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## The Performance of Peace: Indians, Speculators, and the Politics of Property on the Maine Frontier, 1735–1737

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**D**URING the summer of 1736, a group of Penobscots visited colonists living along the St. Georges River in Maine. The Indians began marking trees to delineate what they took to be the boundary between their land and that of the English, and they announced that they would burn down any English structure lying outside that limit a month hence. The colonists were surprised; they had settled on land guaranteed them by Samuel Waldo, an influential land speculator.

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Soldiers at nearby Fort St. Georges looked on but did not interfere, aware that the Penobscots operated with the full consent and authority of the Massachusetts government, which administered Maine. The colonists beyond the line had no choice but to pull down their homes and move elsewhere. When Waldo and his colonists objected, Governor Jonathan Belcher and the General Court stood by the Indians.

The actions of the Penobscots, the restraint of provincial soldiers, and the cooperation of the Massachusetts government invite a fresh interpretation of Euro-Indian relations not only in Maine but also on other British North American frontiers. The events along the St. Georges have not received much attention from scholars, perhaps because they do not accommodate themselves to traditional interpretive schemes.<sup>1</sup> Most Native American successes in stemming the tide of European expansion—however temporary—involved military victories or, at least, the diplomatic participation of a rival European power.<sup>2</sup> To be sure, the Maine frontier had experienced its share of imperial diplomacy and armed conflict. During the 1670s and again between 1688 and 1713, Native warriors—the second time with French aid—were able to protect their interests.<sup>3</sup> But the French were uncertain allies. Their refusal to aid the Wabanakis (a confederacy of ethnically and linguistically similar

<sup>1</sup>The events are discussed briefly in Bruce J. Bourque, *Twelve Thousand Years: American Indians in Maine* (Lincoln: University of Nebraska Press, 2001), pp. 196–97; David L. Ghere, “Abenaki Factionalism, Emigration and Social Continuity: Indian Society in Northern New England, 1725 to 1765” (Ph.D. diss., University of Maine, Orono, 1988), pp. 174–76, and “Mistranslations and Misinformation: Diplomacy on the Maine Frontier, 1725 to 1755,” *American Indian Culture and Research Journal* 8.4 (1984): 12; and Michael C. Batinski, *Jonathan Belcher, Colonial Governor* (Lexington: University of Kentucky Press, 1996), p. 126. Bourque only mentions Belcher and does not discuss the role of his Council or the House of Representatives. Ghere claims, erroneously, that the House forced Belcher’s hand. Batinski claims Belcher only supported the Penobscots to settle a personal score against Waldo.

<sup>2</sup>For example, the Pueblo Revolt of 1680 or the Iroquois playing the British and French empires against each other.

<sup>3</sup>For examinations of the exercise of Wabanaki power, see especially Emerson W. Baker and John G. Reid, “Amerindian Power in the Early Modern Northeast: A Reappraisal,” *William and Mary Quarterly*, 3rd ser., 61.1 (January 2004): 77–106, and Christopher J. Bilodeau, “The Economy of War: Violence, Religion, and the Wabanaki Indians in the Maine Borderlands” (Ph.D. diss., Cornell University, 2006).

tribes, which included the Penobscots)<sup>4</sup> during Dummer's War (1722–26) and their partial withdrawal of Jesuits from Native villages following the killing of Sebastian Rasles at Norridge-wick in 1724 eroded French influence in the region the Wabanakis called the Dawnland.<sup>5</sup> The triumph of diplomacy in 1736, however, involved neither Native military conquests nor French aid. The encounters along the St. Georges that year require a different explanation, one that accounts for why Indian and Massachusetts leaders each thought it to their respective benefit to cooperate.

The unusual convergence of interests had, counterintuitively, something to do with land ownership. Contrary to common assumptions, European concepts of landownership did not always work to the Indians' disadvantage.<sup>6</sup> The land speculators who claimed vast tracts of land in the region (sometimes called the Great Proprietors) based their titles on deeds documenting seventeenth-century sales of Indian lands.<sup>7</sup> By extension, then,

<sup>4</sup>The confederacy included, from east to west, the Micmacs, Maliseets, Penobscots, Kennebecs, Androscoggins, Pigwackets, and several villages of Indians living in Canadian missions. For Wabanaki ethnicity, see Dean Snow, "Eastern Abenaki," Philip K. Bock, "Micmac," and Vincent O. Erickson, "Maliseet-Passamaquoddy," in *Northeast*, ed. Bruce Trigger, vol. 15 of the *Handbook of North American Indians* (Washington, D.C.: Smithsonian Institution, 1978), pp. 137–38, 109–17, and 123–34; Bruce J. Bourque, "Ethnicity on the Maritime Peninsula, 1600–1759," *Ethnohistory* 36.3 (Summer 1989): 257–84; and Gordon M. Day, *The Identity of the St. Francis Indians* (Ottawa: National Museums of Canada, 1981).

<sup>5</sup>For overviews of the war, see Bourque, *Twelve Thousand Years*, pp. 186–95, and Kenneth Morrison, *The Embattled Northeast: The Elusive Ideal of Alliance in Abenaki-Euramerican Relations* (Berkeley: University of California Press, 1984), pp. 185–90.

<sup>6</sup>The classic treatment of this process is still William Cronon, *Changes in the Land: Indians, Colonists, and the Ecology of New England* (New York: Hill & Wang, 1983). See also Virginia DeJohn Anderson, *Creatures of Empire: How Domestic Animals Transformed Early America* (New York: Oxford University Press, 2004).

<sup>7</sup>The best discussions of how proprietors operated are Roy H. Akagi, *The Town Proprietors of the New England Colonies: A Study of Their Development, Organization, Activities and Controversies, 1620–1770* (Philadelphia: University of Pennsylvania, 1924); John Frederick Martin, *Profits in the Wilderness: Entrepreneurship and the Founding of New England Towns in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 1991); Gordon E. Kershaw, "Gentlemen of Large Property and Judicious Men": *The Kennebeck Proprietors, 1749–1775* (Portland: Maine Historical Society, 1975). For land sales, see Emerson Baker, "'A Scratch with a Bear's Paw': Anglo-Indian Land Deeds in Early Maine," *Ethnohistory* 36.3 (Summer 1989): 235–56; also Alice Nash, "The Abiding Frontier: Family, Gender and

the Great Proprietors tied legal recognition of their titles to an acknowledgment of Native rights to unsold land. Ordinary colonists with no investments at stake often advocated an aggressive policy of expansion at Native expense, but the Great Proprietors who served as magistrates, legislators, and even governors resisted such an approach.<sup>8</sup> Massachusetts' behavior toward its Wabanaki neighbors reflected this internal colonial divide.

Scholars have studied that divide, especially large landowners' clashes with ordinary farmers.<sup>9</sup> And historians have begun to examine how the Great Proprietors helped shape Indian diplomacy. But most studies of Anglo-Indian relations have not explored the ways in which proprietors' economic and political behaviors intersected, that is, how their roles as land speculators and political leaders overlapped.<sup>10</sup> The 1735–37 encounter along the St. Georges River allows us to do so, thus offering a new view of the complexity and sophistication of frontier diplomacy in advancing the myriad interests of Massachusetts' most powerful and privileged.

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Religion in Wabanaki History, 1600–1763” (Ph.D. diss., Columbia University, 1997), pp. 174–99.

<sup>8</sup>Some colonists speculated on a small scale, as documented by scholars such as Charles S. Grant, “Land Speculation and the Settlement of Kent, 1738–1760,” *New England Quarterly* 28.1 (March 1955): 51–71.

<sup>9</sup>The literature on landholders' conflicts with ordinary colonists is vast. For studies focusing on Maine, see Alan Taylor, “‘A Kind of Warr’: The Contest for Land on the Northeastern Frontier, 1750–1820,” *William and Mary Quarterly*, 3rd ser., 46.1 (January 1989): 3–26, and *Liberty Men and Great Proprietors: The Revolutionary Settlement on the Maine Frontier, 1760–1820* (Chapel Hill: University of North Carolina Press, 1990); and Robert E. Moody, “The Maine Frontier, 1607–1763” (Ph.D. diss., Yale University, 1933). The best treatment of the divide within colonial society and frontier relations is in Michael Leroy Oberg, *Dominion and Civility: English Imperialism and Native America, 1585–1685* (Ithaca, N.Y.: Cornell University Press, 1999), which presents “metropolitans” and settler colonists as the major factions shaping Indian policy. Oberg makes a convincing case that this dynamic persisted during the eighteenth century, but he does not pursue that inquiry himself.

<sup>10</sup>Studies of the Northern New England frontier have tended to focus on the British-French-Wabanaki relationship, without exploring the differences among the British in particular. Besides those mentioned above in nn. 1 and 3, see David L. Ghere and Alvin H. Morrison, “Searching for Justice on the Maine Frontier: Legal Concepts, Treaties, and the Wiscasset Incident,” *American Indian Quarterly* 25:3 (Summer 2001): 378–99, and Charles E. Clark, *The Eastern Frontier: The Settlement of Northern New England, 1610–1763* (New York: Knopf, 1970).



Even as it revealed the tensions within an uneasy relationship, the eviction of Waldo's colonists marked the peak of cooperation between Massachusetts and Wabanaki leaders in the years following Dummer's War. For almost two decades, Wabanakis and speculators agreed that, as Governor Belcher declared in 1736, "the Articles of Peace . . . Shall be Strictly Performed."<sup>11</sup> Then as now, "performance," could mean, "completion of something designed" or a "Composition; work," perhaps of a dramatic nature.<sup>12</sup> Both meanings were relevant in the maintenance—and eventual dissolution—of the peace along the St. Georges River.

