have accepted the Indian encampments as long-standing and of little threat. Personal relationships between Wabanakis and Euro-Americans sometimes resulted in agreements that permitted camping on private property. Maine's large size and sparse settlement made the taking of timber less apparent, especially in its interior regions. Some Wabanaki people may have been fully aware of the concept of private property, had contempt for it, and disregarded the law to maintain cultural traditions and survive. Rarely did Maine compensate property owners with damage costs, and even when expenses were paid, the money came from the Indian fund, an account that Natives had little control over.¹⁹

Despite their legal dispossession, Wabanaki families asserted their own definition of homeland by challenging assumptions and expectations from the state of Maine. In 1860 Penobscot Indian agent James A. Purinton encouraged a "love of home" for the reservation to dissuade families who "wandered off" and later "required aid from the different localities in which they were found."²⁰ Supported by the law, state officials held that home was on the reservations, but indigenous peoples strove to engage in mobility across their ancestral lands. Native petitions from these places

often represent time and circumstance of stress that varied by individuals, communities, prior treaties, and specific locations. However, these documents do illustrate that the importance of homeland involved maintaining connections to numerous places.²¹

Lower Penobscot River

A European notion of the “right of conquest,” followed by a series of treaties with Massachusetts, attempted to terminate the indigenous presence in Penobscot Bay. By Maine’s statehood in 1820 Penobscot lands consisted of the river islands, four interior townships, and a small camping ground in Brewer. After a fraudulent sale of the four townships in 1833, Penobscot lands were further reduced to the river islands, beginning at Old Town and extending upriver (see fig. 1).²² Nevertheless, throughout most of the nineteenth century Penobscot families continued to move seasonally to their camping grounds near saltwater. Their ancestors had depended on the coast for marine resources, and use of these resources was not entirely extinguished after 1820. Dispossession, then, altered the terms of marine hunting, fishing, and gathering practices on the coast.²³

The tribal seat of Penobscot government was Old Town Island, a 312-acre island in the Penobscot River. About twelve miles downriver was the growing town of Bangor, the county seat, and across the river the town of Brewer. The twin cities were just a short distance below the head of tide, the highest point saltwater flows into the Penobscot River. The head of tide, at Eddington Bend, contained one of the largest pre-European Native occupation sites in Maine.²⁴ For Euro-Americans, the head of tide was a barrier to the interior, signaling the beginning of a region that required Wabanaki technology—the birchbark canoe—to traverse its water systems. For the Penobscot, the head of tide was a sacred place where coastal resources merged with freshwater ones, combining two rich ecosystems in their homeland in one location. At Eddington Bend the head of tide was marked by a boulder in the water called Sobscook, meaning “sea rock” or “boiling rock,” alluding to the dangerous current.²⁵ In the late eighteenth century this place, then called Nichols Rock, served as a temporary legal boundary line between Penobscot and Euro-American lands.²⁶ In the 1818 treaty with Massachusetts, Penobscot lands were reduced to the upper four Indian townships located in the interior, the river islands, and two acres along the river in Brewer. In May and August 1820, a few months after statehood, Massachusetts pressured Penobscot leaders to relinquish their claim to the two acres in Brewer for one hundred dollars.²⁷ Evidently this did not deter Penobscots from camping along the river in Brewer, which seems to have

caused little conflict. In October 1831 the Penobscot camp in Brewer was primarily a winter site associated with Native women and children, while the men hunted at Moosehead Lake.²⁸ As Brewer increased in size during the next two decades and the land was further divided into privately owned lots, the town gradually pushed the Penobscots off their camping grounds.

In the winter and spring of 1849 Penobscot leaders petitioned the Maine governor twice to assert rights to their old camping ground in Brewer.²⁹ In January 1849 Penobscot governor John Attean and lieutenant governor John Neptune and seven tribal council members asked for “a convenient camping ground to be owned” by them that would be under the “exclusive control” of the tribe. They specifically asked for two acres in Brewer that were for sale, with easy canoe access on the riverfront. This land also offered Penobscot families “large amounts of drift wood” that occasionally washed ashore for firewood. The petitioners were especially interested in acquiring this land in 1849 because of changing market conditions: “Now furs are so cheap that Indians cannot sustain themselves by hunting and are forced to Basket making for a living. . . . [Thus] they want to be near a market for their baskets.” In the absence of designated land for the Penobscots, some landowners discouraged families from camping in town, resulting in Natives being “continually forced to keep moving about—that there are many small children & they are some of them frequently sick.” The desired lot would provide the Penobscots “a sure, convenient and undisturbed resting place.”³⁰

Receiving no response from state officials, the Penobscots petitioned again four months later, but this time they crafted their request as an advantage for the state. The tribal leaders first asked the council to approve \$750 to purchase a one-acre lot on the Penobscot River. For a long time the Penobscots used this particular spot as their camping ground, and the acquisition of this land would prevent expenses visiting Indians incurred. The petitioners feared that “the settlement of the whites” would soon close off access.³¹ The Penobscots showed the land lot that they wanted in Brewer to Indian agent Arvida Hayford, who learned that the actual owner was Charles Dole and that the price was not \$750 but \$1,750. While it is possible that Dole drastically increased his asking price, Hayford believed that the Indians were mistaken about the original price.³² The Executive Council approved the Penobscot request for land in Brewer and by December 1849 allocated three hundred dollars to purchase another lot in town belonging to Gorham and Louisa Boynton. Agent Hayford acted on behalf of Maine to purchase the land, and as a result the deed stated that the state owned the land for the use of Native people.³³

