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Mohegan Women, the Mohegan Church, and the Lasting of the Mohegan Nation

Bethany R. Berger* & Chloe Scherpa*

“Remember to take the best of what the white man has to offer . . . and use it to still be Indian.”—Gladys Tantaquidgeon

INTRODUCTION

On a hill at the end of Church Lane in rural Uncasville, Connecticut, stands a lovely but unimposing church. With its white wooden façade and high slender steeple, the Mohegan Congregational Church resembles many others scattered across New England. To someone unfamiliar with its history, the church might represent Mohegan acculturation, a triumph of missionaries in

* Wallace Stevens Professor, University of Connecticut School of Law. Thanks to Chloe Scherpa for excellent work on this project as a student in my Race and Property in U.S. History class, to the Roger Williams Law Review for drawing attention to the distinctive legal issues facing Northeastern Indigenous peoples, to David Freeburg, Archivist/Librarian for the Mohegan Tribe, and to Kevin Meisner, Mohegan Legal Counsel, for introducing me and my students to the Tantaquidgeon Museum and Mohegan Congregational Church and their role in Mohegan history.

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breaking an Indigenous people from their “heathen” ways. But walk inside and you can see the eagle feather hanging over the cross at the altar. Walk a bit into the woods and you will find Moshup’s Rock, where the giant who shaped coastal New England left his footprints. Look down the hill and you will see the wood and granite Tantaquidgeon Museum of Mohegan culture and history, which was built by Mohegan elder John Tantaquidgeon and his children, future Mohegan Chief Harold Tantaquidgeon and future Medicine Women Gladys Tantaquidgeon, in 1931. Look over the tree canopy to the north, and you might glimpse the gleaming towers of Mohegan Sun Casino breaking the skyline. These are clues that that this is not just another church. Instead, through this modest building, the Mohegan people used the transformation of non-Indian ways to preserve their land and community.

In this, the church is part of a long Mohegan history of strategic cooperation with non-Indians to achieve Mohegan goals. This history begins with the legendary leader Uncas, who broke with the Pequots and used allegiance with English settlers to expand Mohegan power. It continued with Uncas’ son Owaneco, who filed a petition against colonial Connecticut with the Royal Privy Council in the “first formal litigation of North American Indian rights.” It includes the famous Samson Occom, who used his position as a celebrated missionary to renew Mohegan land claims. The creation of the Mohegan Church is distinctive, however, in two ways.

First, women were always at the center of this history. Women have a central role in Mohegan land and leadership, but English settlers overlooked or denied this role, and the histories they wrote foreground male authority. The story of the church, however, is a story of women. Occom’s sister, Lucy Tantaquidgeon, housed Sarah

3. Id. at 48.
4. Id. at 27–28.
5. Infra Part I.
Lanman Huntington, the missionary woman who advocated and raised money for the church. Lucy’s daughter Lucy Tantaquidgeon Teecoma and granddaughter Cynthia Hoscott deeded the land on which it sits, and ensured that it would be held in perpetuity by the tribe. After its creation, generations of Mohegan women like Lucy’s granddaughter Rachel Fielding, great granddaughter Emma Baker, and great-great granddaughter Gladys Tantaquidgeon used their position as leaders of the church “Ladies Sewing Circle” to maintain tribal cohesion and organize for Mohegan rights.

Second, the creation of the church was successful in retaining Mohegan land. Although Uncas, Owaneco, and their successors won temporary victories, encroachment and dispossession always followed. The Mohegan Church encompassed little land—eight rods square, a small fraction of an acre—but the women deeded the land to the tribe “forever,” and forever it would be. The Connecticut General Assembly ratified and respected the land’s permanent ownership by the tribe. Over the next decades, the remaining Mohegan land was allotted, and most was sold. But when the state divided tribal lands in 1872, it exempted the church’s land from the division. When the Mohegan Tribe petitioned for recognition in the 1980s, only the Church land remained in tribal hands.

