

## **This Land Is Whose Land?**

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**Grade Level:** Upper Elementary

**Duration:** One 90 minute class (or two 1 hour classes)

**Overview:** In the latter half of the 17<sup>th</sup> century, the expanding colony of Maryland came into conflict with the Eastern Woodland Indian tribes who had been hunting and farming the region for almost 6,000 years. The conflict developed from competing views of land use. The Indians saw the land as the bearer of seasonal resources to be used when available and the English colonists saw it as a commodity to be bought and sold. When the Nanticoke tribe could no longer repel the incursions of colonists, they petitioned the Maryland Assembly to have lands granted to them for their exclusive use. The terms of the agreement and size of the lands granted were insufficient for the traditional lifeways of the Nanticoke, which led to further conflicts with their neighbors. In this lesson, the students will use a series of legal documents from the Maryland Assembly to trace the development of the conflict over land ownership.

### **Content Standards:**

#### **Era 1: Three Worlds Meet (Beginnings to 1620)**

**Standard 2:** How early European exploration and colonization resulted in cultural and ecological interactions among previously unconnected peoples

### **Historical Thinking Standards:**

#### **Standard 3: Historical Analysis and Interpretation**

C. Analyze cause-and-effect relationships and multiple causation, including the importance of the individual, the influence of ideas, and the role of chance.

### **Lesson Objectives:**

-Students will read primary source documents about relationships between colonial Maryland and nearby Native American tribes.

-Students will compare European and Native American concepts of land ownership.

-Students will learn how the Maryland Assembly mediated conflicts between the colonists and the local inhabitants.

### **Topic Background:**

North America has been home to native peoples for thousands of years. It is estimated that over 9,000 years ago, a group traveled eastward and settled along the inlets and rivers of the Chesapeake Bay.

They found themselves living on lands we now refer to as the Eastern Woodland Indian region. The

Eastern Woodlands were moderate-climate regions roughly from the Atlantic to the Mississippi River and included the Great Lakes. This huge area boasted ample rainfall, numerous lakes and rivers, and sprawling forests. The North American Indians' reliance on wood and wood products throughout this vast area provided the name of "Woodland Indians." Though the Woodland Indians shared common lifestyles, a multitude of tribes with their own cultural identities, beliefs, languages, and traditions existed.

The Woodland Indians were farmers and fisherman. Their notable crops included the three sisters-corn, beans, and squash. Several of the Eastern Woodland Indian tribes included the Mohawk, Oneida, Seneca, Tuscarora, Massachusetts, Wampanoag, Narragansett, Pequot and Montauk tribes. Later peoples of the Eastern Woodlands included the Illinois, Iroquois, Shawnee and a number of Algonkian-speaking peoples such as the Narragansett and Pequot. Southeastern peoples included the Cherokee, Chocktaw, Chickasaw, Creek, Natchez and Seminole.

Ancestors to the Woodland Indian nations first inhabited North America nearly 6,000 years earlier. Present-day Maryland and Virginia was home to many tribes. These tribes included the Nanticoke, Pocomoke, Choptank and the Assateague of the Eastern Shore, Piscataway on the Western Shore, and the Susquehannock to the north. It is estimated that the population of indigenous peoples in North America ranged from two million to fourteen million at the time of European contact.<sup>1</sup> In addition, well over forty other tribes, including the Yaocomoco, Potopaco (Port Tobacco), Patuxent, Mattapanient (Mattapony), Mattawoman, Nacochtank, and others, resided in what is now present-day Maryland. Life among the Woodland Indians was about to change drastically as Columbus paved the way for European explorers to claim lands in the New World.