Less than a year later Brewer selectmen wrote to Indian agent Isaac Staples to complain that their Penobscot neighbors had “a very bad Effect” on Brewer. Town officials imposed their own sense of home over the Penobscots, stating that the Indian land in Brewer has a tendency “to call them from Oldtown which is their home.” According to Brewer residents, some Penobscots went over to drink in Bangor and returned “singing and carousing greatly disturbing the peace of the Inhabitants of this place.”³⁴ After no immediate action to sell the land, in January 1852 Staples recommended the sale of the Brewer land since, in his opinion, it was of “no pecuniary advantage” to the Penobscots and suggested that the money be credited to the Indian fund.³⁵ In March 1857 the legislature supported the sale of the tribal land lot in Brewer, and in December 1857 Staples sold it to Charles Dole, along with a house on the lot, for \$175.³⁶

Home was not a surveyed land lot, but securing land in Brewer permitted families to engage in economic activities where landowners were not going to order them off the land. The Brewer land was close to the head of tide and offered an interior canoe route along the Union River to Frenchman Bay.³⁷ The final sale of the Penobscot land in Brewer did not prevent Natives from camping in town, and, true to the manner of family band practices, the Penobscots continued to use local resources that they needed to survive. In 1863 four Brewer residents requested compensation for damages committed by Penobscots who “occupied” their lands. As was often the case, they received no assistance from the state Indian fund. In the few cases where landowners received payments, Native people continued to harvest natural resources across their homeland.³⁸

In the 1830s some Penobscot families continued to inhabit their ancestral homeland on Penobscot Bay, some twenty-five miles downriver from Bangor and Brewer. From the fall of 1830 to the spring of 1831 “about forty individuals” camped on a “valuable” woodlot in Orland, a small town near the Penobscot River’s mouth northeast of Verona Island. Secluded from boat travel along the deep western channel of the island, Orland, with several pre-European burial sites dating back five thousand years, offered a rich anadromous fishery in the spring, but the winter camp probably depended on the Atlantic tomcod or frostfish that migrated up small streams in that season.³⁹ Verona Island was the northern extent of shellfish on Penobscot Bay, making clams an important winter food source from the nearby intertidal mudflats.⁴⁰ Landowner Jonathan Partridge did not learn of the Penobscot camp on his woodlot “until the commencement of winter when the weather had become so severe that the use of coercive means to enforce their departure would have been cruel.” By spring the Penobscots had cut considerable timber for fuel, with “seven fires kept

constantly burning during their residence” as well as “timber for the construction of [their] camps.” A third party appraised the damages at thirty dollars, but the state did not grant Partridge’s request for property damages.⁴¹

Downriver at Frankfort, town officials simply paid expenses for their Penobscot residents. In the winter of 1866 and 1867 Joseph Neptune, his wife Augusta, and their four children camped in the town on a broad tidal stream. The grassy intertidal zone was a popular place for hunting water fowl. Town officials had assisted the Neptune family in various ways through most of the winter, but in February 1867, when the town of Winterport annexed the land on which the Neptune family camped, a shift in town responsibility occurred. Winterport chose a different way of dealing with their Penobscot neighbors.⁴² Four days after annexation, the town spent five dollars on supplies for the Penobscots and an additional dollar for the following month. In March 1867 Winterport officials hired Amos Grant to transport the Neptune family back to Old Town Island, costing the town eight dollars for the twenty-five-mile trip. Finally relieved of the Indian paupers, Job Lord of Winterport petitioned the governor for reimbursement of the town’s fourteen-dollar bill. Illness in the Neptune family had caused sudden distress, requiring the town to cover expenses, but the Executive Council declined to pay the bill.⁴³

Below the river mouth, the local indigenous population continued to frequent the shores of Penobscot Bay, along with its numerous islands, to harvest valuable marine animals and other resources. Penobscot families returned to the coast, as their ancestors had long done, camping in the area’s hundreds of coves and secluded islands. In August 1796 the Reverend Paul Coffin met three Native families on Vinalhaven Island “employed in felling trees, catching eels, [and] making baskets.”⁴⁴ To the north, on North Haven or North Fox Island, was a birthing place for harbor seals and, until 1860, great hooded seals.⁴⁵ In February 1819 Penobscot captain Francis Loring and Joseph Lyon petitioned Massachusetts to secure White Island, east of Deer Isle in Eggemoggin Reach, where tribal members enjoyed “the benefit of the Cod fishery and killing seals both abounding in the neighborhood of these islands.”⁴⁶ In the summer of 1832 Penobscot families of between forty and fifty people “pitched their wigwams” on the western side of the bay in Belfast, where they employed “themselves in catching seal and making baskets, until fall, when they return to Old Town.”⁴⁷ With the arrival of the tourist industry, seal hunting on Penobscot Bay may have intensified. In two weeks Mitchell Poleslep and John Mitchell killed thirty-five seals for their skins, which when tanned found a profitable market on the coast.⁴⁸ Into the late 1860s Penobscots continued to frequent Belfast; John H. Quimby noted