The church did even more than preserve land—it preserved the tribe itself, permitting the restoration of the Mohegan Reservation. The Mohegan Tribe filed suit to recover land illegally taking under the federal Trade and Intercourse Act in 1977, as part of a wave

8. Infra Part III.
9. Id.
11. Deed from Lucy Teecommaus to Mohegan Indian Tribe (Mar. 30, 1831) (on file with author).
13. Infra Part I.
15. See id. at 94, 44.
16. Id. at 49.
of such claims in the 1960s and 1970s. But courts soon determined that tribes without formal federal recognition needed to establish continuing tribal status to maintain their claims. In 1989, the Bureau of Indian Affairs issued a preliminary finding finding the Mohegans were not entitled to federal recognition as an Indian tribe, emphasizing an alleged lack of tribal activities between 1941 and 1967. In 1994, after extensive new documentation, the Bureau reversed its preliminary determination. Two factors were key to this reversal: the “importance of the Mohegan Congregational Church” and the “importance of its informal, female leadership.” This recognition led to the settlement restoring the Mohegan Reservation, the establishment of the Mohegan Sun Casino later that year, and restoration of a tribe with over 1,000 enrolled citizens.

Telling the Mohegan history of the Mohegan Church is a work of recovery and reconstruction. Although, as Lisa Brooks writes, Indigenous peoples of the Northeast recorded their history in maps, wampum, and oral memory, colonists were the authors of almost all conventional records. Even when transcribed in good faith, these records reflect settler narratives of conquest, assimilation, and male control. Nor did the scribes always act in good faith: colonizers repeatedly took advantage of Indian illiteracy to gain the appearance of consent. Native-authored documents were also often addressed to colonizers, strategically appealing to non-Indian

21. Id.
24. Infra Parts I, II.
perceptions.\textsuperscript{26} As Amy Den Ouden argues, recovering the Indigenous meaning of these records is part of a struggle for history, which often requires using other clues to read around settlers' words.\textsuperscript{27} Therefore, while closely examining the words of non-Indian documents regarding Mohegan lands and the Mohegan Church, this Article reads them in the context of Mohegan actions that shed new light on those words, and the Mohegan culture reflected in the works of Brooks, Den Ouden, and Mohegan scholars Gladys Tantaquidgeon and Melissa Tantaquidgeon Zobel.\textsuperscript{28} This Article uses a similar process of reconstruction in telling the story of Sarah Lanman Huntington, suggesting that her missionary work can be seen as an early feminist rejection of the circumscribed roles for middle class nineteenth century women.

Part I recounts the history of the Mohegan people prior to the founding of the Church, focusing on the varying strategies of the Tribe to hold and maintain land. This section shows that Mohegans tried many of the strategies that western tribes would experience in the nineteenth century and experienced equally dismal results. Part II discusses the ways that conventional records disregard women's authority over the land, an authority that becomes clear in the founding of the church. Part III tells the history of the church's founding, focusing on the Mohegan and missionary women who made it possible. Part IV discusses the role of the Church in the life of the Mohegan tribe, first as a center for tribal, particularly women's, activity before recognition and second in making federal recognition and restoration possible.

\textsuperscript{26} E.g., \textit{id.} at xlii (describing how Indigenous peoples used the “political rhetoric of American independence to reassert their Indigenous claims to land”).

\textsuperscript{27} See \textsc{Amy E. Den Ouden}, \textit{Beyond Conquest: Native Peoples and the Struggle for History in New England} 2–3 (2005) (discussing “competing interpretations of history”).

\textsuperscript{28} Melissa Tantequidgeon Zobel also wrote under the name Melissa Jayne Fawcett.
I. "THE TIMES ARE TURNED UPSIDE-DOWN": MOHEGAN MANAGEMENT OF COLONIAL DISRUPTION

With European colonization, as Mohegans Robert Ashbo and Henry Quantaquiquid told the Connecticut legislature in 1789, “the times are turned upside-down.” Disease ravaged the Algonquian people of the Connecticut, or Kwinitekw, Valley, and European demand for beaver and wampum transformed relations between and within Indigenous governments. Even more devastating, English settlers soon moved from trading for beaver and wampum to demanding land. Although mutual misunderstandings of land agreements could sometimes benefit Indigenous negotiators, the English, who wrote the agreements and whose numbers grew as pandemic-plagued Indians died, eventually gained the upper hand. This Part discusses the varying Mohegan strategies to survive colonialism in some detail, placing in the founding of the Mohegan Church in context as yet another strategy whose meaning for Mohegans may have differed from that for the non-Indians who recorded it.