Giovanni da Verrazzano is likely to have been one of the first Europeans to have contact with the Eastern Woodland Indians. As a skilled and well-known Italian navigator, Verrazzano was commissioned by King Francis I of France, and his crew stopped along the Eastern shore while navigating the coast of North America. It was recorded that in 1524, Verrazano and his crew kidnapped

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<sup>1</sup> "Native Americans of North America," Microsoft® Encarta® Online Encyclopedia 2007  
<http://encarta.msn.com> © 1997-2007 Microsoft Corporation

an Indian boy (near present-day Manhattan, named after the Manhattan tribe) and frightened the Indians by firing guns over their heads. Verrazano could not have imagined that he was recording a place that was home to hundred of thousands of people who spoke as many as 68 different languages.<sup>2</sup> This occurred just 3 short years after Hernando Cortez, a Spanish Conquistador, defeated Montezuma and his Aztec Empire. In 1572, Jesuit priests were killed after they undertook the steps to erect a mission in Virginia<sup>3</sup>. This attempt to Christianize the Indians was initiated in 1493 after Pope Alexander VI permitted Spain to colonize the Americas on the condition that the Indians convert to Christianity. Considering the history of kidnapping and the attempts to convert the Indians living along the Eastern coast, the next ships to arrive must have brought forth emotions of fear, mistrust, and anxiety among the natives.

The Nanticoke's first documented contact with Europeans occurred when Captain John Smith explored throughout the Chesapeake Bay region. John Smith and his crew of 14 sailed into the Kuskarawaok River in 1608. The local Indians bearing a similar name, the Kuskarawaoks, later became known as the Nanticoke Indians. Fearful, the Kuskarawaoks shot arrows towards the incoming Englishmen.<sup>4</sup> Anchored in the middle of the river over night, John Smith and his men were awakened with a warm welcome, or so it seemed. The Kuskarawaoks were approaching the English crew with baskets of food. Only after John Smith felt something was amiss and ordered his crew to fire their guns into the air did the English discover warriors hiding in the marsh. Later that day, Smith and his men went ashore when they believed the Indians had fled. A small amount of blood led Smith to believe that some of the Nanticoke had received wounds from the gun shots. The village was indeed abandoned but fires were smoldering. As a gesture of kindness, Smith left a few glass beads, pieces of copper, looking glasses, and bells for the Indians to find when they returned.<sup>5</sup>

Smith and his crew sailed back to the bay and anchored for the night. The next day several Indians approached as they were fishing nearby. Smith tried to communicate to the Indians that they

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<sup>2</sup> Lassieur, Allison Before the Storm: American Indians Before the Europeans, Facts on File, Inc., 1998

<sup>3</sup> Porter, Frank W. III The Indians of North America: The Nanticoke, Chelsea House Publishers, 1987

<sup>4</sup> Porter, Frank W. III The Indians of North America: The Nanticoke, Chelsea House Publishers, 1987

<sup>5</sup> Porter, Frank W. III The Indians of North America: The Nanticoke, Chelsea House Publishers, 1987

came in peace. The Nanticoke talked amongst themselves and then returned with other men, women, and children who brought food, furs, and water. John Smith presented the Nanticoke with gifts as well. Then the Nanticokes agreed to serve as guides in order to help Smith and his men navigate the Kuskarawaok. Although Smith did not record vast details about the Nanticoke, he did write that they were, “the best marchants of all other salvages.”<sup>6</sup> Smith also noted that there were two hundred warriors living with their families in the villages on the Nanticoke River. Therefore, it is believed that the Nanticoke had the largest tribal population on the Eastern Shore. European colonization continued along the eastern seaboard.

England’s King Charles I granted a charter to George Calvert, Lord Baltimore, to establish lands in the New World. The charter specified that the land situated north of Virginia and south of New England included the, “land hitherto unsettled, from the Potomac River to a line, which lieth under the fortieth degree north latitude from the quinoctal” and “westward from the Atlantic Ocean to a line due north from the first fountain of the Potomac.”<sup>7</sup> This new found land was named in honor of King Charles’s young French wife, Henrietta Maria. Before realizing his dream to settle this new province, Lord Baltimore died. His son, Cecilius or Cecil, would become Second Lord Baltimore and fulfill his father’s dreams. He would remain in England with his wife, Anne Arundell, in order to protect his new lands in North America.