that his city “furnished the necessary articles for the burial of one of the Penobscot Tribe [of] Indians then camping here.” Quimby wrote Indian agent George Dillingham for reimbursement, but the agent replied that he had no funds to pay for Indian support “away from Old Town.” Native families were a common sight in Belfast, and the town “had bills of a similar nature . . . without comment or objection.”⁴⁹ Dispossession of coastal lands did not deter the Penobscots from returning to old camping grounds on the ocean and thus maintaining their homeland.

Lower Kennebec River

Native families also returned to their ancestors’ homeland to the west in the Kennebec River Valley. Some Wabanakis traced their ancestry back to the survivors of the 1724 Norridgewock attack on the Kennebec River, which ended with the death of Jesuit Sebastien Rale. One of the survivors, nicknamed “Half-arm Nicola” because he lost an arm in battle, married into the Penobscot tribe. Memory of kinship ties like these connected the Penobscots to the river valley to the west and to the numerous camp sites that Penobscot ancestors had occupied there.⁵⁰ In the late nineteenth century the Sockalexis family still visited their family hunting territories near Moosehead Lake at the head of the Kennebec.⁵¹ As Penobscot and Passamaquoddy families ventured farther from their reservation communities, they often formed small enclaves along the lower Kennebec River Valley. Petitions from the Kennebec River often addressed the challenges of illness and transportation.

In March 1839 Penobscots Francis Loler and Captain Sockabasin were in Augusta with their families and asked for \$150 from the state’s Indian fund “for the purpose of supplying our pressing and immediate wants and [to] furnish a means for us to return home.” While money given for the trip “home” was one solution for desperate families abroad, they often visited the greater Augusta region for other reasons.⁵² By the 1840s Penobscot families were a growing presence in the capital region, where mobility became intertwined with politics. Maine was the only state in the country to have tribal representatives at the state capital, a unique, though nonvoting, tradition that originated from Wabanaki diplomacy with Massachusetts.⁵³ In February 1843 Penobscot Peol Sockis arrived in Augusta from Old Town, along with his wife “& another young female Indian” living with him. Sockis expected to find other tribal members camping in the area, and he requested “a certain sum of money which he alledges [*sic*] to have been due [to] him.” The Executive Council’s Standing

Committee on Indian Affairs granted him fifteen dollars to be used for his “support or of getting home” to Old Town Island.⁵⁴

In October 1843 Penobscots Sarah Francis and Sarah Loler and their families were in Hallowell, a short distance downriver from Augusta. The Executive Council learned of their need for travel expenses back to Old Town and granted them twenty-two dollars for the trip.⁵⁵ In the winter of 1844 another Penobscot family band of twenty-two people camped in Hallowell. Two men in this group, Swassion Neptune and Joseph Sarcish, petitioned the governor, informing him of the band’s “inability to procure a sustenance [*sic*] by our exertions.” Since they could no longer rely on hunting and fishing in the Hallowell region, they asked for their “proportion of the annual proceeds of the Indian fund.” Swassion Neptune had similarly petitioned the Executive Council two years earlier. The council’s report described him as “having lost the use of one hand and with a family of seven children & one aged lady between sixty and seventy years old.” The band received fifteen dollars to assist them through this hardship.⁵⁶

The following year Neptune camped in Kents Hill, a small town northwest of Augusta in Readsfield Township. On behalf of himself and nine family members, he again petitioned to express concern over his family’s health and multiple hardships. In addition to “his own lameness, having but one hand,” four of his family members were “sick.” These sufferings were “greatly aggravated by their poverty & the inclemency of the season.” Neptune clarified that since he and his family were Penobscot, they were eligible to receive a portion of “the annual Indian annuities” promised in treaties. On 3 February 1845, almost a month after Neptune’s petition, the Executive Council allocated five dollars from the Indian fund for the Neptune family.⁵⁷ However, the substantial bureaucratic delay in Augusta, and the state order to issue the money through Indian agent Joseph Kelsey at Old Town, made it especially difficult for the band in the Kennebec Valley.