Students of U.S. Indian policy are familiar with its shifting stages. The early period saw relationships of mutual allegiance and laws prohibiting incursions on Indigenous lands. Growth in settler populations, however, increased encroachment, leading to Indigenous appeals to central government and settler resistance to central authority. With further encroachment and impoverishment, the U.S. placed Indigenous people and their land under control of federal agents. When the reservation policy failed to

29. BROOKS, supra note 7, at 51 (excerpting 1789 petition of Robert Ashbo and Henry Quantaquiquid to Connecticut Legislature).
30. Id. at 52.
31. See id. at 7, 21.
32. Id. at 23.
33. Id. (discussing 1673 agreement between Mashalisk, “old woman”, and trader John Pynchon).
36. Id. §1.03[6][a].
protect Indigenous land or satisfy settler demands, the land was individually allotted, and most was lost.\textsuperscript{37}

Mohegan-colonial history has parallels to each of these phases but anticipates them by two hundred years. There are meaningful differences in this experience, however. First, military alliance with the Mohegans had significant value for most of this period, giving the Mohegans more control over the relationship than most tribal nations leveraged in the nineteenth century. Second, although there are many examples of U.S. deception and manipulation in transcribing land agreements, they appear even more extreme in the Mohegan documents, with many failing in any way to reflect Mohegan understandings.

Mohegans repeatedly allied with the English to secure territory, sovereignty, and support in their conflicts with other Indigenous peoples. The Mohegans allied with the English in the Pequot War of 1636, helped defeat the Narragansett sachem Miantonomo in his efforts to unite the Algonquians against the English in the 1640s, and supported them again in the English-Wampanoag conflict known as King Philip’s War.\textsuperscript{38} Later, the Mohegans fought with the colonists in the French and Indian War and the American Revolution. These allegiances increased Mohegan lands and won English protection and respect for the Mohegans and their powerful seventeenth century leader Uncas.\textsuperscript{39} Mohegans repeatedly invoked the value of this allegiance in their later land claims.\textsuperscript{40}

But the English recorded the terms of this relationship, and their words reflect their own interests, not Mohegan intent. In the wake of the Pequot War, for example, the English, Mohegans, and Narragansetts signed what is known as the Treaty of Hartford.\textsuperscript{41} Uncas and his descendants remembered this as a treaty recognizing Mohegan sovereignty,\textsuperscript{42} but the commitments in the agreement are all by the Mohegans and Narragansetts, and none by the English. The tribes promise not to fight any more, to turn over all murderers

\textsuperscript{37} Id. §1.03[6][a].
\textsuperscript{38} Brooks, supra note 7, at 58, 64.
\textsuperscript{39} See id. at 63–64.
\textsuperscript{40} Id. at 65.
\textsuperscript{42} Fawcett, supra note 1, at xii.
of the English, and not to occupy any of the formerly Pequot land. Given the circumstances—that Mohegans and Narragansetts had allied with the English to increase their own authority in the region, and had just provided critical military aid to the fledgling Connecticut colony—it is implausible they received no promises in return.

Similarly implausible are the words of a 1640 Agreement between Uncas and the colony. In that document, Uncas seems to have “Given & freely granted” to the English “all the Land that doth belong of of Right ought to belong to me . . . reserving only for my own Use the Ground which at present is planted and in that Kind imprv’d by us.” Mohegans, however, always insisted that their agreement was only not to alienate land without consent of the colonial government, and the document does specify that Uncas would not permit “any English or any other to Set down or plant within any of those Limits” without permission of the colony.

There is much evidence that only the latter agreement was intended. First, Uncas received almost nothing for this vast concession: only “5 ½ Yds Trucking Cloth with Stocking & other Things as a Gratuity.” Second, Uncas’ agreement not to alienate his lands to others was extremely valuable to the English, who were actively contesting Dutch claims to the land. Third, in limiting the Mohegans to the “Ground which at present is planted and in that Kind imprv’d by us,” the agreement employs the language of the English, not the Mohegans. The idea that ownership arose only from planting the land was a peculiarly English conceit, enabling them to assert ownership rights superior to both the original Indian