Cecil Calvert selected his brother, Leonard Calvert, as the governor of this land. From the Isle of Wight in England in 1633, the Ark and the Dove set sail with its 200 male adventurers. In 1634, the Ark and the Dove landed at St. Clement’s Island and St. Mary’s City became Maryland’s first capitol. When the colonists arrived, they received a warm and rather friendly reception from the local Indians. The paramount chief ruler of the Piscataways was known as the tayac. Yaocomoco was the name of their settlement. Others who ruled the dependent settlements were known as the werowance, or “lesser king” and they worked to serve the tayac. It is estimated that the Piscataway held a population of around 2,500

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<sup>6</sup> Porter, Frank W. III The Indians of North America: The Nanticoke, Chelsea House Publishers, 1987

<sup>7</sup> Maryland State Archives, Maryland Archives On-Line at <http://www.msa.md.gov/msa/educ/exhibits/founding/html/charter.html>, 2005

and the Nanticoke numbered around 2,000 in early 1600.<sup>8</sup> Several years earlier, Captain Smith met the Susquehannocks and was especially impressed with their size, deep voices, and the variety of their weapons. It is estimated that they numbered between 5,000-7,000 in early 1600.<sup>9</sup> Any population amounts listed are simply estimations as the English typically recorded the number of warriors they saw; they did not spend enough time in the village in order to put together a more accurate population that included the number of women, children, and elders.

One important adventurer who accompanied Calvert was Father Andrew White. He was a Jesuit priest who played an important role in early Maryland's history. Father White's writing remains one of the first accounts of European-Indian relations in Maryland. The following excerpt from White illustrates the religious motives for both the European and native population of Maryland<sup>10</sup>.

“ . . . erected a crosse, and with devotion tooke solemne possession of the Country: here our governour was aduised not to settle him-selfe, till he spoake with the emperour of Pascatoway, and told him the cause of his coming (to wit) to teach them a divine doctrine, whereby to lead them to heaven, and to enrich with such ornaments of civill life as our owne country. . . ”

In the mid 1600s, the English had conflicts with the neighboring tribes after they took domestic hogs and cattle. The tribes were frustrated over the fact that the cattle ate their corn and their land was infringed upon by English settlers. To help alleviate the situation, the Susquehannock Indians eventually signed a treaty on July 5, 1652.

To create a military ally with the English settlers, the Susquehannocks agreed to surrender their claims to lands over the Eastern shore and as far south as the Choptank River. On May 1, 1668, the tayac (chief) Unnacokasimmon signed what was the first of five treaties that sought to create peace between the Nanticoke and the Maryland colonists. According to this treaty, the Nanticoke were required to put down their weapons and hold up their hands tied with white cloth when they approached an English

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<sup>8</sup> Kallen, Stuart A. *Native Americans of the Northeast* Lucent Books Inc., 2000

<sup>9</sup> Lassieur, Allison, *Before the Storm: American Indians Before the Europeans* Facts on File, Inc. 1998

<sup>10</sup> Maryland State Archives, Archives of Maryland On-line, *A Brief Relation of the Voyage Unto Maryland*, Volume 552, Page 18, 2006

plantation. Likewise, they were to hand over any tribal members who murdered an English colonist. By 1667, tensions had mounted and the Nanticoke raided plantations on both of Maryland's Western and Eastern Shores. Soldiers arrived in 1682 to deal with those responsible for the raids.<sup>11</sup>

The colonists continued to occupy land that the Nanticoke and other tribes "claimed." As a result, the Nanticoke and the Choptank requested that a grant legally provide their tribes lands. The Maryland Assembly voted to grant lands to the remaining tribes. They eventually established three reservations. The first land was granted to the Choptank in 1669 and in 1704 a similar land grant was made to the Nanticoke. Although the land grants helped to decrease the colonists' encroachment on the natives' lands, new problems arose. The Indians traditional hunting and farming could not occur within the land they were granted. It was too restrictive in size and the language in the grant meant that if the Indians did not occupy and live upon the land year round, the government could take hold of the land. There were inherent flaws in the grants based upon how the natives lived and moved between lands.

In 1711, the Nanticoke complained about the Chiconi Reservation site because the weathered land was not suitable for proper farming. They sought additional land. Maryland's General Assembly granted them 3,000 acres on Broad Creek. Unfortunately, the colonists continued to bother the Indians. Colonists would trespass on their land, or not pay an agreed-upon rent after settling on their land, or others cut large tracts of timber and refused to pay for it or any damages they made. If an Indian village was found empty, white colonists would claim the land when often the tribe was following their food source during winter and would return in the fall. The Choptank finally reached a boiling point.