In the summer of 1849 the Penobscot and Passamaquoddy camp in Augusta was relocated. When a Passamaquoddy man entered a tent and later showed signs of smallpox, families in the camp fled to save their own lives and stop the spread of the disease. The camp reformed on Malta Hill in eastern Augusta, but it still lacked necessary supplies. According to Cleaveland Beard, Mary Nicolar and her sister, “Mes Francis,” were “honest and industrious” women but were in severe need of clothing, tents, bedding, and cooking utensils.⁵⁸ The Penobscot petition, which sought money to replace their goods, had four Penobscot signatures and listed in addition five children and one spouse—“Secil Sockis and two children,” and “John Lougan and his wife and three children”—demonstrating that there were

young children facing severe hardship. The Penobscots asked for one hundred dollars from the Indian fund to replace their lost items and to cover their travel expenses, “so we will be able to Proceed home which will be great help to us this year and the next.” The council only granted twenty dollars.⁵⁹

In February 1845 Gardiner residents, hoping to resolve the problem of Indian “paupers” in their town, charged the state with taking responsibility for all Indians needing assistance. The petitioners explained that

numerous individuals of the Penobscot tribe of Indians are located in different towns in this state, some of whom are in the condition of paupers having no adequate means of subsistence and yet are denied the benefits extended by law to white persons in similar circumstances . . . legislation for the relief of this class of persons is imperiously calld [*sic*] for, and cannot be omitted or delayed without violating in an imminent degree the obligations that humanity imposes [*sic*] upon the community.

The Gardiner residents proposed a law that would provide “some suitable mode of relief for this class of suffering individuals.” The state of Maine, already having a system of distributing annuities and supplies on the reservations, was unsympathetic to Penobscots who did not establish permanent residence on Old Town Island and farm their upriver reservation islands. As a result, the state did not pass the request by Gardiner citizens.⁶⁰

Passamaquoddy Homeland

The Passamaquoddy had very different experiences off reservation, in part because much of the western portion of their homeland in far eastern Maine remained isolated, especially the interior parts away from the coast. In the 1794 treaty Passamaquoddy leaders secured two reservations. In the interior, Indian Township (Motahkomikuk) on Big Lake was about twenty-three thousand acres, while Pleasant Point (Sipayik) on Passamaquoddy Bay was ten acres, later expanded to one hundred.⁶¹ A favored summer camping ground for hunting harbor porpoises, Pleasant Point was rich with marine resources, but by the nineteenth century it lacked firewood for heat and food preparation. Missionary Eugene Vetromile described Pleasant Point and the Passamaquoddy plight: the “portion of Barren sea shore on which they live is entirely destitute of timber, and they cannot obtain any except w[h]at is drifted on the shore by the tide.”⁶² At times the Passamaquoddy had little choice but to harvest wood on private property, causing landowners to seek compensation.

By 1820 much of the western coastline of Passamaquoddy Bay was cleared of trees. In January 1821 Passamaquoddy Deacon Sockabasin successfully petitioned for a wood lot close to the Pleasant Point reservation specifically to be used by the elders in the winter because private land for thirty miles made collecting firewood difficult.⁶³ By December 1823 twenty Perry residents petitioned Maine governor Albion K. Parris to complain about the Indian agent Jonathan D. Weston allowing Natives to commit trespass on private land. A deposition from Perry resident William Norwood stated that in the fall of 1822 the Passamaquoddy built “28 or 30 Camps” on his land. When Norwood ordered them off, they responded that they occupied a tribal woodlot. He further testified that “the Indians contended it was on their Lands & would not remove untill [*sic*] the line was run & some of them threatened me hard.” Surveyor Benjamin R. Jones found that the Indian camp was on Norwood’s land. Local residents assessed the property damages at \$112.50, but Weston offered Norwood only \$50.00. The Executive Council rejected the request for the removal of Indian agent Weston and made no mention of Norwood’s compensation.⁶⁴

Up the coast on the Saint Croix River, the head of tide at Calais was the site of an old Indian village and was still frequented by Native people in the nineteenth century. From November 1829 to April 1830 fourteen Passamaquoddy families camped on Jarius Keen’s land in Calais. This place had once been a promising salmon fishing site at the falls, but dams had prevented anadromous fish from ascending the Saint Croix River to spawn. Native families returned to the head of tide to camp and used Keen’s woodlot. Keen complained that the Indians did considerable damage to his timber lot, which was full of birch and maple trees “of a handsome growth.” The landowner explained that the Indians “destroyed all that was worth any thing to the extent of eight or nine acres . . . using the same for fuel and in and about their works.” Keen’s timber, situated close to market, made it especially valuable. He requested six dollars for each family as compensation for the damage, totaling eighty-four dollars. Maine’s Executive Council did not reimburse him for the damages allegedly committed by Passamaquoddy families on his woodlot.⁶⁵

Numerous Washington County residents sought compensation for damages committed on their lands by the Passamaquoddy. In 1838 Thomas Lowell, a small farmer in Perry who owned a four-acre woodlot, complained that Passamaquoddy Indians from Pleasant Point, “without [*his*] knowledge or consent, . . . destroyed a large number of trees on his woodland.” Among the depositions submitted with Lowell’s petition was one by his neighbor, Joseph Seely, who witnessed Indians coming out of Lowell’s woodlot “with large quantities of Birch Bark—I should think I

had in some weeks seen as many as fifteen or twenty every day in the week coming from that direction with bark, & in one instance I counted twenty five each one having as much bark as he could carry." Seely examined the damage, describing "Birch trees cut down & the bark stripped off. . . . I have no doubt that it was done by the Indians." He estimated the damage to have cost Lowell about \$150.⁶⁶ Perry citizens collectively petitioned Maine twice in 1839, complaining that Indians took birch bark from their land to make fishing torches and that they dismantled fences around their farms for firewood.⁶⁷ In all these attempts to obtain retribution for damages, many of which supplied ample evidence, the Maine legislature dismissed the requests. Maine had not sorted out the idea of property and homeland, the latter of which entailed the continual use of resources. Ambiguities remained around absolute property title to the land, especially around harvesting resources.⁶⁸