43. Treaty of Hartford, 1638, supra note 41.
45. JOHN W. DEFOREST, HISTORY OF THE INDIANS OF CONNECTICUT FROM THE EARLIEST KNOWN PERIOD TO 1850 183 (1850).
46. Uncas’ Land Grant, supra note 44.
47. Id.; see also DEFOREST, supra note 45, at 183 (suggesting that the negligible value of these gifts made the Mohegan interpretation more “reasonable”).
49. Uncas’ Land Grant, supra note 44.
possessors and the European nations—Spanish, Dutch, and French—who first claimed it.\textsuperscript{50} The Mohegan economy, however, was built both on coastal planting lands and inland hunting grounds, and planting grounds were periodically left fallow to recover and create habitat for waterfowl and other game.\textsuperscript{51} Uncas would never have so circumscribed his people for so little in return. The subsequent conduct of the English suggests that they never understood themselves to have purchased Uncas’ territory. The English never claimed lands under the 1640 agreement during Uncas’ lifetime,\textsuperscript{52} negotiated to purchase several other tracts, and indeed defended the Mohegan hunting grounds against trespass by other tribes.\textsuperscript{53} Finally, and most damning, the 1640 agreement, with its expansive grant of Mohegan lands, was not recorded until 1736, the height of Connecticut’s legal dispute with the Mohegans.\textsuperscript{54}

In fact, throughout the 1600s, Uncas and his son Owaneco sought to protect their territory by placing lands in trust with the English. As historian Wendy St. Jean has examined, although this guardianship foreshadows the nineteenth-century federal trust relationship,\textsuperscript{55} the Mohegans were active partners in inventing guardianship for their own purposes.\textsuperscript{56} The first such guardian was Major John Mason. Mason had led the English in the Pequot War, winning that war by surrounding and torching the Pequot’s village at Mystic, burning some 600 men, women, and children inside.\textsuperscript{57} Mason’s Algonquian allies were horrified at his actions; the Narragansetts at the slaughter declared it “machit, machit” (bad or wicked), because it was “too furious and slays too many men.”\textsuperscript{58} Still, these tactics gained Mason a powerful reputation among both

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\textsuperscript{51} Brooks, supra note 7, at 15, 17, 20.
\textsuperscript{52} DeForest, supra note 45, at 184.
\textsuperscript{53} Colony of Ct., Report of the Committee Appointed to Hear Uncas’s Complaint (1665), reprinted in The Public Records of the Colony of Connecticut from 1665 to 1678, 511 (J. Hammond Trumbull ed., 1852).
\textsuperscript{54} Den Ouden, supra note 27, at 109.
\textsuperscript{55} E.g., Cherokee Nation v. Georgia, 30 U.S. 1, 17 (1831) (calling U.S. relationship to tribes that of a ward and guardian).
\textsuperscript{56} St. Jean, supra note 48, at 366–67.
\textsuperscript{57} Id. at 363.
\textsuperscript{58} Brooks, supra note 7, at 59.
Indians and colonists, and led Uncas to court him as the Mohegan protector. In 1659, Uncas formalized this role, deeding all the lands in his territory to Mason, and promising him half of the profits of the lands. Showing that a trust, and not ownership, was intended, before his death Mason deeded the lands (some 20,000 acres) back to Uncas and the Mohegans with the stipulation that they could not be sold without consent of Mason or his descendants. The colony affirmed this trust relationship, recognizing Mason (who was then Deputy Governor of Connecticut) as guardian of the lands. After his death, his son Samuel Mason assumed his role as legal guardian of the Mohegans.

Despite these measures, the colony and individual settlers claimed more and more Mohegan land. In 1684, Owaneco, who knew he was vulnerable to drink, tried to bind himself from further sales by deeding all the sequestered lands to his people so that “neither I, nor my son, nor any under him, shall at any time, make sale of any part thereof.” The General Court confirmed this deed, and further declared that no transfers could be made without Samuel Mason’s consent. Yet the General Assembly granted part of the sequestered lands to Governor Fitz-John Winthrop in 1698, granted Mohegan hunting grounds to Colchester in 1699, and annexed the rest of the sequestered lands to New London in 1703. Robert Hallam, sent in 1703 to observe the boundary for Mason, found thirty to forty Indians, “in a very poor and naked condition, many of them crying lamentably,” who told him “that the [G]overnor had been up with them that day, and had drove them from their planting land, which they had enjoyed every since the English came into the country, and that they were not willing to leave the