Just as Indians, colonists, and speculators attached different meanings to the performance of property ownership, Massachusetts and Wabanaki leaders approached the performance of peace in their own distinct ways.<sup>13</sup> For Massachusetts leaders, in their roles as both speculators and agents of empire, siding with the Penobscots against the incursions of Samuel Waldo and his colonists allowed them to assert greater authority over a frontier region spinning out of their control. Both Dummer's Treaty of 1727 (which had brought that war to an end) and the Penobscots' attendant recognition of various land sales required that Native rights to unsold territory be defended. For Penobscot leaders, calling upon Governor Belcher and the General Court to assist them in rebuffing the 1736

<sup>11</sup>*Calendar of State Papers Colonial, America and West Indies, 1574–1739*, 45 vols. (London, 1860–1994), vol. 42, doc. 365 ii, URL: <http://www.british-history.ac.uk/report.aspx?compid=72848>.

<sup>12</sup>See Samuel Johnson, *A Dictionary of the English Language*, 2nd ed. (London: 1755–56), s.v. "Perform," "Performance." See also John Ash, *The New and Complete Dictionary of the English Language . . . In Two Volumes* (London, 1775), s.v. "Perform," "Performance."

<sup>13</sup>For an in-depth analysis of Native concepts of ownership, see especially Lisa Brooks, *The Common Pot: The Recovery of Native Space in the Northeast* (Minneapolis: University of Minnesota Press, 2008); Cronon, *Changes in the Land*, pp. 54–68; and Bernard G. Hoffman, "Ancient Tribes Revisited: A Summary of Indian Distribution and Movement in the Northeastern United States from 1534 to 1779. Parts I–III," *Ethnohistory* 14.1–2 (Winter–Spring 1967): 16–21.

intrusion helped them maintain Native control over the Dawnland. They did not appeal as subjects but, rather, as sovereign leaders who demanded that Belcher control his own people.

The cultural divide over landownership continued to drive both conflict and collaboration throughout Waldo's bid to colonize the St. Georges River region, located on the west side of Penobscot Bay. On several occasions, Waldo and the Penobscots wrangled over the meaning of different rituals of ownership. The speculator continued to emphasize the immutable, binding nature of the deeds he claimed validated his company's title. The Penobscots, for their part, focused on the ongoing, reciprocal nature of land agreements, were willing to compromise during negotiations, and expected Waldo to do the same. Most other speculators with a seat in the General Court backed the Penobscots not because they shared their culture of landownership but because Waldo's claims proved to be shaky, even by the standards of absentee proprietors. The coalition that resisted Waldo in 1736 represented a convergence of interests, not of understanding. Indeed, different interpretations of the performance of peace in 1736 contributed to its unraveling less than ten years later.

The episode on the St. Georges revealed that Massachusetts' adherence to Dummer's Treaty depended on two parties: the speculators, who relied on the agreement to secure their land titles, and the governor. It was no accident that the peaceful interlude on the Maine frontier (1727–44) coincided almost exactly with Belcher's eleven-year tenure (1730–41) as governor. Son of Boston merchant Andrew Belcher, Jonathan was tied to the city's commercial elites by family and business. A devout Congregationalist in the old Puritan mold, Belcher joined the Society for the Propagation of the Gospel in New England, a London-based organization dedicated to converting the Indians to Christianity. Throughout his years as governor, Belcher pursued this elusive goal, though he received little support for the project.<sup>14</sup> Before his appointment, Belcher had speculated in

<sup>14</sup>Batinski, *Jonathan Belcher*, pp. 8, 69–71. For Belcher discussing these efforts with various contemporaries, see Jonathan Belcher to Col. John Stoddard, 31 March

land in Maine and elsewhere with his father. After 1729, he retained a share in a mining enterprise in Simsbury, Connecticut, only.<sup>15</sup> Still, he continued to favor frontier speculative enterprises.<sup>16</sup> After his first official trip Downeast in 1732, he gushed over “the fine harbours and rivers full of fish, and border’d with champion lands, fill’d with noble timber of all sorts, and which when clear’d will be fit for the scythe and the plough; I think that Country well deserves the particular Care Protection and Encouragement [*sic*] of this Government.”<sup>17</sup>

More than most land speculators, Belcher hoped to combine fairness toward the Indians with a profitable, orderly expansion of the British Empire into the Dawnland. At a time when New Englanders’ racism toward Indians was growing, Belcher approached them with a principled, even antiquated, goodwill.<sup>18</sup> Although the intent of Massachusetts law was to keep the two races separate, Belcher advocated not only intensive missionary outreach but marriage between whites and Indians.<sup>19</sup> Commanding that white soldiers “should not insult or use them ill,” he also supported integrating Indian volunteers with white troops during a 1740 military expedition to the West Indies. “They are the King’s natural born subjects, bred up after

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1732, reel 2, and to Mr. Seicombe, 25 February and 22 April 1737, Jonathan Belcher Letterbooks, reel 5, Massachusetts Historical Society (MHS), Boston. All quotations courtesy of the Massachusetts Historical Society. For the failure of the missionaries Belcher sent, see Belcher to John Gyles, 28 February 1735, and Belcher to Mr. Dalrymple, 30 July 1737, Belcher Letterbooks, reels 4 and 5.

<sup>15</sup>John Langdon Sibley and Clifford K. Shipton, *Sibley’s Harvard Graduates: Biographical Sketches of Those Who Attended Harvard College*, 17 vols. (Cambridge: Harvard University Press, 1873–), 4:437, 442.

<sup>16</sup>Batinski, *Jonathan Belcher*, pp. 71–72. See Belcher to William Sharp, 19 September 1732, Belcher Letterbooks, reel 2, for his heated defense of the proprietors’ property rights against the incursions of David Dunbar in Maine.

<sup>17</sup>Belcher to Reverend Christopher Toppan, 14 August 1732, Belcher Letterbooks, reel 2.

<sup>18</sup>This increasing racism is explored best by Alden T. Vaughn, “From White Man to Redskin: Changing Anglo-American Perceptions of the American Indian,” *American Historical Review* 87 (October 1992): 917–53.

<sup>19</sup>Belcher to Lord Edgemont (a trustee of the colony of Georgia), 1 August 1737, Belcher Letterbooks, reel 5. See also, Yasuhide Kawashima, *Puritan Justice and the Indian: White Man’s Law in Massachusetts, 1630–1763* (Middletown, Conn.: Wesleyan University Press, 1986).

the English manner,” he argued, “and their having black hair and tawny faces don’t at all disable them from being good souldiers.”<sup>20</sup>

In the early 1730s, Belcher launched a campaign to win over the Wabanaki. He clamped down on abusive private traders who cheated their Native customers.<sup>21</sup> On a few occasions when Indians complained that colonial dams were disrupting their fishing, he personally intervened. In 1739, for example, emphasizing its importance for the Indians, he wrote to a dam owner asking him to “treat the Indians kindly” and keep a sluice open for the fish to pass through.<sup>22</sup>

Belcher also awarded commissions to friendly Wabanaki sagamores (chiefs), thus investing them with authority to lead their warriors on behalf of Massachusetts, should the need arise, as well as paying them an annual stipend.<sup>23</sup> The commissions’ symbolic importance was not lost on the Wabanakis. Those leaders who wished to emphasize their independence turned them down, so Belcher’s venture met with only limited success. Only three of the fifteen Penobscot leaders who received commissions chose to accept them, while leaders among the weaker tribes proved more receptive.<sup>24</sup> At least among the Penobscots,

<sup>20</sup>Belcher to Col. William Blakeney, 15 September 1740, reel 6, Belcher Letterbooks.

<sup>21</sup>Bourque, *Twelve Thousand Years*, p. 196.

<sup>22</sup>For complaints, see Belcher to Col. Thomas Westbrook [from Sec. Willard, draft], 7 September 1736, Massachusetts Archives Collection, 52:542, Massachusetts State Archives, Boston (all quotations courtesy of the Massachusetts Archives) and Conference with Polin & Indians of Presumpscot, 10 and 13 August 1739, in *Documentary History of the State of Maine*, ed. James Baxter, 24 vols. (Portland: Maine Historical Society, 1869–1916), 23:257–62.

<sup>23</sup>Belcher to Capt. Thomas Smith, 30 October 1734, Belcher Letterbooks, reel 4. A captain’s commission was worth £10 per year, and a lieutenantcy £6, “to continue seven years.”

<sup>24</sup>See, e.g., the John Minot Ledger, 1731–36, [Fort Richmond], and John Minot Account Book for Fort Richmond, both in the Pejepsot Historical Society, Brunswick, Maine. Fort Richmond was the truck house for the Kennebecs. Entries in the ledger on pp. 52–53 and 56 list “Premegan an Indian on Allowance,” “Pepeguoant an Indian,” “Quenois an Indian,” and “Packanambemet an Indian” all receiving payments. On p. 56, Minot records that Packanambemet received £5 transferred from Pepeguoant’s account on 20 May 1736 because “he having the Commission and the Other refusing it,” indicating at least one Kennebec leader had a change of heart. See also entries in the account book on pp. 18, 31, 39, 73, 80–81. The French, opposed to Massachusetts



the commissions caused dissension. In 1738, Loron—who had personally declined a commission—told Belcher that “the commissions make the Indians that have them exceeding proud, and they breed mutinies and won’t come to Prayers, but do nothing but get drunk.”<sup>25</sup>

Loron’s reservations aside, Belcher was skillful in the personal aspects of successful Native diplomacy. When his wife died in October 1736, Belcher instructed Fort St. Georges commander and interpreter Captain John Gyles to read a message to the Penobscots. “God in his Holy providence has taken away my Squaw,” he wrote them; he hoped that “they (my Brethren) will mourn with me.” In addition, he sent Gyles six pairs of gloves “as a token of my Respect . . . to be given to such of the chiefs of the Tribe, as you may judge proper, and perhaps it may be best to give to those, that have received Commissions from the Govt. When you deliver the Gloves, tell ’em it’s english [*sic*] Fashion to give Gloves at Funerals.”<sup>26</sup> This incorporation of gift giving and familial metaphors fit well with the Wabanaki practice of diplomacy.<sup>27</sup>



In 1735, however, Samuel Waldo’s actions threatened to upset Belcher’s charm offensive. Unlike most of the other Great Proprietors or the Wabanakis, Waldo had no stake in Dummer’s Treaty of 1727.<sup>28</sup> As written, its terms guaranteed

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commissions on principle, pressured the Indians to reject them. See Robert H. Lord, John E. Sexton, and Edward T. Harrington, *History of the Archdiocese of Boston*, 3 vols. (New York: Sheed and Ward, 1944), 1:151.