Throughout the 1840s Perry residents sought financial reimbursement for damages allegedly caused by the Passamaquoddy. More than 140 townspeople described Indians "roving daily over the town" and likened their experience to having a "number of paupers quartered upon us."⁶⁹ Among the most outspoken and persistent petitioners was Ichabod Chadbourne, whose previous success in acquiring damage costs led him to relentlessly petition for redress. Over time he grew more impatient and supplied the legislature with additional information to substantiate his case. In his opinion, the Passamaquoddy had "no property in their own right and are not amenable to law as citizens of this state." When Chadbourne confronted the Indians about harvesting birch bark, they retorted that "they have a right to & will cut down trees at their pleasure."⁷⁰

Most petitions from Maine towns complaining about Native families who illegally camped on private property involved the Penobscots, in large part because central Maine was more populated by Euro-Americans than the Passamaquoddy homeland farther to the east. On Passamaquoddy Bay, Native families sometimes had to resort to other ways to obtain firewood. In an affidavit supporting landowner John Loring, Robbinston resident Charles Frost stated that he saw "two Indians" on Carlow Island, a small island between Pleasant Point and Eastport on Moose Island, cutting up cedar fence rails and carrying the wood away in their birchbark canoes. By April 1852 John Trott and John and George Tuttle reported that "sixty-two lengths of cedar yoke fence [had] been taken away entirely," the barn floorboards had been removed, iron workings had been stripped from a winch, the house door was gone, and its porch had been torn apart. In addition, between thirty and forty birch trees were missing, and his valuable meadow hay had been cut. The estimated total amount of damages

was \$72.65. Despite John Loring's testimony about the damages to his property on Carlow Island, he received no compensation.⁷¹ In an 1857 incident with George Hudson, the legislature covered material costs for a stone wall rather than compensate landowners, but neither would deter Passamaquoddy families in need of firewood.⁷²

In April 1857 Maine governor Joseph Williams wrote to the Indian agent expressing his "displeasure" about repeated trespass by the Passamaquoddy on private property in Perry. He stated that the charges violated the 1794 treaty in which the Indians agreed not to molest any townspeople.⁷³ The Passamaquoddy may have viewed the collection of firewood not as a treaty violation but as a necessity of survival. If Maine decided with the property owners, money for compensation would be withdrawn from the Indian fund, an account that the Passamaquoddy had little control over, a system that may have frustrated the Native harvesters. The governor's complaint and threats of punishment did not deter Passamaquoddy families from appropriating natural resources around their Pleasant Point reservation, as their ancestors had done before them. To the Passamaquoddy, their reservation village did not imply a severance of gathering activities. The clash between the different meanings of private property and homeland remained unresolved. While the treaty secured fishing rights, fishing was partially dependent on harvesting birch bark for torches, and the state's legal system saw the two activities as unrelated.

However, not all Washington County residents felt justified in prohibiting Indians from pursuing varied traditional practices on land now owned by non-Natives. Some tolerated a seasonal presence of the Passamaquoddy. An anonymous farmer near Little River, north of Pleasant Point, provided such a view of Indians camping on his land when he explained:

This has been an old camping ground for them for many years and I have never felt that I could order them off as they are particularly attached to the spot and it has been a home for them so long and has so many advantages for them that it would hardly be possible to find in other localities—here they get all the wood they can burn besides enough to sell if inclined to pick it up also a fine spring of water and many other privileges which it would seem hard to deprive them of.

While the farmer suffered from some property loss, he confessed that he did not have "full control" of the land. The farmer's acceptance of this practice shows that some non-Native Maine residents felt some sympathy for the Wabanaki concept of homeland and the land use practices that it required.⁷⁴

Conclusion

In the nineteenth century Wabanaki peoples refused to be confined to their reservations and acted with a significant degree of mobility across their traditional homeland. Rather than adhere to the rigid settlement expectations prescribed by the Maine government, Wabanaki peoples clung to their mobility as key expression of their collective identity and their sense of homeland, as the foregoing examination of petitions and government documents has explored. Using petitions to understand Native mobility provides an incomplete picture of family movement across their homeland, especially as they usually capture cases when Native peoples fell into distress, but they do unquestionably demonstrate that Wabanaki peoples continued to embody a precolonial concept of homeland that required multilocality and mobility for family bands across the landscape well beyond the core reservations. In a sense, they negotiated the idea of property in land and resources. This understanding challenges previous assumptions that by the nineteenth century the Wabanaki in Maine lived in permanent residences.⁷⁵ Far from a static geographic region, the cultural homeland expanded and contracted as Native peoples saw fit, building on some practices that predate European invasion.