59. St. Jean, supra note 52, at 366 (noting the similarity to the Indigenous position of “squirrel king,” one who had proved himself in war and was appointed to act as a negotiator for a tribal nation).
60. DEN OUDEN, supra note 27, at 99; Yirush, supra note 6, at 341–42.
61. St. Jean, supra note 52, at 374 (discussing Mohegan testimony that this was intended as a trust).
62. DEN OUDEN, supra note 27, at 99.
63. St. Jean, supra note 52, at 375–76.
64. Yirush, supra note 6, at 343.
65. DEN OUDEN, supra note 27, at 99; BROOKS, supra note 7, at 71.
66. BROOKS, supra note 7, at 71.
67. Yirush, supra note 6, at 344.
English, unless they were forced to it.”\textsuperscript{68} The trust relationship having failed, the Mohegans appealed to a higher authority.

In 1703, Hallam sailed to London to file the Mohegan case with Queen Anne through the English Board of Trade.\textsuperscript{69} He bore with him a letter from Owaneco to the Queen.\textsuperscript{70} The letter begins by asserting “[o]ur Hereditary Right to the Soyl and Royalties of our Dominions and Territories, before English came into the Country; insomuch that all due Loyalty and Obedience is not confer’d on us by the English, but by the gods. . . .”\textsuperscript{71} The letter continued with a shrewd invocation of British interests in the matter, stating that “if I obtain not Relief from the Great Queen’s Majesty, my People will be in great Tempation to scatter from Me, and flee to the Eastern Indians, the French’s Friends, and the English’s Enemies.”\textsuperscript{72} It ends by invoking the value of Mohegan allyship, stating “Pray, Sir, Remember my Love and Service to the Great Queen Ann, and her Noble Council.”\textsuperscript{73}

As with the famous Cherokee cases two centuries later,\textsuperscript{74} a key question was the authority of England to intervene in relations between the colony and a tribe.\textsuperscript{75} The Crown authorized a royal commission on the inquiry, warning the colony that in light of resumed war with France, its treatment of the Mohegans “may be of fatall consequence by causing a defection of the Indians to our enemies,” directing the colony to “pay all due obedience” to the commission.\textsuperscript{76} The Crown appointed as head of the commission Joseph Dudley, Governor of Massachusetts and a long opponent of Connecticut’s autonomy under its charter.\textsuperscript{77} Like Georgia in the

\begin{enumerate}
\item \textsuperscript{68} Id. at 344–45.
\item \textsuperscript{69} Id. at 345.
\item \textsuperscript{70} Id. at 346.
\item \textsuperscript{71} Letter from Owaneco, Chief Sachem of the Mohegan Indians, to Nicholas Hallam (July 14, 1703), in \textit{EARLY NATIVE LITERACIES IN NEW ENGLAND: A DOCUMENTARY AND CRITICAL ANTHOLOGY} \textit{19–20} (Kristina Bross & Hillary E. Wyss, eds. 2008).
\item \textsuperscript{72} Id.
\item \textsuperscript{73} Id.
\item \textsuperscript{74} See generally Cherokee Nation v. Georgia, 30 U.S. 1 (1831); Worcester v. Georgia, 31 U.S. 515 (1832).
\item \textsuperscript{75} Yirush, \textit{supra} note 6, at 347–49.
\item \textsuperscript{76} Id. at 348.
\item \textsuperscript{77} Id. at 350.
\end{enumerate}
Cherokee cases,\textsuperscript{78} Connecticut responded to assertion of jurisdiction over its affairs with Indians by refusing even to appear.\textsuperscript{79} In 1705, the Commission ruled unanimously for the Mohegans, finding the Tribe had “at all times served the interests of the crown of England and the colony of Connecticut” and “had a very good and undoubted right to a very large tract of lands within the colony of Connecticut,” ordering the restoration of the 20,000 acres of sequestered lands.\textsuperscript{80}