<sup>25</sup>“Boston Conference, Massachusetts Governor, Penobscots, and Norridgewocks, June 28–July 6 1739,” in *New England Treaties, North and West*, ed. Daniel Mandell, vol. 20 of *Early American Indian Documents: Treaties and Laws, 1607–1789*, ed. Alden Vaughan (Washington, D.C.: University Publications of America, 2003), p. 412. For Loron’s rejection, see Belcher to John Gyles, 28 February 1735/36, Belcher Letterbooks, reel 4. The only three Penobscots who took the commissions were “Col. Lewis, Espequit and Ninent.”

<sup>26</sup>Belcher to John Gyles, 23 October 1736, Belcher Letterbooks, reel 5.

<sup>27</sup>Morrison, *Embattled Northeast*, pp. 28–32.

<sup>28</sup>There were actually three agreements, in 1725, 1726, and 1727; in the final meeting, all were ratified.

Massachusetts (and, by extension, the Great Proprietors) the right to reoccupy all towns and forts held before the last war had begun in 1722, but Indians forbade any new incursions onto their lands, emphasizing the St. Georges River in particular. In exchange, they received promises that no “Gentlemen” would “produce or offer Claims of Lands” unless they could prove their title “after a fair and lawful Tryal.”<sup>29</sup> Loron, who spoke for the Penobscots and played a major role in this and most subsequent negotiations throughout the next fifteen years, protested that “these writings appear to contain things that are not.” He objected to several key issues, including Penobscot land sales, concerning which, he declared, “I admit nothing.”<sup>30</sup> However, the Kennebecs, Androscoggins, and Pigwackets living nearby colonial towns did not complain, and the British reoccupation of mid-Maine proceeded apace. Subsequent statements by the Natives likewise conceded that British towns in mid-Maine had been won through conquest. Even when the Penobscots reargued their case, they allowed what they thought was a modified treaty to stand.<sup>31</sup> Despite this duplicity, most Wabanakis believed, along with the proprietors, that Dummer’s Treaty validated their respective land claims; both parties invoked it well into the 1750s.<sup>32</sup>

<sup>29</sup>“Falmouth-Casco Conference,” 10 July–11 August 1726, *New England Treaties*, p. 306.

<sup>30</sup>Indian Explanation of the Treaty of Casco Bay, in *Documents Relative to the Colonial History of the State of New York; Procured in Holland, England and France*, ed. E. B. O’Callaghan, 15 vols. (Albany: Weed, Parsons and Company, 1856–87), 9:966, 967. For a biography of Loron, see *Dictionary of Canadian Biography*, s.v. “Sauguaaram,” [http://biographi.ca/en/bio/sauguaaram\\_3E.html](http://biographi.ca/en/bio/sauguaaram_3E.html), accessed 27 August 2013.

<sup>31</sup>Lord, *History of the Archdiocese of Boston*, 1:136–37; Morrison, *Embattled North-east*, pp. 189–90; Ghere, “Mistranslations and Misinformation,” pp. 6–10.

<sup>32</sup>For an example of the proprietors doing so, see copy of *Conference with the Eastern Indians, at the Ratification of the Peace, held at Falmouth in Casco-Bay, in July and August, 1726* (Boston, 1726) in the Kennebec Proprietors Papers, box 13, folder 3, Maine Historical Society (MeHS), Portland. All quotations courtesy of the Maine Historical Society. Belcher Noyes, clerk of the Pejepscot Proprietors, owned this copy, underlining several passages dealing with the company claims, along with a section on p. 12 promising equal justice for all. See also the highlighted copy of *The Conference With the Eastern Indians at the further Ratification of the Peace, Held at Falmouth in Casco-Bay, in July 1727* (Boston, 1727), in Kennebec Proprietor Papers, box 14, folder 2. In 1763, Noyes wrote to a fellow proprietor, telling him that the

Waldo's company, the Muscongus Proprietors (named for the land tract they claimed), derived none of their rights from the Indians. Unlike their rivals, they did not base their title on a sale acknowledged by the Wabanakis. Instead, the Muscongus Patent rested on an inherited share of the vast, vague Plymouth Grant of 1629 and from a 1694 sale (possibly coerced) by the sagamore Madockawando, which the Penobscots had always repudiated and was the basis of Loron's angry protest of treaty mistranslations.<sup>33</sup> Before 1722, the proprietors had barely developed their patent.<sup>34</sup> Compared to its rivals, the company had done such a lackluster job of establishing viable towns that in 1734 Waldo agreed to take over the job himself in exchange for one hundred thousand acres, or one quarter of the entire patent. With more inheritances and purchases having already increased his influence, Waldo became the company's dominant shareholder.<sup>35</sup>

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deed upon which the company based its claim had "been proved and approved by this Government and produced at all the Treaties with the Indians for above forty years past, more especially . . . at Gov. Dummer's Treaty which is now allowed to be the Basis on which all the Subsequent Treaties are grounded." See Belcher Noyes to Enoch Freeman, 12 November 1763, Pejepsot Proprietors Papers, vol. 5, box 3, folder 3, p. 77. For Wabanaki leaders, see, e.g., in *Documentary History of Maine*: Indian letter to Gov. William Shirley, from St. Georges, 17 November 1749, 23:322; Indian Letter to Lt. Gov. Spencer Phips, signed by Sebooset (a Penobscot) from St. Georges, 1 March 1751, 23:374; and Indians to Gov. William Shirley, 8 January 1755, 24:23-24.

<sup>33</sup>For the origins of the Muscongus (Lincolnshire) Patent, see Lincolnshire Company Records, pp. 1-13, MHS; for the Madockawando sale and subsequent repudiation, see Morrison, *Embattled Northeast*, pp. 130-32; Alvin H. Morrison, "Dawnland Decisions: Seventeenth-Century Wabanaki Leaders and Their Responses to the Differential Contact Stimuli in the Overlap Area of New France and New England" (Ph.D.diss., SUNY Buffalo, 1974), pp. 90-92; and Bourque, *Twelve Thousand Years*, 166-67. For Loron's objections, see Indian Explanation of the Treaty of Casco Bay, *New York Colonial Documents*, 9:966-67.

<sup>34</sup>Joseph Williamson, "Brigadier General Samuel Waldo, 1696-1759." *Collections of the Maine Historical Society*, 1st ser., vol. 9, pp. 79-80.

<sup>35</sup>For manuscript records of Waldo's acquisitions, see "The Plymouth Company lands at Muscongus in which Samuel Waldo was a great Proprietor," Lincoln Family Papers, vol. 26, American Antiquarian Society, Worcester, Mass. All quotations courtesy the American Antiquarian Society. Early company activity and copies of founding deeds are in Lincolnshire Company Records, pp. 1-32, MHS. See also a valuable history kept by Belcher Noyes, descendant of a proprietor, in a bound volume, "Pejepsot Company Deeds, 1764," p. 77, MHS. Waldo's inheritance from his father Jonathan—Deed to Samuel Waldo, 20 March 1727/28—is in the Henry Knox Papers, microfilm, 55 reels (Boston: New England Historic Genealogical Society, 1960), vol. 40,

A hard-driving businessman, Samuel Waldo allowed few obstacles to stand in the way of what he called, in one letter, his “method of Business and the first principles [*sic*] in nature [,] self preservation.”<sup>36</sup> Waldo and a business partner, Thomas Westbrook, conspired to have one Richard Fry arrested and thrown in jail to prevail in a lawsuit over Fry’s paper mill.<sup>37</sup> Several years later, Waldo sued Westbrook for a debt of £15,000. Westbrook died a bankrupt soon thereafter. Fearing that Waldo would seize the body to compel repayment, Westbrook’s family hid his remains.<sup>38</sup> In 1734, Waldo applied his formidable energies to settling two towns on the Muscongus Patent.

Waldo’s scheme highlights the extraordinary power that wealthy land speculators exerted within Massachusetts. Acting without any explicit approval or support from the government, Waldo established new towns in Wabanakia, conducting himself as if he were a representative of the Crown. Requesting, and certainly expecting, military protection and the services of the interpreter at Fort St. Georges, Waldo did not bother to consult with Governor Belcher or anyone else in the provincial government to determine how his plans affected Massachusetts Indian policy. Instead, Waldo himself played

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item 3. Waldo had also gained half of all the company land as a reward for his 1730–31 lobbying efforts in England on behalf of the proprietors (see Belcher Noyes, above, and also Williamson, “Samuel Waldo,” *Maine Historical Society Collections*, 1st ser., 9:80–81.

<sup>36</sup>Samuel Waldo to William Shirley, 28 June 1748, *Henry Knox Papers*, vol. 40, item 91. The quotation is from a nine-page letter in which Waldo refused to issue vouchers documenting the payments he had made to his officers and men during the Louisburg campaign of 1746, evidence in a squabble over money he claimed the province owed him. See John A. Schutz, *William Shirley, King’s Governor of Massachusetts* (Chapel Hill: University of North Carolina Press, 1961), pp. 134–37, 140–41.