Examples of Wabanaki mobility offer insights into family band values that collided with principles held by town or state officials. Home, as Joe Polis implied, was a place anywhere on the landscape where families met, camped, gathered resources, and departed. Blind to this view, town officials responsible for providing relief wanted to send them home to Old Town Island or Pleasant Point. Town overseers did not understand that Wabanaki people were already at home. At midcentury Maine was reluctant to cover expenses for Native families living off their reservations. It was not only the logistical problem of furnishing money to families in distant areas that caused the policy to change; it was also an attempt to fundamentally restructure the Wabanaki's concept of homeland, property, and collective memory at the band and tribal levels. By sending Native people "home" to the reservation, Euro-Americans attempted to impose their own perceptions that home was a permanent residence in a fixed location.

Mobility could be an isolating experience, but in such cases the idea of homeland provided connections among Native peoples that assured no one would be alone. Careful analysis of petitions and their meanings provides a new understanding of Wabanaki peoples' homeland in the nineteenth century as an organic network of places where families converged and dispersed—Augusta, Orland, Calais, and Hallowell—and thereby resisted the fixity that Euro-Americans tried to impose. Petitions representing

Wabanaki concerns beyond reservation communities show that community was not limited to a place but that families and individuals retained components of a hunter-gatherer society in the Euro-American context of overwhelming opposition.

Notes

I am grateful to many people who improved this work, including Richard Judd, John Bear Mitchell, Bonnie Newsom, Robert Pawling, Liam Riordan, Brian Robinson, Anne Small, Nicholas Smith, Donald Soctomah, Arthur Spiess, the editors of *Ethnohistory*, and the anonymous reviewers. Stephen Bicknell kindly made the map.

- 1 Thoreau, *Maine Woods*, 406; 1860 Penobscot Census, Executive Council, box 246, Report 288, Maine State Archives, Augusta, Maine (hereafter MeSA), 16. Old Town Island is present-day Indian Island.
- 2 Pawling, "Petitions and the Reconfiguration of Homeland," 513–14.
- 3 Hankins, "Every Town Shall Maintain Their Own Poor"; Herndon and Sekatau, "Right to a Name."
- 4 Basso, *Wisdom Sits in Places*, 5–7.
- 5 *Wabanaki* is an all-inclusive term that refers primarily to the Penobscot, Passamaquoddy, Maliseet, and Mi'kmaq, along with other Abenaki groups. See Prins, "Children of Gluskap," 96. *Wabanaki* refers to two or more Native groups or when the tribal identity is unknown. The specific tribal affiliations are used to address one Native community.
- 6 Erickson, "Maliseet-Passamaquoddy"; Miller, "Kinship of Spirit."
- 7 Binnema, "Old Swan, Big Man"; Prins, *Mi'kmaq*, 32–33. Although nine out of thirty-three petitions in the data set included women, this work focuses on the importance of family. Men and women alike petitioned on behalf of their families, and people tended to base decisions first and foremost on the needs of their families.
- 8 For example, on Indian removal, see Green, *Politics of Indian Removal*.
- 9 Governor William King's address to the legislature in Portland, Maine, 2 June 1820, MeSA, 10.
- 10 MacDougall, *Penobscot Dance of Resistance*, 127.
- 11 Pawling, *Wabanaki Homeland*, 131.
- 12 Hornsby and Wallace, "Growth of Settlement," plate 26.
- 13 *Eastern Argus*, "Indian Old Town."
- 14 *Penobscot Freeman*, "A Trip to Penobscot."
- 15 Shoemaker, *Strange Likeness*, 13–34.
- 16 Judd, *Second Nature*, 175–209.
- 17 Parnaby, "Cultural Economy"; Prins and McBride, *Asticou's Island Domain*.
- 18 Buss and Genetin-Pilawa, *Beyond Two Worlds*.
- 19 Pawling, "Petitions and the Reconfiguration of Homeland," 513–14.
- 20 Purinton, *Report on the Indian Agents*, 7.
- 21 Scholars have shown that memory and Natives' concept of place were mutually reinforcing. The reconnection to a place evoked the remembering of the distant past, while the indigenous presence could contribute to new narratives tied to