Connecticut ignored the decision. In 1721, the colony appointed its own commission, which held that the Tribe could claim only 4,000 acres of land.\textsuperscript{81} In the same period, the colony also increased control over Indian people generally. In 1717, Connecticut enacted laws for “bringing the Indians in this Colony to the knowledge of the Gospel,” “acquaint[ing] them with the Laws of the Government, for punishing . . . Immoralities,” and making them “sensible that no Exemption from the Penalties of such Laws lies for them any more, than for other His Majesties Subjects.”\textsuperscript{82} The laws also sought to encourage Indians to settle “after the English manner” so they might be “brought off from the pagan manner of living.”\textsuperscript{83} In 1718, Connecticut removed John Mason as guardian of the Mohegans, appointing overseers more disposed to colonial interests.\textsuperscript{84} In 1723, Connecticut prohibited Indians from hunting in the woods without the leave of the Governor.\textsuperscript{85} In 1724, the colony offered a fifty-pound reward for scalps of “Indian enemies.”\textsuperscript{86} The following year, the colony raised the reward to one hundred pounds, warning “friend Indians” not to hunt lest they be shot.\textsuperscript{87}

In 1735, Mohegan sachem Mohamet (Owaneco’s grandson) traveled to London with John Mason (grandson of Major Mason) to

\begin{itemize}
    \item \textsuperscript{78} \textsc{Anderson} \textit{et al.}, \textit{supra} note 34, at 55.
    \item \textsuperscript{79} \textsc{Yirush}, \textit{supra} note 6, at 350.
    \item \textsuperscript{80} \textit{Id.} at 351.
    \item \textsuperscript{81} \textit{Id.} at 355.
    \item \textsuperscript{83} \textit{Id.} at 230.
    \item \textsuperscript{84} \textsc{Yirush}, \textit{supra} note 6, at 355.
    \item \textsuperscript{85} \textsc{Den Ouden}, \textit{supra} note 27, at 79.
    \item \textsuperscript{86} \textit{Id.}
    \item \textsuperscript{87} \textit{Id.} at 80.
\end{itemize}
seek enforcement of the 1705 decision. Although they succeeded in having a new royal commission appointed, both died of smallpox in London. The new commission was as biased toward Connecticut as the Dudley Commission had been biased against it. The commission refused to allow the Mohegans to testify on their own behalf, based on an opinion that it was unheard of “for a whole Tribe, or Nation, to come into Court, and insist to be heard by themselves,” and “if the Commissioner were to have been governed, not by the Proofs & Evidence in the Cause, but by the voice of the Indians, the Commission, and all the Powers given to the Court, would at once have been undermined.” In 1736, relying in part on a release of all claims by Ben Uncas II (a sachem set up by the colony against the protests of the Mohegan Tribe), the new commission ruled for Connecticut.

On appeal by Mahomet’s son John Uncas and the Masons, the Privy Council set aside that verdict as “very irregular,” and held a new commission in 1743. That commission heard testimony from both Connecticut and the Mohegans, debating issues of jurisdiction, tribal sovereignty, and the construction to be given deeds written by one party that the other could not read or understand. In the end, however, by a vote of three to two, the commission held that the Mohegans had alienated their lands to Connecticut in 1640 and to Mason in 1659, that the 1671 entailment was invalid, and that the Mohegans had no right to any lands but those they still possessed. Thus, after forty years, ended what historian Joseph Smith called “the greatest cause that ever was heard at the Council Board.”

The defeat did not end Mohegan efforts to preserve their lands and autonomy. In 1764, Samson Occom, home after his tour of

88. Yirush, supra note 6, at 356.
89. Id.
90. Id. at 356–57.
92. Id. at 121–22.
93. Yirush, supra note 6, at 357.
94. Id. at 357–58.
95. Id. at 358–65.
96. Id. at 365.
Europe and ministry with the Haudenosaunee of New York,98 took up the cause. He penned a petition on behalf of the Tribe to the British superintendent of Indian Affairs complaining that Connecticut’s General Assembly members “want to root us out of our lands, root & branch; they have already proceeded with arbitrary power over us, and we want to know from whence they get that power and whether they can maintain such power.”99 Occom noted that the Royal Proclamation of 1763 forbade private persons to “presume to make any purchase from the said Indians of any lands reserved to the said Indians,” and asked why the law was not applied to the Mohegans.100 But the Superintendent did not grant the petition.101

When the Revolutionary War broke out, the Mohegans fought alongside the Americans,102 but independence brought still more encroachment. In 1785, Occom helped draft a petition on behalf of Mohegans and Niantics seeking protection of their “Natural Privileges, which the King of Heaven gave to our Fathers and to their children forever,” to fish at the mouth of the Connecticut River.103 They declared themselves “astonished and amazed” at the new restrictions on that right, recalling that “we went to war against your and our enemies,” and asking, “what will the various tribes of Indians, of this boundless continent, say when they hear of this restraint of fishing on us.”104 Ultimately Occom ended his years of pleading for the Mohegan Tribe, returning to New York with other Mohegan, Narragansett, Montauk, and Pequot Indians to found the Brothertown Indian Tribe.105