<sup>37</sup>Petition of Richard Fry to Jonathan Belcher, 22 June 1739, Maine Historical Manuscripts Scrapbooks, 1:87, MeHS.

<sup>38</sup>William David Barry with Frances W. Peabody, *Tate House: Crown of the Maine Mast Trade* (Portland: National Society of Colonial Dames of America in the State of Maine, 1982), pp. 20–21. The body was discovered in 1976 during an archaeological dig. See the Petition of Thomas Westbrook to General Court, 13 January 1737/38, Mass. Archives, 41:232–37, in which Westbrook complained that Waldo had sued him for £7,538, then arranged a meeting in Falmouth to settle the dispute. While Westbrook waited in Falmouth, Waldo’s attorney presented a writ in Boston against Westbrook, who had no one to represent him or offer counterevidence.

the role of governor, convening two conferences with the Penobscots, even distributing gifts at the conclusion of the second.<sup>39</sup>

Although Waldo exemplifies land speculators' enormous influence, no other individual sought to amass as much as he did. Several other companies possessed more territory, but no person rose to the level of domination that Waldo achieved. Because proprietors' meetings allotted votes according to the percentage of shares members held, Waldo could run the Muscongus Company however he wished by 1735. He also had more power over his colonists than most proprietors. In addition to any New England families he could persuade to move Downeast, Waldo shipped over Protestants from Ulster (and eventually Germany and Scotland) to live in his towns.<sup>40</sup> European immigrants would find Waldo's system of landownership more familiar than did New England colonists. Unlike most other proprietors in Maine, Waldo rarely sold his land; instead, he rented parcels for a small ceremonial fee, thus keeping the patent within his family's holdings.<sup>41</sup> Hoping to establish two towns of forty families each on the west side of the St. Georges River, near a province fort and truck house (trading post) of the same name, Waldo advertised widely throughout Massachusetts. He promised one hundred acres to each family who settled on the tract, "to which," he claimed the "title is indisputable."<sup>42</sup> The first colonists arrived in March 1735. Sailing to the area the following month, Waldo was

<sup>39</sup>"Samuel Waldo's Interview with the Indians, November 2 and 11 1735," in *The Saltonstall Papers*, ed. Robert E. Moody, 2 vols. (Boston: Massachusetts Historical Society, 1972), 1:390.

<sup>40</sup>See Waldo's agreement with one group of Irish in Patent, 7 July 1735, *Knox Papers*, vol. 40, item 10. For later immigrants from Scotland and Germany, see Waldo's agreements with John Bryson, 27 July 1753, Archibald Anderson, 17 July 1753, and John Millen, 20 July 1753, all in Glasgow, in Henry Knox Papers, box 21, folder 4, MeHS.

<sup>41</sup>See, e.g., Francis Shaughnessy Indenture from Samuel Waldo, 1736, and Jeremiah Voss Indenture from Samuel Waldo, 26 January 1743, both in Henry Knox Papers, box 22, folder 4. Shaughnessy was charged a peppercorn per year for his lease, and Voss paid 5 shillings up front and a peppercorn per annum thereafter.

<sup>42</sup>Samuel Waldo, *Samuel Waldo of Boston, Merchant, intending with all possible Expedition . . .* (Boston, 1735), Evans Collection, ser. 1, no. 4088.

eager to meet with Penobscots who seemed ready to dispute his title.<sup>43</sup>

The only surviving record of the resulting conference is an account Waldo published a month later in Boston. Doubling as an advertisement for more colonists, the report heralds the area's great potential for producing "hemp, Flax, [and] Masts" and insists that the Crown has no power to interfere with the proprietors' designs. Most important, despite rumors of Native "dissatisfaction," Waldo swore that "the Indians gave me the utmost good reason to think that they are well inclin'd to our intended Settlements."<sup>44</sup>

Waldo claimed that the conference had gone well and that the Penobscots had "freely consented" to his proposal. Initially the Indians had denied the legitimacy of the infamous 1694 Madockawando sale and, according to his account, objected to the fact that Waldo had not secured the permission of the Massachusetts governor. Waldo countered that "the English Constitution was different from the Indians[?]." "English Men," he informed them, "had a right to Settle their own lands as they pleas'd." Waldo claimed that the twenty-six Penobscots present were satisfied when he told them his towns would go no farther than the eastern branch of the St. Georges River, and they said they would make a report to the whole tribe.<sup>45</sup>

Several discrepancies, some present in Waldo's own accounts, belie the speculator's rosy interpretation of events. His initial transcript cum press release recorded that the Penobscots attending the conference included "some of their Chiefs and Men of Note in their Tribe."<sup>46</sup> But a year later, Waldo admitted that at that very meeting, "their Young Men were surpriz'd into a Consent without Consideration."<sup>47</sup> Waldo reported that

<sup>43</sup>Middlecott Cooke to Elisha Cooke, 11 March 1735, *Saltonstall Papers*, 1:383-84; Samuel Waldo, *Whereas since my return from St. George's River in the eastern parts of this province . . .* (Boston, 1735), p. 1, Evans, ser. 1, no. 40087.

<sup>44</sup>Waldo, *Whereas since my return*, pp. 3, 1, 2.

<sup>45</sup>Waldo, *Whereas since my return*, pp. 2, 1, 1-2, 2.

<sup>46</sup>Waldo, *Whereas since my return*, p. 1.

<sup>47</sup>Waldo, *A Defence of the Title of the late John Everett, Esq, to a Tract of Land in the Eastern Parts of the Province of Massachusetts Bay, commonly called Muscongus*

he had told the Indians he would return in the autumn, and the Indians emphasized their desire “to avoid any Misunderstandings.”<sup>48</sup> On balance, the exchange seems to indicate that the Penobscots were not endorsing Waldo’s new towns but stalling for time to decide on a proper course of action.

Samuel Waldo continued to push forward, either unaware or unconcerned about the trouble his actions were causing. He approached his meetings with the Penobscots as necessary formalities, not sincere negotiations. Before his second conference with the Indians in November 1735, Waldo bound himself to provide land along the St. Georges for forty-one Irish Protestant families, pledging £10,000 if he failed to do so.<sup>49</sup> Despite evidence of some opposition to his venture in Massachusetts and among the Indians, Waldo’s confidence did not flag, nor did that of his most prominent partner, the wealthy politician Elisha Cooke.<sup>50</sup> Cooke’s son, Middlecott, was with the company at St. Georges. Anticipating a celebratory welcoming for the new colonists, Cooke instructed Middlecott to purchase bark dishes from the Penobscots for his wife.<sup>51</sup>

Belcher did little to interfere with developments on the frontier in 1735. Although he supported purchasing Indian

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*Lands, lying upon St. George’s, Muscongus, and Penobscot Rivers* (Boston, 1736), p. 12, Evans, ser. 1, no. 4098. His original account claimed the Indians asked for a conference “by Espiquett, their Second Chief” (*Whereas since my return*, p. 1). The language is unclear about whether Espequent attended in person or was merely represented by others. Waldo’s later reference to “Young Men” rather than “Old Men” (which was how the British versions of treaty exchanges referred to important sagamores) suggests that men with the authority to speak for the Penobscots were not present at the meeting. Ghere says that the presence of John Gyles as one of the interpreters (the other was Joseph Bean) casts doubt on the reliability of any recorded exchanges, because “Gyles consistently mistranslated official Anglo-Abenaki treaty negotiations for over a quarter of a century from 1725 to 1752” (“Abenaki Factionalism,” p. 174, n. 20; also Ghere, “Mistranslations and Misinformation,” p. 7).

<sup>48</sup>Waldo, *Whereas since my return*, p. 2.

<sup>49</sup>Patent, 7 July 1735, Knox Papers, vol. 40, item 10.

<sup>50</sup>For opposition in Massachusetts, see Elisha Cooke to Middlecott Cooke, 21 May 1735, *Saltonstall Papers*, 1:388.

<sup>51</sup>According to Middlecott’s response in late April 1735, he succeeded in locating a willing seller (see *Saltonstall Papers*, 1:386–87, and 385 for the request).

land to expand Massachusetts, he was suspicious of Waldo's scheme. Belcher disliked both Waldo and the Irish colonists he was attracting. In his private correspondence, the governor mocked the "Eastern Trampoorer" for importing his colonists from "Bogland."<sup>52</sup> Belcher received intelligence from John Gyles warning "of the Dissatisfaction the Indians express about Mr. Waldo's Intentions of making Settlements etc in George's River." In response, Belcher directed Gyles to inform the Indians that Dummer's Treaty would "be punctually observ'd on the part of this Government, who will not push on the Settlement of those Lands, 'till they are satisfy'd, that those, who at present pretend to be the Proprietors, have obtain'd the native right from the true owners." When Waldo requested permission to transport his colonists to St. Georges aboard a province sloop, Belcher, with the advice of his Council, refused. But for the time being, he did nothing to impede Waldo's plan beyond notifying the king's council as events unfolded.<sup>53</sup>



The political climate along the St. Georges was less serene. Loron and other leaders more pro-accommodationist than he had struggled mightily to persuade the confrontational faction to accept the terms of Dummer's Treaty, which they understood as allowing the British to occupy only those areas they had inhabited before the onset of hostilities. From the Native point of view, Waldo was clearly violating the treaty.<sup>54</sup> In the late 1710s and early 1720s, young hardliners had perpetrated acts of intimidation and violence against British trespassers, which helped provoke the war that Dummer's Treaty had

<sup>52</sup>Belcher to Richard Waldron, 3 December 1736, Belcher Letterbooks, reel 5, and 2 June 1735, Richard Waldron Papers, vol. 2, box 1, p. 125, New Hampshire Historical Society (NHHS). All quotations courtesy of the New Hampshire Historical Society. See also Belcher to Waldron, 18 August 1735, Waldron Papers, vol. 2, box 1, p. 177.