A member of the Choptank tribe forewarned the colonists that an uprising was about to take place in 1742. Local government quickly responded. The Maryland Assembly reprimanded those who had conspired in the uprising but proclaimed their want of kindness and peace. Since the Nanticoke knew that their condition would not improve, they sent a delegation to the Maryland Assembly and applied for permission to leave the colony of Maryland. In 1744, many families left Maryland to make a new life

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<sup>11</sup> Porter, Frank W. III The Indians of North America: The Nanticoke, Chelsea House Publishers, 1987

with the Iroquois. First, they settled in Pennsylvania, then New York, and finally, many made their way onto the Grand River Reservation in Ontario, Canada.

By 1767, the Nanticoke who remained in Maryland sought to be compensated for lands they wanted to sell. This “Act for Granting to the Nanticoke Indians a compensation for the lands therein mentioned,” was made under the condition that the Nanticoke relinquish their land claims in Maryland. In 1798, the Maryland Assembly’s appointed commissioners purchased the land that still belonged to the small number of Choptank Indians. In exchange, they were offered 100 acres of land. Maryland again assumed control of these lands after the last member of the tribe, Molley Mulberry, died in 1802. Although many of the Maryland Indians were either absorbed by neighboring tribes or succumbed to a European lifestyle, their legacy exists today and can be found within the tribes that continue to call Maryland home.

### **Bibliography:**

Kallen, Stuart A. Native Americans of the Northeast. Lucent Books Inc., 2000.

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Porter III, Frank W., The Indians of North America: The Nanticoke. Chelsea House Publishers, 1987.

Ruskin, Thelma, Indians of the Tidewater County of Maryland, Virginia, Delaware, and North Carolina. Maryland Historical Press, 1997.

### **Vocabulary:**

**Conspire:** to agree together, esp. secretly, to do something wrong, evil, or illegal

**Contrive:** to plot

**Impute:** to ascribe to or charge (a person) with an act or quality because of the conduct of another over whom one has control or for whose acts or conduct one is responsible

**Inclinable:** having a mental tendency in a certain direction

**PROCEDURES:**

1. Explain the lesson's objectives and have the students write them down in their notebooks. Students will read primary source documents about relationships between colonial Maryland and nearby Native American tribes.

Students will compare European and Native American concepts of land ownership.

Students will learn how the Maryland Assembly mediated conflicts between the colonists and the local inhabitants.

2. Distribute Resource Sheet 1 to the students. Explain the directions for this assignment.
  - A. Students will read the documents with the goal of identifying the author's purpose and the key words or phrases that make the purpose clear.
  - B. Students will assess the effect of the document on the colonists and the Native Americans of the time.
  - C. Students will record their findings on Resource Sheet 1 in the appropriate spaces.

3. Distribute Resource Sheet 2 to the students. Briefly explain the nature and duties of the Maryland Assembly.
  - A. If your students have experience interpreting documents tell them that they have 15 minutes to read the document and fill out Resource Sheet 1.
  - B. If they have little or no experience, read the document out loud and analyze the document for them. Point out the passages that relate to the spaces provided on Resource Sheet 1.

For both groups, discuss the answers with the students.

**Ask the students "What does this document reveal about land use in both cultures?"**  
Discuss and evaluate their answers. Have the students take notes on the discussions.

**Ask the students "What does this document reveal about the relationships between colonists and Native Americans in 1661?"**  
Discuss and evaluate their answers

4. Organize the students in groups of 3-4 and distribute one copy of each document to each student (Resource Sheets 3-5)

Have students read Resource Sheet 3 and discuss their findings (approx. 10 minutes).

Ask for volunteers to share their answers with the class. Address any questions or confusions the students have with the material on Resource Sheet 3.



**Ask the students “What has changed in the relative power of the colonists and Native American groups from 1661 to 1675?”**

**Ask the students “Why do you think the colonists attacked the ambassadors?”**

Ask the students to predict the long-term effects of raiding for both sides.