Back at Mohegan Hill, the Mohegans were still trying new strategies to survive colonialism. In 1789, in the petition quoted at the beginning of this section, Robert Ashbo and Henry Quantaquid sought individual rights to their lands. Once, they wrote, the Mohegans “had everything in great plenty . . . and had no contention

98. BROOKS, supra note 7, at 92.
99. Id. at 93.
100. Id.
101. Id. at 99–100.
103. BROOKS, supra note 7, at 100–01.
104. Id.
105. Id. at 103.
about their lands, for they lay in common, and they had but one
large dish, and could all eat together in peace and love."

But fishing, hunting, and fowling had all been taken from them, and:

[N]ow plainly we see that but one dish and one fire will
not do any longer for us. Some few there are that are
stronger than others, and they will keep off the poor,
the weak, the halt and blind, and keep the dish unto
themselves. Yes, they will rather call the whites and
mulattoes to eat out of the dish, and the widows and
children must be pushed aside . . . . And therefore our
most humble and earnest request is that our dish of
suckutash be divided amongst us, so that everyone
may have is little dish by himself.

And so, in 1790, the Mohegan lands were divided, an early experiment
in allotment to go with their early experiments in allegiance, trust, and
guardianship.

As western Indians would later find, allotment did not stop
abusive practices by overseers or encroachment by whites. In 1859,
the Mohegans hosted a committee from the Connecticut legislature,
declaring themselves firmly opposed to further land sales, and de-
siring retention of their common lands and the “right of the Mohe-
gans to control their own affairs completely.”

The committee found that where individual rights had been sold, “the entire avails
have been squandered or lost in a short time, and the seller pauper-
ized.”

Less than half the 5,000 acres from the 1700s remained
with tribal members, and non-Indians occupied most of the remain-
der. The occupiers, moreover, had engaged in “an unwarranta-
ble and reckless waste of wood, till there is not sufficient on the
Indian lands for fuel, timber, and necessary fencing stuff.”

Despite the wishes of the Mohegans, a new division of common lands

106. Id. at 51–52.
107. Id. at 52.
109. Report of the Connecticut Commissioners on Distribution of
Lands of the Mohegan Indians 6 (1861) [hereinafter Report of the
Connecticut Commissioners]; William S. Simmons, Spirit of the New
England Tribes: Indian History and Folklore 34 (1986).
110. See Simmons, supra note 109, at 34.
and further restrictive guardianship was the legislative response to
the report. Finally, in 1872, the state lifted guardianship, declared
the Mohegans citizens, and sold all their common lands other
than the church and Fort Shantok burial grounds at auction.
More than a century would pass before Connecticut again ac-
knowledge Mohegan land claims.

II. THE PERSISTENCE OF MOHEGAN WOMEN

If written records misrepresent the intentions of Mohegan
men, they wholly erase the role of Mohegan women. For the Moh-
egans, as for other Algonquian peoples, women had a distinctive re-
I 112 lationship to land and power. But the English recognized only male
power, and sachems like Uncas were glad to assume primacy. Until
the nineteenth century, only in glimpses would women’s authority
appear.

Like other Eastern tribes, Algonquian peoples practiced a
gendered division of labor that gave women a special relation-
to land. Women were responsible for cultivating the fertile lands at
its center, which placed women’s work at the symbolic center of
Algonquian communities. As Abenaki historian Lisa Brooks writes:

It is the wigwam that feeds the family, the village that sus-
tains the community, the networks that sustain the village.
Women are the creators of these vessels; all people come
from them, and with their hands and minds they transform
the bodies of their animal and plant relatives into nourish-
ment for their families.