<sup>53</sup>Waldo, *A Defence of the Title*, p. 11; Belcher to Gyles, 14 April 1735, Belcher Letterbooks, reel 4.

<sup>54</sup>The "confrontational" and "conciliatory" dichotomy from 1693 to 1744 is borrowed from Ghery's "Abenaki Factionalism," pp. 161–75.



finally concluded. A decade later, Waldo's actions threatened to rekindle old animosities.

Waldo needed all the gifts and persuasion he could muster, for the Penobscots who met him at St. Georges in early November were not in a conciliatory mood. Middlecott Cooke and an anonymous source produced similar accounts of the conference.<sup>55</sup> Cooke counted "sixty-four Men or thereabouts, with a considerable Number of Squaws and Children" near the truck house, numbers that testify to the importance the Penobscots attached to the meeting.<sup>56</sup> Loron spoke for the Indians. When Waldo referred to that spring's meeting with several Penobscots "who were willing to have good Neighbours settling in those Parts," Loron denied their authority and declared that he was now authorized to speak not only for those Indians currently present but for the whole tribe.<sup>57</sup>

In that capacity, Loron repudiated the Madockawando deed, as he had in 1726, insisting that Madockawando had no right to sell the land to anyone. Waldo brushed the protest aside, along with the Natives' claim that the falls of the St. Georges River marked a boundary. Presenting his deed (or a copy thereof) to the Indians, he announced that he would move forward with his plans.<sup>58</sup> The boundary the Indians proposed would prevent him from fulfilling "his Engagements to all his People, there not being sufficient Land to settle on below," and "should any one endeavour to amuse them with false Notions of his having no Right to those Lands . . . they should find themselves very

<sup>55</sup>Waldo included a copy of Middlecott Cooke's deposition in his *Defence of the Title*, pp. 36–37. The anonymous "Samuel Waldo's Interview with the Indians, November 2 and 11 1735," in an "unknown hand," is in the *Saltonstall Papers*, 1:388–91. Cooke, possibly the author, clearly drew on the report when preparing his deposition, but he failed to include the detail that Loron had told Waldo that "those People who were [there] in the Spring were but a few of their tribe and had no order to act or do anything but that they were now the whole tribe and not only acted for themselves but for all the tribe around" (p. 389). Waldo himself later admitted that, as Loron insisted, the men he met with in April had no authority [*A Defence of the Title*, p. 12]. My description of the conference is based on both accounts.

<sup>56</sup>Cooke, deposition, p. 36.

<sup>57</sup>Cooke, deposition, p. 36.

<sup>58</sup>Cooke, deposition, p. 36; "Waldo's Interview," 1:389.

much deceived therein.”<sup>59</sup> After withdrawing to discuss their response, the Penobscots agreed to permit continued occupation of the west side of the St. Georges River (which flowed from northwest to southeast, emptying into Penobscot Bay), even above the falls.<sup>60</sup>

In the face of Waldo’s bluster, Loron and the Penobscots attending the conference chose to preserve the peace. But the decision, unwelcome even for conciliatory leaders like Espequent, who had taken commissions from Belcher, discomfited the Penobscots.<sup>61</sup> During the winter, they grappled with how best to respond. Ultimately those opposing Waldo’s encroachments carried the argument. In April 1736, they dictated a letter to Belcher through John Gyles. Despite “misconstructions of what we have said . . . as though some French-men or others had filled our Heads with what we should deliver,” the Penobscots declared that they alone had resolved to bring their complaints directly to the governor. They once more renounced the Madockawando deed, the basis for Waldo’s claim, but “through extream fondness for Peace, we assented to his Settling the Lots and finishing the Houses which he had begun upon the River.” However, “upon long and serious consideration of its Attendants and Consequences we now repent of, and desire you to prevent [that development]. We expect you have power to do so.”<sup>62</sup> Since Belcher had written to the Penobscots in the winter of 1735, reminding them of his authority to survey and to “plant English Houses and build Forts upon King Georges Lands where I think proper,” the Penobscots subtly countered a ploy commonly adopted by other governors, that is, claiming that they had no power to intervene in land disputes involving deeds.<sup>63</sup>

<sup>59</sup>Cooke, deposition, pp. 36–37.

<sup>60</sup>“Waldo’s Interview,” 1:389; Cooke, deposition, p. 37.

<sup>61</sup>Belcher to John Gyles, 28 February 1735, Belcher Letterbooks, reel 4.

<sup>62</sup>The letter can be found in Waldo, *A Defence of the Title*, p. 12; for corroboration, see Calendar of State Papers, vol. 42, doc. 365 i, URL: <http://www.british-history.ac.uk/report.aspx?compid=72848>.

<sup>63</sup>Quotation from Belcher to Gyles, 28 February 1735, Belcher Letterbooks, reel 4. For a previous claim by Lt. Governor William Dummer that he could not tamper

Over the winter, the hardliners had clearly prevailed. If Waldo's colonists remained, the ten signers cautioned, "it will cause the breach of peace."<sup>64</sup> Along with the names of several sagamores, the signatures included names not found in other treaties or conference records, indicating that various family lineage-leaders had participated. Sagamores often consulted with these men—often called "captains" in English sources—when making a decision. By including so many names, the Penobscot letter suggests an attempt to demonstrate the broad support for their position.<sup>65</sup> Loron signed, but Espequet and Arexis, the two leaders who had been most willing to compromise, did not.<sup>66</sup> Unanimity had not been achieved, but the document's subscribers spoke for the majority; and so they instructed Belcher to "take no notice" if "one or two of our Tribe should write" unless they did so with the backing of "a General Council."<sup>67</sup>

The letter also conveys the Penobscots' viewpoint about the legitimacy of land transfers. "When Lands are taken from us in time of War," they said, "we are content, but if in time of peace we can't [*sic*] rest satisfied." In this regard, the Indians shared the European practice of acknowledging the transfer of land by conquest. Although they lamented their losses from defeat, the Wabanakis acknowledged the reality of Massachusetts gains in the years following 1713. Lands were necessarily forfeited, and peace treaties were regarded as a form

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with private property rights, see *Conference with the Eastern Indians, 1726*, pp. 9–10. Also statements by a Massachusetts commission at a 1752 conference at St. Georges in *New England Treaties*, p. 690.

<sup>64</sup>Waldo, *A Defence of the Title*, p. 12.

<sup>65</sup>For an explanation of the groupings of related family bands into extended lineages in Wabanaki society, see Ghere, "Abenaki Factionalism," pp. 38–39, 48–52; for Wabanaki political decision making, see Morrison, "Dawnland Decisions," pp. 28–30, 47–65. Among the other signers were names that seldom, if ever, appeared in conference records or treaties, including Pate, Papadowit, Chaouset, and Joseph Akasunhawk.

<sup>66</sup>Waldo, *A Defence of the Title*, p. 12.

<sup>67</sup>Waldo, *A Defence of the Title*, p. 12. Ghere ("Abenaki Factionalism," p. 176) argues that as a result of tensions over the Waldo incursion, Espequet was demoted, perhaps even banished, because in the late 1730s he lived with the Passamaquoddy for a time.

of deed. The Penobscots did not object to the terms of conquest but, rather, to manifest trespass. “If persons would settle Lands not their own,” they explained, “we choose that they would tell us plainly, and not wind themselves in, and encroach upon us subtilty [*sic*], for then we should immediately come to some resolution.”<sup>68</sup> In response to the letter, Belcher and his Council invited the Penobscots to send a delegation to Boston.<sup>69</sup> The meeting, everyone undoubtedly understood, was the last chance to avoid a resurgence of violence on the frontier.



At the scheduled June hearing, Belcher and the entire General Court listened as the Penobscot delegates—the accommodationists Arexis and Espequent, perhaps considered the best spokesmen for a number of reasons—rehearsed their complaints, describing a situation that made a mockery of the General Court’s pretensions to authority over residents of the St. Georges region.<sup>70</sup> The Penobscots reported that Waldo’s colonists “croud nearer to us than what was agreed by us and Mr. Waldo, at which we are very uneasy,” and they feared the latest land grab would bring “Blood and War.”<sup>71</sup> Only through great effort, they confided, did “our Old Men at Several Meetings in Council . . . at last prevail on the younger Sort to agree to a Settlement of the English on the Main River as high as the Falls.” Belcher inquired, since the colonists

<sup>68</sup>Waldo, *A Defence of the Title*, p. 12.

<sup>69</sup>*Calendar of State Papers*, vol. 42, doc. 375 ii, a and b. URL: <http://www.british-history.ac.uk/report.aspx?compid=72848>.

<sup>70</sup>*Journal of the House of Representatives of Massachusetts, 1715–1779*, 55 vols. (Boston: Massachusetts Historical Society, 1902–90), 14:70–71, 79. There is no record of why Loron did not attend, although he spoke for the Penobscots at all the other major conferences between 1727 and 1732. The Indians may have thought the conciliatory leaders would make the best spokesmen or that Espequent’s commission from Belcher might carry weight. Perhaps Loron had become exasperated by British duplicity about the St. Georges region.

<sup>71</sup>Quoted in Waldo, *A Defence of the Title*, p. 13. The copy in the *Calendar of State Papers* contains the full record of the hearing, which also dealt with the price of beaver. See *Calendar of State Papers*, vol. 42, doc. 375 ii, d. URL: <http://www.british-history.ac.uk/report.aspx?compid=72849>.