5. Have groups read Resource Sheet 4 and discuss their findings. (approx. 10 minutes)

Have volunteers share their answers with the class.

Ask students to compare the information in Resource Sheet 4 to their predictions.

**Ask the students “Why do the Pascattoway Indians need help to fend off the Northern Indians? What does this say about their population?”**

6. Have groups read Resource Sheet 5. (approx. 10 minutes)

**Ask the students “Why do you think some of the Native Americans want to sell their land to the colonists, but others do not want to move away? What does this contradiction say about their understandings of land use?”**

Have other students evaluate answers based on the previous documents and discussions.

**Ask the students “Why does the Maryland Assembly want to stop the Native Americans from selling the land they were granted? What does this reveal about the colonists’ ideas about land use?”**

7. Distribute Resource Sheet 6 to each student. Have them use Resource Sheet 1 and their notes to address the question. (approx. 10 minutes)
8. Have the students explain the fairness of actions taken the documents from the point of view of the colonists and the Native Americans.

**Maryland State Archives. Proceedings of the Council of Maryland, 1661-1675. Treaty with the Susquehannock Tribe, 1666. *Archives of Maryland Online*.** Retrieved (October 9, 2007) from

<http://www.msa.md.gov/msa/speccol/sc2200/sc2221/000017/000010/pdf/transcription.pdf>

This peace treaty outlines negotiated agreements between the English political leaders and the Susquehannocks. Key items include the return of an Indian who is accused of “murdering men at a mill” and “former crimes committed by any Indian of that nation shall be forgot and buried.” It’s interesting to note that the articles outline what the Indians can or can’t do but seems to leave the English responsibilities out.

**Maryland State Archives. Proceedings of the Council of Maryland, 1671-1681 (Transcribed version). Story of an Indian Massacre, 1675. *Archives of Maryland Online*.** Retrieved (October 9, 2007) from

<http://www.msa.md.gov/megafile/msa/speccol/sc2900/sc2908/000001/000015/html/am15p--4.html>

This document outlines a treaty (spelled treatie) with Northern Indians. The treatie outlines how peace can be made and what steps need to be agreed-upon in order for peace to occur. The council explicitly states that Captain Randolph Brandt and other selected men are commissioned to follow-through with the advised orders of this treaty.

**Maryland State Archives. Proceedings of the Council of Maryland, 1678-1681. Dispatch Orders to a Militia Captain to search for Native Americans, 1681. *Archives of Maryland Online*.** Retrieved (October 9, 2007) from

<http://www.msa.md.gov/megafile/msa/speccol/sc2900/sc2908/000001/000015/html/am15p--4.html>

This document outlines the attack upon tribes in Maryland by roaming northern tribes. It mentions the amount of Susquehannoughs who were killed as a result of the small pox epidemic. It describes the discussion that took place between English forces and the Susquehannoughs-they believed the Seneca were to blame for harassing/warring tribes from the north, not them. The Susquehannoughs displayed a Maryland medal that they received from Governor Calvert. It describes the faith lost by the friendly Indians in Maryland because they were not protected from the warring tribes. Lastly, the document describes what the Susquehannoughs were forced to do as a result of the constant harassment and wars.

**Maryland State Archives. Proceedings and Acts of the General Assembly, 1766-1768. (Transcribed version). Land Disputes between Native Americans and Maryland Colonists, 1768. *Archives of Maryland Online*.** Retrieved (October 9, 2007) from

<http://www.msa.md.gov/megafile/msa/speccol/sc2900/sc2908/000001/000061/html/am61--338.html>

This document provides an historical overview of the series of acts passed that related to the amount of land that could be occupied by members of Maryland's tribes. It provides details about the reversion of several acts, and those acts benefited the English, not the Indians. It is noted, ". . . intention of the legislature was nothing more than to provide

for and secure to those people a dwelling place and the means of a comfortable subsistence so long as they should incline to remain among us..." Sadly, therein lies the problem-the English did not have the best interest of the Indians at heart as they were making a motion to clear up the confusion in the province over the loss of land boundaries. This entry provides a historical account about the loss of lands suffered by the Indians.