- the location. Memory or the process of remembering that builds on one's knowledge about places was essential to movement, including the reason for individuals or families to journey across their lands to another area. Wabanaki intentions to visit old camping grounds varied, from new associations with a place to cultural practices rooted in the past, including fishing and hunting marine mammals. Transportation required preparation and work, and while some water transportation methods may have been larger and faster, including clipper ships and later steamboats, the traditional birchbark canoe reintroduced families to a homeland dependent on waterscapes that life in permanent settlements often overlooked. See Basso, *Wisdom Sits in Places*, 105–52; and Wicken, *Colonization of Mi'kmaw Memory*, 229–45.
- 22 Petition of Penobscot captain Attean and others, n.d., Secretary of State, miscellaneous box, Indian files, folder 1833, MeSA; Ferland, "Tribal Dissent or White Aggression?," 157–58.
 - 23 Sanger, "Analysis of Seasonal Transhumance Models."
 - 24 Robinson, "Burial Ritual," 67.
 - 25 Maine Land Office Plans, roll 4, vol. 23, 23, MeSA; Eckstorm, *Indian Place-Names*, 20.
 - 26 1796 Penobscot Treaty with the Commonwealth of Massachusetts, 8 August 1796, Hancock County Registry of Deeds (Ellsworth, ME), book 27, 6–7; Pawling and Soctomah, "Defining Native Space," plate 23.
 - 27 Pawling, *Wabanaki Homeland*, 277–91, esp. 278n3.
 - 28 *Penobscot Journal*, "Paul Joseph Osson, the Indian Artist."
 - 29 Petition of Penobscot governor John Attean and lieutenant governor John Neptune and seven others, January 1849, Executive Council, Report 221, box 235, MeSA; Petition of Penobscot governor John Attean and lieutenant governor John Neptune and six councillors, Old Town, 28 May 1849, Executive Council, Report 221, box 235, MeSA.
 - 30 Petition of Penobscot governor John Attean and lieutenant governor John Neptune and seven others, January 1849, Executive Council, Report 221, box 235, MeSA.
 - 31 Petition of Penobscot governor John Attean and lieutenant governor John Neptune and six councillors, 28 May 1849, Executive Council, Report 221, box 235, MeSA; Eckstorm, *Old John Neptune*, 3–4.
 - 32 Letter from Arvida Hayford to B. Wiggins, Bangor, 11 June 1849, Executive Council, Report 221, box 235, MeSA.
 - 33 Deed of Brewer land to the State of Maine from Gorham Boynton, 26 December 1849, Penobscot County Registry of Deeds Office, Bangor, Maine (hereafter PCRD), vol. 201, 270–71; Deed of Brewer land to Gorham Boynton from John and Ester Hopkinson, PCRD, vol. 199, 56–57.
 - 34 Letter from Brewer residents to Isaac Staples, 12 June 1850, Maine Legislature, 1850 Resolve, 104–80, MeSA; Resolve for the Indian Agent to sell state land in Brewer used by the Penobscot tribe, 23 August 1850, Maine Legislature, 1850 Resolve, 104–80, MeSA.
 - 35 Letter from Penobscot Indian agent Isaac Staples, Old Town, 18 January 1852, Executive Council, Report 177, box 236, MeSA; Report of the Standing Committee on Indian Affairs, 14 January 1852, Executive Council, Report 177, box 236, MeSA.

- 36 An Act requiring the Indian Agent to sell land in Brewer, 28 March 1857, Maine Legislature, 1857 Resolve, 128-59, MeSA; Deed from Indian agent Winslow Staples to Charles E. Dole, PCR, 26 December 1857, vol. 284, 140-41.
- 37 Prins and McBride, *Asticou's Island Domain*, 198.
- 38 Report of the Committee on Indian Affairs, 3 February 1863, Maine Legislature, 1863 Graveyard, 455-20, MeSA; Report of the Committee on Indian Affairs, 3 February 1863, Maine Legislature, 1863 Graveyard, 455-21, MeSA.
- 39 Robinson, "Burial Ritual," 180; Collette and Klein-MacPhee, *Bigelow and Schroeder's Fishes*, 242-45.
- 40 Maine Office of GIS, "Biologic and Ecologic Data Layers."
- 41 Petition of Jonathan Partridge, Orland, Maine, 4 February 1832, Executive Council, 1831, 43-22, MeSA; Report of the Standing Committee on Indian Affairs, 2 October 1832, Executive Council, 1831, 43-22, MeSA.
- 42 Petition of Job Lord, Winterport, Maine, 18 April 1867, Executive Council, 1867, Report 208, box 253, MeSA; Eckstorm, *Indian Place-Names*, 4.
- 43 Petition of Job Lord, Winterport, Maine, 18 April 1867, Executive Council, 1867, Report 208, box 253, MeSA.
- 44 Coffin, "Memoir and Journals," 325.
- 45 Eckstorm, *Indian Place-Names*, 95-96.
- 46 Petition of Penobscot captain Francis Loring and Joseph Lyon, 10 February 1819, Senate document, unpassed, 1819, 6315, Massachusetts State Archives, Boston, MA.
- 47 *Maine Working Men's Advocate*, "The Penobscots."
- 48 *Old Town Enterprise*, untitled.
- 49 Letter to Secretary of State from Belfast's City Clerk for Overseers of Poor, Belfast, Maine, 25 March 1869, Secretary of State Correspondence, box 28, folder 13, MeSA.
- 50 Snow, "Eastern Abenaki," 138; Eckstorm, *Old John Neptune*, 79, 175. For the 1724 Norridgewock attack, see Morrison, "Sebastien Rasle and Norridgewock." For Passamaquoddy linkages to the Kennebec River, see Soctomah, *Hard Times at Passamaquoddy*, preface.
- 51 Speck, *Penobscot Man*, 214.
- 52 Petition of Penobscot Francis Loler and Captain Sockabasin, Augusta, 23 March 1839, Executive Council, 1839, 76-52, Report 442, MeSA.
- 53 MacDougall, *Penobscot Dance of Resistance*, 127.
- 54 Report of the Standing Committee on Indian Affairs, 23 February 1843, Executive Council, 1843, Report 38, box 228, MeSA.
- 55 Report on the Standing Committee on Warrants, 23 October 1843, Executive Council, 1843, Report 227, box 228, MeSA.
- 56 Petition of Penobscot Swasin Neptune and Joseph Sarcish, 14 February 1844, Executive Council, Report 32, box 229, MeSA; Report of the Standing Committee on Indian Affairs, 14 February 1844, Executive Council, Report 32, box 229, MeSA.
- 57 Petition of Penobscot Swarson Neptune, Kents Hill, 13 January 1844, Executive Council, 1845, Report 6, box 230, MeSA; Report of the Executive Council, 3 February 1845, Executive Council, 1845, Report 6, box 230, MeSA; Report of the Standing Committee on Warrants, 17 February 1845, Executive Council, Report 18, box 230, MeSA.