“had no Order from me, or Agreement for the Settlement; what private Agreement had you?” The Penobscots were blunt. Waldo, they reported, had “said he had no regard to English or Indians, he had purchased the Lands, and would settle them.”<sup>72</sup>

When Belcher asked if Waldo had shown them any deeds, the Penobscots revealed their understanding of the term. They “did not read any Deed,” the delegation answered, but Waldo “shewed us a Paper with a large seal to it, and said that was his Title.” He “shewed us a great many Papers, one he said came from England, another he said was from Medakawando,” whose “Right or Title” the Penobscots again dismissed.<sup>73</sup> The Penobscots, who had years of experience dealing with the English, were familiar with deeds of sale.<sup>74</sup> But they did not recognize a patent originating with the king. For example, in one recorded 1724 exchange, a lieutenant informed some Wabanakis that the land around Fort St. George belonged to the king. The Indians responded by asking why King George’s men did not “go to King George to get any of his Land.”<sup>75</sup> Even if Madockawando had had a right to sell, the Penobscots observed to Belcher, someone would have had to receive money for the land, a transaction of which they certainly would have been, but were not, aware. Thus, they insisted, it had never transpired.<sup>76</sup> By the Penobscots’ reasoning, if a deed reflected a monetary exchange between the party who resided on a property and the party who had acquired it, then Waldo had no deed for his patent. This reasoning would have appealed to numerous colonists plagued with

<sup>72</sup>Waldo, *A Defence of the Title*, p. 14.

<sup>73</sup>Waldo, *A Defence of the Title*, p. 14. The large paper with a seal was probably a copy of the Plymouth Patent of 1629. See Lincolnshire Company Records, pp. 1–3, MHS.

<sup>74</sup>Baker, “A Scratch with a Bear’s Paw,” pp. 245–47, and Nash, “Abiding Frontier,” pp. 196–97.

<sup>75</sup>William Coyne for Lieutenant William Canady, 21 July 1724, “Account of Indian attack on St. Georges Fort,” in *Letters of Colonel Thomas Westbrook and Others Relative to Indian Affairs in Maine, 1722–1726*, ed. William Blake Trask (Boston: George E. Littlefield, 1901), p. 67.

<sup>76</sup>Waldo, *A Defence of the Title*, p. 14.

intrusions by patent-waving speculators, but peace depended on whether the Penobscots' logic convinced Belcher and the General Court. Belcher appointed a seven-member joint committee of his Council and the House of Representatives to consider the evidence presented by Waldo and the Penobscots and to make a report.<sup>77</sup>

On 2 July 1736, the committee read its report, as full-throated an endorsement of Native land rights as Massachusetts legislators would ever utter. They declared that "from time to time the Right of the Indian Natives to the Lands in this Country has been acknowledged, and in several late Treaties with them the Government has not only given them Assurances of their Justice with respect to their Lands but promised them to disclaim such Controverted Lands, the Title or Right to which cannot be made out or proved." The committee went further, recognizing that the Penobscots had never accredited the Madockawando purchase: it even denied that the 1629 Plymouth Grant met the standards of the 1727 treaty, and it insisted Native lands be "fairly purchased." The committee noted that previous royal guarantees of British subjects' private property rights in Maine, as asserted against the Crown, were not issued "in opposition to the Indian Right." Therefore, the committee advised Belcher "to assure the Penobscott Tribe that this Government will not Encourage, nor Countenance Mr. Waldo or any others in Settling or Improving any Lands on George's River above the Falls or flowing of the Water, until the Government shall be satisfy'd that those Lands have been fairly purchased of such Indians, as were the rightful owners thereof."<sup>78</sup>

As the House received the report, along with notice that Belcher and his Council had agreed to its findings, Waldo appeared outside the chamber. No doubt receiving notice from a House ally that his plans were collapsing, he asked leave to submit a written rebuttal to the committee's report. The House

<sup>77</sup>*Calendar of State Papers*, vol. 42, doc. 365 ii, URL: <http://www.british-history.ac.uk/report.aspx?compid=72848>.

<sup>78</sup>Report in *Calendar of State Papers*, vol. 42, doc. 375 ii, f, URL: <http://www.british-history.ac.uk/report.aspx?compid=72849>; also in Waldo, *A Defence of the Title*, p. 16.

granted him only a verbal response, to be delivered on the morning of 3 July. After Waldo presented his reading of the 1629 grant and of Madockawando's sale, the House weighed the evidence and voted to support the committee's findings.<sup>79</sup> Over Waldo's ongoing protests, Belcher and the General Court met with the Penobscot delegation on 6 July. Announcing the verdict to them, Belcher promised that they "may entirely depend on the observation of all the Articles of Peace, they shall be strictly performed."<sup>80</sup>

During the 1720s and the 1750s, Massachusetts chose to go to war against the Indians rather than compromise the prerogatives of land companies. Yet in 1736, the General Court sided with the Penobscots against Samuel Waldo and the Muscongus Company. But the same logic that drove the government into war in some instances pulled it back in others. Out of the swirl of competing agendas and demands in 1736, several were key.

Some legislators believed, as Governor Belcher later wrote to relatives in England, that "the government are obliged by one treaty after another not to abuse [the Indians] in" their "claim and right to those lands" not previously sold.<sup>81</sup> Some proprietors and Massachusetts elites, especially those, like Captain John Minot, still bent on converting the Wabanakis, wanted the province to adopt "the golden rule of doing as we would be done by" the Indians.<sup>82</sup> Minot and Belcher

<sup>79</sup>*Massachusetts House Journals*, 14:91–93.

<sup>80</sup>*Calendar of State Papers*, vol. 42, doc. 365 ii, URL: <http://www.british-history.ac.uk/report.aspx?compid=72848>.

<sup>81</sup>Belcher to Messrs. Partridge and [Andrew] Belcher, 24 December 1739, Belcher Letterbooks, reel 6.

<sup>82</sup>Capt. John Minot to Col. Stephen Minot (his father), 4 October 1725, Mass. Archives, 52:295. John Minot commanded Fort Richmond, on the Kennebec River, for a number of years, eventually settling in Brunswick, on the Pejepscot Patent. For other evidence of his spiritual intensity, see John Minot to unknown, 18 June 1741, Maine Historical Manuscript Scrapbooks, vol. 1, p. 68, MeHS. Stephen Minot, one of the original eight Pejepscot Proprietors, bequeathed substantial shares to his descendants when he died in 1732. See Joseph Gratton Minot, *A Genealogical Record of the Minot Family in America and England* (Boston: [privately printed], 1897), pp. 16–17, 21. For John Minot's residence in Brunswick, see Henry W. Wheeler, "Brunswick at the Time of Incorporation," in *Collections of the Pejepscot*

hearkened back to an earlier generation of Massachusetts leaders, including Samuel Sewell and Pejepscoot Proprietor Adam Winthrop, who advocated dealing fairly with the Indians.<sup>83</sup> Others on the committee did not share that altruistic impulse. John Stoddard, for example, encouraged two governors to send dogs against the Indians during times of war.<sup>84</sup>

Financial considerations, both public and private, also played into the committee's decision. Massachusetts had already expended a good deal of blood and treasure in fighting the Wabanakis. The province had emerged victorious from Dummer's War, but the costs had been heavy.<sup>85</sup> Eager to cut back military spending, the Massachusetts legislature forced Belcher to halve the number of garrisons stationed in Maine in 1737.<sup>86</sup> Supporting Waldo would all but guarantee a new round of frontier warfare, which would require raising taxes while also endangering new towns on the Pejepscoot Patent and elsewhere in Maine.

A new war would also threaten certain proprietary titles. Massachusetts had waged Dummer's War in the 1720s

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*Historical Society*, vol. 1, pt. 1 (Brunswick, Me: Published for the Society, 1889), pp. 28–29. For other evidence of the elites' advocacy of fair treatment for the Indians, as well as the need to fix land boundaries, see Belcher Noyes's highlighted of sections of his copy of *Conference with the Eastern Indians, 1726*. Among the passages he highlighted were sections on pp. 12–13 emphasizing equal treatment of the Wabanakis.

<sup>83</sup>See Samuel Sewall to Gov. Gurdon Saltonstall, 15 January 1721/22, *Letter-Book of Samuel Sewall*, 2 vols. (Boston: Massachusetts Historical Society, 1888), 2:142; for Winthrop's replacement of Sewell as treasurer for the Society for Promoting the Gospel in New England, see *Sibley's Harvard Graduates*, 4:213.

<sup>84</sup>For committee membership, see *Mass. House Journals*, 14:81; for Stoddard's suggestion that Massachusetts employ dogs against the Wabanakis, see John Stoddard to Lt. Gov. William Dummer, 27 March 1724, *Mass. Archives*, 51:391, and William Shirley to Col. John Stoddard, 14 May 1746, William Shirley Papers, folder 4 [1746], MHS, which references Stoddard's "proposals respecting the use of Dogs in seeking and pursuing the Indians," which Shirley agreed that Stoddard could institute in his defense of western Massachusetts.

<sup>85</sup>Samuel Penhallow, treasurer for neighboring New Hampshire, estimated the war cost at £240,000. See his *The History of the Wars of New England with the Eastern Indians* (1726; Williamstown, Mass.: Corner House Publishers, 1924, repr. 1973), pp. 127–28.

<sup>86</sup>*Mass. House Journals*, 15:33; Belcher to Lords of Trade, 11 July 1737, Belcher Letterbooks, reel 5.



to obtain Wabanaki recognition of proprietary rights to the Downeast, above all the Pejepscot Patent. Adam Winthrop and the other Pejepscot Proprietors had played a major role in negotiating the treaty, which had included compelling the Wabanaki to accept their title.<sup>87</sup> All of the Eastern land companies acknowledged Indian land deeds as an important mark of ownership, and for the Pejepscot Proprietors, Dummer's Treaty had been a singular triumph. With this recognition now secure, the influential Pejepscot Proprietors had a vested interest in avoiding future conflicts. If the Penobscots, who were influential in their confederation, became disillusioned and disavowed Dummer's Treaty, its usefulness would be diminished among other Wabanaki groups as well. In that event, the Pejepscot Proprietors would be increasingly vulnerable to rival claims from neighboring companies and squatters.

Of all the parties concerned, only the Muscongus Proprietors stood to gain if Massachusetts sided with Waldo. And by 1736, Waldo had acquired such a large share of the company that few had enough stake in its success to risk a war. Waldo's meteoric rise had reduced the pool of potential supporters in the legislature. Elisha Cooke, one of the few members who held a major share in the company, used his influence in the House to move that that body reconsider its vote to accept the Council report in favor of the Indians. He waged a lonely battle, however, and the revote produced the same result.<sup>88</sup> Three Muscongus Proprietors sat on the Governor's Council,

<sup>87</sup>Adam Winthrop wrote the Report of the House Committee on Eastern Claims, 17 November 1725, Mass. Archives, 6:5–11, which outlined the province claims and shaped Dummer's position during treaty negotiations. The committee also accompanied Dummer to the principal negotiation session with the Penobscots in the summer of 1726 to show various deeds "proving" various titles. See Falmouth-Casco Conference, *New England Treaties*, p. 305, for reference in the treaty minutes; see *Documentary History of Maine*, 23:204–8, for the committee's meeting with the Penobscots.

<sup>88</sup>*Mass. House Journals*, 14:94. The House did not record the breakdown of most votes, including these. Cooke referenced the 1725 conference between Dummer and four Penobscot delegates in which the forts on the St. Georges had been discussed. Dummer had insisted on the province's right to keep the forts, but no mention had been made about expanding towns.

but there is no evidence that they held any sway with the other twenty-five members, who also recommended that Belcher back the Penobscots.<sup>89</sup>

The Penobscots' arguments, which struck a balance between firmness and flexibility, had carried weight with the General Court. The April 1736 letter, which acknowledged the legality of conquests "in time of War," confirmed that the Penobscots would recognize Dummer's Treaty, including Massachusetts' expansion between 1713 and 1727.<sup>90</sup> Although the Penobscots denied the legitimacy of the Madockawando deed, they did not explicitly protest further Massachusetts development based upon other sales. Out of a desire to keep the peace, the Penobscots even granted Waldo permission to settle colonists on the western side of the St. Georges River. To satisfy the Penobscots, only the minority of colonists who had moved across the river would have to be evicted. If so inclined, the General Court could therefore side with the Indians while still reserving the right to embark on further wars of conquest or to insist that other, still undisclosed deeds to Native land be enforced.

Not least among their inducements, siding with the Penobscots enabled the governor and General Court to reassert their authority over the Downeast frontier. Waldo, having charged ahead with his plans without consulting leaders in Boston, had endangered stability in the region. His pretense of governmental legitimacy had temporarily intimidated the Indians, but he himself did not value the source of that influence. The Penobscots, on the other hand, who had sent letters and delegates imploring Governor Belcher to resolve the dispute, had followed official channels. Although the Penobscots did not see themselves as dependents of Massachusetts,

<sup>89</sup>The Muscongus Proprietors on the Governor's Council were Samuel Thaxter, Anthony Stoddard (cousin of John Stoddard on the joint committee), and John Jeffries. All three were part of the "20 Associates" who each held a 1/30 part of the remaining 100,000 acres of the Muscongus Patent not held by Waldo. See Lincolnshire Company Records, pp. 14–24, MHS; for membership in the Council, see *Mass. House Journals*, 14:7.

<sup>90</sup>Waldo, *A Defence of the Title*, p. 12; also in *New England Treaties*, p. 406.

their appeal allowed Belcher and the General Court to perform the role of arbitrating a disagreement between two groups of subjects ostensibly under their authority.<sup>91</sup>



The timing of the Penobscots' appeal was fortuitous, and their argument contained something to satisfy almost everyone in Boston except Samuel Waldo. As a result, idealists, advocates of less frontier spending, supporters of increased provincial authority on the frontier, and land speculators could all agree not to risk war by supporting Waldo's claim.

With the backing of the Massachusetts government secured, the Penobscot delegation returned to St. Georges. They carried £200 worth of gifts, including three feathered hats "to distinguish those three who were King George's officers."<sup>92</sup> Adorned with such emblems of power, the Penobscots intended to use the full weight of imperial authority to enforce their own sovereignty. Belcher's gifts, intended to emphasize the Penobscots' status as subjects, did not carry the same connotations for the Indians, who lost no time ordering the colonists living east of the St. Georges River, or above the fall line, to leave, threatening to burn down any structure that remained a month later.

To the colonists on the receiving end of this performance, the Penobscots' actions were frightening, but the Indians orchestrated an organized, restrained eviction rather than a vengeance

<sup>91</sup>For another discussion of different understandings of submission and authority influencing Euro-Indian relations in seventeenth-century New England, see Jenny Hale Pulsipher, *Subjects unto the Same King: Indians, English, and the Contest for Authority in Colonial New England* (Philadelphia: University of Pennsylvania Press, 2005).

<sup>92</sup>*Mass. House Journals*, 14:102–3; Belcher quoted in *Calendar of State Papers*, vol. 42, doc. 365 ii, URL: <http://www.british-history.ac.uk/report.aspx?compid=72848>; for bill for gifts, see 8 August 1736, in Governor's Council Executive Records, GC3 327 #5, vol. 10, pp. 47–48, Mass. Archives. Belcher wrote to the Duke of Newcastle on 5 August 1736, claiming that Massachusetts only spent around £35 on diplomatic gifts for the visiting delegation. This was perhaps a face-saving lie; subjects—unlike independent, powerful neighbors—did not receive such generous gifts from the government. See *Calendar of State Papers*, vol., 42, doc. 375, URL: <http://www.british-history.ac.uk/report.aspx?compid=72849>.

raid. An ensign stationed at a blockhouse on the St. Georges River and “well acquainted with moste of the Penobscot Indens” reported a visit from Arexis, who told him the Indians would burn down a house owned by Henry Alexander, above the falls, “in case he Did not Remove the same.” Thomas Gregg, who held one hundred acres from Waldo above the falls, reported the arrival of “A Considerable Number of Indians” who, informing him of Belcher’s declaration of support for their claim, “sett up a Mark a Little Below My house and threatened Either to pull Down or Burn the said House if I did not within one Month Remove.” At the end of the month, reported Gregg, “two Indians were sent by the tribe to see If I, and the others who ware at the Same time warn’d of[f], ware removed, and the Houses Down, which finding they went away without Doing Any Mischiefe.” Gregg’s neighbors described similar experiences.<sup>93</sup>

The strategic operation succeeded in removing the colonial trespassers without bloodshed, placated most Penobscot hardliners, and did not provoke retaliatory violence. The delegates to Boston, sensitive to the situation’s delicacy, asked Belcher on 6 July “if anything should happen by our young men, we pray there may be a hearing and inquiry into the matter first.”<sup>94</sup> Arexis’s personal involvement in delivering the message that Henry Alexander must tear down his house may have been designed to preempt hotheaded “young men.”<sup>95</sup>

In 1737, the Penobscots grew impatient with those colonists who remained near the falls or who drifted to the eastern side of the river. Samuel Boggs, who lived above the Indians’ mark

<sup>93</sup>Affidavit of Nicholas Byram, 24 August 1736, Knox Papers, vol. 40, item 15. Affidavits of Thomas Gregg, Samuel Boggs, Andrew Momford, Henry Alexander, and Thomas Kilpatrick, 13 May 1738, in the “St. Georges Affidavit,” Knox Papers, vol. 40, item 11.

<sup>94</sup>*Calendar of State Papers*, vol. 42, doc. 365 ii, URL: <http://www.british-history.ac.uk/report.aspx?compid=72848>.

<sup>95</sup>See Wayne E. Lee, “Peace Chiefs and Blood Revenge: Patterns of Restraint in Native American Warfare, 1500–1800,” *Journal of Military History* 71.3 (July 2007): 719, for a discussion of limited warfare in the Native tradition, which explains how this action may have further placated the hardliners.

near the falls but on the western (or approved) side of the river, received a visit from twenty-one Indians in July 1737. Pointing out that his house was “Above the . . . Mark they had Set up,” they reminded Boggs that “Belcher had told them at Boston, Noe Irish Should settle above the flowing of the Tide.” Before they left, a Penobscot named Sabbis, as Boggs reported, “called at My house and Left a gun flint with My wife . . . for that I should have great occation [*sic*] for it by and by Intimateing as if a war would Ensue between the Settlers and the Indians which Much Intimidated me and my Neighbours.”<sup>96</sup> Boggs promptly dismantled his house and moved his family to safety.

The Penobscots’ controlled eviction of Waldo’s colonists demonstrates that because Wabanaki and Massachusetts interests were aligned, a peaceful settlement could be achieved. For all their threats, the Penobscots operated within the bounds of treaty agreements. Although hardliners tried to make life as unpleasant as they could for Waldo’s colonists, they did not harm anyone, and they left Gyles and his garrison alone. According to one colonist, the Indians forbade anyone “except the Soldiers belonging to Capt Gyles from Mowing the Marshes of Wessaweskeeg,” which had been a vital source of winter fodder for the newcomers’ cattle.<sup>97</sup> Had Belcher and the legislature not enforced Dummer’s Treaty, the hardliners would have lacked any authority short of violence to enforce their eviction demands.

Waldo responded to his defeat as he always had—by trying to argue his way out of it. A tireless self-advocate, the speculator bombarded Belcher and the legislature with petitions to reverse their decision.<sup>98</sup> Taking his case to the public, he published a lengthy justification of his claims, accompanied by supporting excerpts from various conferences and depositions.<sup>99</sup> He visited the Penobscots in December 1736 in an attempt

<sup>96</sup>Affidavit of Samuel Boggs, 13 May 1738, Knox Papers, vol. 40, item 11.