- 58 Petition of Mary Nicolar et al., 22 June 1849, Executive Council, 1849, Report 32, box 233, MeSA.
- 59 Ibid.; Report of the Standing Committee on Indian Affairs, 22 June 1849, Executive Council, 1849, Report 32, box 233, MeSA.
- 60 Petition of Ansl Clark and seventeen Gardiner residents, 19 February 1845, Maine Legislature, 1845 Graveyard, 175-17, MeSA.
- 61 1794 Passamaquoddy Treaty with Massachusetts, 29 September 1794, Registry of Deeds, Washington County Court House, Machias, Maine (hereafter WCRD), vol. 48, 145-47; Massachusetts land grant of ninety acres to Pleasant Point, 21 February 1801, WCRD, vol. 48, 145.
- 62 Petition of Missionary Eugene Vetromile for a wood lot, Biddeford, 27 January 1862, Maine Legislature, 1862 Graveyard, 451-38, MeSA.
- 63 Petition of Captain Deacon Sockbasin on behalf of the Passamaquoddy Tribe, 15 January 1821, "Penobscot Tribe—An Act to regulate and Passamaquoddy Tribe 1821," Maine Legislature, 1821, PL 9-123, MeSA. The legislature approved a two-hundred-acre tribal woodlot in 1822 but apparently never surveyed the purchased land. See "Resolve authorizing the purchase of two hundred acres of Land for the use of the Passamaquoddy Indians," 1822, RS 6-48, MeSA; Executive Council report on the Passamaquoddy wood lot with letter by Jonathan D. Weston to Deputy Secretary Amos Nicholls, Eastport, 1 November 1822, Executive Council, 1822, 6-52, MeSA. The spellings of family names in the text have been standardized, but the original spellings have been preserved in the endnotes.
- 64 Petition of William Frost and nineteen Perry residents, December 1823, Executive Council, 1824, 10-56, Report 317, MeSA.
- 65 Petition of Jarius Keen, Calais, 17 February 1831, Executive Council, 1831, 36-53, Report 41, MeSA.
- 66 Petition of Thomas Lowell to the Maine Legislature, Maine Legislature, 1839 Graveyard, 125-35, MeSA; Deposition of Joseph Seely, 23 January 1838, Maine Legislature, 1839 Graveyard, 125-35, MeSA.
- 67 Petition of Moses Lincoln and nine Perry residents, 29 January 1839, Maine Legislature, 1839 Graveyard, 129-4, MeSA; Petition of Stephen Stoddard and twenty-four other Perry residents, n.d., Maine Legislature, 1839 Graveyard, 128-9, MeSA.
- 68 Weaver, *Great Land Rush*.
- 69 Petition of Jethro Brown and 147 Perry residents, Perry, 27 January 1842, Maine Legislature, 1842 Graveyard, 150-32, MeSA.
- 70 Petition of Ichabod R. Chadbourne to the Maine Legislature, n.d., Maine Legislature, 1842 Graveyard, 149-2, MeSA.
- 71 Petition of John Loring, Perry, 5 April 1852, Executive Council, 1852, Report 444, box 237, MeSA; Petition of John Loring, 16 March 1853, Executive Council, 1853, Report 26, box 237, MeSA; Affidavit of Charles Frost, Robbinston, 8 April 1852, Executive Council, 1853, Report 26, box 237, MeSA; Affidavit of John Trott and others, 6 April 1852, Executive Council, 1853, Report 26, box 237, MeSA.
- 72 Statement of Facts on George A. Hudson, n.d. (original petition missing), Maine Legislature, 1857 Resolve, 1288-51, MeSA; Draft of Resolve, 24 March 1853, Maine Legislature, 1857 Resolve, 1288-51, MeSA.

- 73 Letter from Maine governor Joseph H. Williams to the Passamaquoddy Indian agent, 13 April 1857, Secretary of State Letters, box 20, MeSA.
- 74 Anonymous letter from a farmer, Maine Legislature, 1862 Graveyard, 45 1-38, MeSA.
- 75 Snow, "Dynamics of Ethnicity."

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