<sup>97</sup>William McIntire Affidavit, 13 May 1738, Knox Papers, vol. 40, item 11.

<sup>98</sup>See Waldo Petitions of 5, 6, 26, and 27 July 1736, in *Documentary History of Maine*, 10:156–72.

<sup>99</sup>Waldo, *A Defence of the Title*.

to reconcile them to his title.<sup>100</sup> They were not persuaded, he grumbled, because Belcher and his allies were undermining the proprietor's venture out of spite. Waldo gathered statements from a number of frontier inhabitants to support his case. Aside from the suspicion that he had bribed them to do so, his argument suffered insofar as it implicated interpreter John Gyles in a conspiracy to incite Indians to resist the spread of Waldo's towns. Any charge that Gyles—former Indian captive, keeper of a network of paid Penobscot informants, and avowed supporter of the Massachusetts imperial project—sought to goad the Penobscots to resist further expansion was so patently false that it was necessarily doomed to fail, and so it did.<sup>101</sup>

<sup>100</sup>Waldo left no record of this exchange, probably because Belcher and most members of the General Court wanted him to give up. But the journey is referenced in item 29, Petition of St. Georges Settlers to Samuel Waldo, 12 April 1738, and item 11, Affidavit of Samuel Boggs, 13 May 1738, both in Knox Papers, vol. 40. Waldo's colonists reported that he had secured the approval of the Indians to maintain the status quo, but based on previous exchanges with the Penobscots, it is probable that the speculator put the same favorable gloss on the Native position as he had in April and November 1735. A letter from Governor Belcher to John Gyles in early 1737 referred to a Penobscot complaint, delivered through Gyles, about Waldo's ongoing activities, including the meeting. See Belcher to Gyles, 25 February 1737, Belcher Letterbooks, reel 5. Belcher also mentioned the visit in an address to the House, reported in the Boston *New England Weekly Journal*, 31 May 1737, p. 1.

<sup>101</sup>For statements implicating Belcher and Gyles, see Declaration of Robert Rutherford, 10 April 1738, item 16, Declaration of William Woodside, 10 May 1738, item 30, Deposition of Jane and Anne Woodside, 14 May 1738, item 31, and Deposition of Theodore Atkinson, 22 January 1739, item 39, all in Knox Papers, vol. 40. For their part, when Belcher asked the Penobscots about the affair in 1738, they told him that Waldo had been claiming Gyles advised the Indians to resist the Muscongus colonists, but "we generally look upon it that Capn. Gyles takes Mr. Waldo's part." See "Boston Conference," p. 418. For Belcher's reaction and rebuttals to Waldo's witnesses in his private correspondence, see Belcher to Waldron, 30 August, 20 September, and 22 November 1736, all in Richard Waldron Papers, box 2, vol. 3, pp. 16–18, NHHS. Batinski, Belcher's most recent biographer, takes Waldo's claims at face value, citing the testimony of Waldo and his supporters (included above). But Batinski ignores statements from the Penobscots refuting Waldo's claims, along with evidence provided by Gyles and other frontier officers. For Gyles's career helping Massachusetts at the Penobscots' expense, possibly by deliberate mistranslation of treaties to the Indians, see Ghere, "Mistranslations and Misinformation," p. 7, and Morrison, *Embattled Northeast*, pp. 170–71. Gyles began employing paid informers among the Indians in 1720 and persisted for many years afterwards. See John Gyles to Gov. Samuel Shute, 16 September 1720, Mass Archives, 31:95–96. See also John Gyles, Memorial, St. Georges River, 27 February 1726/27 and 3 March 1726/27, Mass. Archives, 52:329–30; John Gyles, expense account for the year, 31 July 1725 to July 1736,

Despite Waldo's best efforts and to his and the colonists' dismay, Penobscot and Massachusetts leaders held firm. Assuring the Penobscots of his ongoing support, Belcher continued to enforce the terms of the agreement.<sup>102</sup> Waldo's Scots Irish colonists, who had arrived expecting to prosper by working the Muscongus Patent's "rich and valuable soil," were instead, they complained to the proprietor in 1738, "confined" to a six-square-mile patch, "and that of the Meanest of your Lands," while subject to "Insults of the Indians."<sup>103</sup>

Rebuffed in Massachusetts, Waldo sailed for England in 1738 to press for Belcher's removal. He spent over a year and a prodigious amount of money lobbying for William Shirley, who was Waldo's lawyer and a Muscongus Proprietor, to replace Belcher.<sup>104</sup> By 1740, Belcher had alienated a number of powerful people in disputes over the New Hampshire–Massachusetts border as well as the province's perennial currency shortages, and so Waldo found numerous allies. In 1741, the Duke of Newcastle, who controlled the appointment of royal governors to the American colonies, replaced Belcher with Shirley.<sup>105</sup>

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2 August 1736, Mass. Archives, 31:197; John Gyles, Memorandum on Disbursements on the Indians, 28 August 1740, Mass. Archives, 31:284; John Gyles, Account for Disbursements on the Indians, June 1740 to June 1741, Mass. Archives, 31:377. In 1727 Gyles informed the governor of his plans for an entire network of informers "of each tribe Not knowing of Each auther, In order to have them, and Promising rewards from time to time for their good Services and my word not to Expose them to[o], that I may have an acunt forthwith, of any Councill or [affair] of moment Round the continent" (Gyles to Governor, 15 March 1726/27, Mass. Archives, 31:142). Gyles expressed further support for the imperial project in general in a 1729 letter to Colonel Dunbar, 14 November 1729, *Documentary History of Maine*, 10:445–46.

<sup>102</sup>Belcher to Gyles, 25 February 1737, Belcher Letterbooks, reel 5; also "Boston Conference," pp. 410–19.

<sup>103</sup>Petition of St. Georges Settlers to Samuel Waldo, 12 April 1738, Knox Papers, vol. 40, item 40.

<sup>104</sup>Waldo gave Shirley an interest in the patent just before he left for England in July 1738. See Waldo Indenture to Shirley, 3 July 1738, Knox Papers, vol. 40, item 34. Several months later Shirley forwarded Waldo a £1,000 bond for use in England, with the possibility of £1,000 more to come (Shirley to Waldo, 16 November 1738, Knox Papers, vol. 40, item 36).

<sup>105</sup>For a convincing argument that colonial lobbyists had little influence on Newcastle's decision and that he acted for reasons of self-interest and imperial politics, see

The new governor changed the tenor of frontier relations. Shirley shared the speculators' desire for wealth and power, but he lacked the practical or ideological motives most of them had for cooperating with the Wabanakis. Already a proprietor of the Muscongus Company when he took office, he later received a share of the new Kennebec Patent.<sup>106</sup> Neither company based its claims on recognized Indian land sales. Unlike Belcher, Shirley did not care about converting the Indians, nor did he display his predecessor's respect for Native land rights. In 1739, Shirley wrote to Waldo predicting that once "the grand Enemy [Belcher] is removed . . . the Indians will be complying enough." Expanding the Muscongus towns into Wabanakia would benefit the public good and serve as "a proper Reprimand to the Country for what they did upon the Complaint of the Indians and so be of Consequences."<sup>107</sup> Soon after his appointment, Shirley gave Waldo permission to resume shipping colonists to the Muscongus Patent.

Shirley's arrival could not have come at a worse time for Anglo-Wabanaki relations. In Europe, Britain and France were moving closer to war, hostilities that would inevitably involve their colonies. In addition, before the 1740s came to a close, a dynamic new land company entered Maine, threatening to destroy the delicate diplomatic balance that had preserved peace—and Wabanaki sovereignty—since 1727. In the 1740s and 1750s, the different cultural definitions of landownership that had been framed to foster collaboration between Massachusetts and Wabanaki leaders would become a source

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Stephen Foster, "Another Legend of the Province House: Jonathan Belcher, William Shirley, and the Misconstruction of the Imperial Relationship," *New England Quarterly* 77.2 (June 2004): 179–223. For an analysis of Belcher and his enemies in Massachusetts and New Hampshire, see Schutz, *William Shirley*, pp. 25–40; see Batinski, *Jonathan Belcher*, for currency reform (pp. 75–89) and for the final crisis and removal (pp. 125–48).

<sup>106</sup>Kershaw, *Gentlemen of Large Property*, p. 135. Shirley's share was not listed in the company ledger like that of the proprietors, with his name in bold, but was instead entered on the bottom half of an account page for William Brattle (see Ledger 1754–1800, Kennebec Proprietors Papers, 9:4). The company quietly auctioned off Shirley's share after he ceased paying rates on it (see Kennebec Proprietors Meeting, 10 May 1758, Company Records, 1753–68, Kennebec Proprietors Papers, 6:167).

<sup>107</sup>Shirley to Waldo, 15 April 1739, Knox Papers, vol. 40, item 43.



of conflict, leading once again to violence on the periphery of the province of Massachusetts.

The events along the St. Georges River reveal the numerous ways in which concepts of property influenced diplomacy on the New England frontier. Although clashing visions of landownership led to misunderstandings and conflict between Massachusetts and the Wabanakis, speculator elites subscribed to a system of property law that required that they respect Native rights to unsold lands lest they jeopardize their existing titles in Maine. Although they did not subscribe to English property law, the Wabanakis occasionally succeeded in turning it to their advantage. After Dummer's Treaty, they cooperated with Massachusetts leaders—themselves speculators—in order to preserve their sovereignty. That this was a marriage of convenience was a point made all too clear in the 1740s, with the rise of new land companies claiming ownership from titles not descended from Indian land sales. Then the Wabanakis discovered that the performance of peace would require not negotiation but submission.

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