The Green Corn celebration, held at the end of summer, celebrates the
results of this work. Although rarely named as such, the Green

112. BUREAU OF INDIAN AFFS., supra note 14, at 31.
113. Id. at 32; FAWCETT, supra note 2, at 22.
114. Bethany Ruth Berger, After Pocahontas: American Indian Women in
Legal History 1830–1934, 21 AM. INDIAN L. REV. 1, 17–18 (1997) (“[I]t was
women who had responsibility for cultivating the land in most American tribes
[and t]hese traditional responsibilities . . . gave Indian women a degree of au-
tonomy unknown to their white counterparts.”).
115. BROOKS, supra note 7, at 20.
116. Id. at 4.
117. DEN OUDEN, supra note 27, at 134, 225 n.32.
Corn gathering was the occasion for important meetings of Mohegans and other tribes throughout the colonial period.\textsuperscript{118}

Women’s relationship to planting and land translated into legal authority as well. Land descended through the female line, and many early deeds are signed by women, or men who note their rights are inherited from women.\textsuperscript{119} Even when women sign or speak for their people, however, English records obscure their names. Two deeds to the founders of Guilford reveal this starkly. The first is a 1639 deed from Shampishuh, the woman who led the Indians who traditionally resided on the lands.\textsuperscript{120} In the deed, she is repeatedly referred to as “the Sachem Squaw” and never by name, even on the line for her mark.\textsuperscript{121} Two years later, Uncas, who expanded his territorial claims after the Pequot War, granted Guilford a deed to the same land (for only a third of what Shumpishuh received).\textsuperscript{122} The document begins by proclaiming that “Uncas . . . is the right true and sole owner, possessor and inheritor” of all the lands “[a]nd that he the said Uncas hath absolute and independent power to alien, dispose and sell all and every part of the said lands.”\textsuperscript{123} But later the document qualifies that claim:

In that divers Indians have seemed to lay claims to these lands aforesaid, as the sachem squaw of Quillipiack and Weekwosh through her right, the one-eyed squaw of Toto-ket and others. To this he saith that he hath spoken with . . . the sachem squaw, the one-eyed squaw and the rest, and they do acknowledge that the right of said land now sold by Uncas is Uncas his child’s.\textsuperscript{124}

The lands thus appear not to belong to Uncas but to his child, presumably by descent from his wife. And the deed itself is signed not only by Uncas (through his mark, a sketch of a man with arms akimbo), but by “Uncas his squaw” with a complicated figure of her own (Figure 1).

\textsuperscript{118} Id. at 20-22 (discussing 1669 gathering of all area tribes allegedly to discuss coordinated efforts to reclaim lands), 134 (noting 1736 meeting of the Mohegans to discuss political conflict and select Anne Uncas as sachem).

\textsuperscript{119} BROOKS, supra note 7, at 25.

\textsuperscript{120} RALPH DUNNING SMITH, THE HISTORY OF GUILFORD, CONNECTICUT, FROM ITS FIRST SETTLEMENT IN 1639, at 8–9, 65 (1877).

\textsuperscript{121} Id. at 65 (reprinting deed of September 29, 1639).

\textsuperscript{122} Id. at 66 (reprinting deed of December 17, 1641).

\textsuperscript{123} Id.

\textsuperscript{124} Id. at 67 (emphasis added).
Although this woman’s claims are likely the source of the right to transfer, she, like the “sachem squaw,” is never named.

Indeed, one could tell the story of Uncas’ rise through strategic alliance with powerful women rather than strategic alliance with English. A catalyst for Uncas’ people to split from the Pequots was whether his marriage to the chief sachem’s daughter should give Uncas higher status within the Tribe. As nineteenth century Mohegan medicine woman Emma Baker recalled, “Uncas was a Sagamore and having married into the Royal family probably la[d] claim to the Sachemship and [there was] a quarrel between him and Sassachus that culminated in his banishment— tho he was two or three times returned to his allegiance.” He wove together authority over diverse Algonquian lands by taking six or seven wives who had their own claims to property and sovereign authority. These women occasionally appear in English

125. Fawcett, supra note 2, at 11.
126. Id.
127. Brooks, supra note 7, at 61; see also DeForest, supra note 45, at 182 (“Uncas considerably extended his territories by marrying the daughter of the Hammonasset sachem, Sebequanash” and although he quickly sold most of the land “as most of the Hammonassets probably passed over to the east side of the Connecticut, his effective strength in warriors was very likely increased, rather than diminished, by this transaction.”).
records, but like the women who signed the 1641 deed, are never named.  

Women were not even named when they acted on their own, rather through their husbands or fathers. When Eastern Pequot sachem Mary Momoho petitioned against encroachment on her tribe, Connecticut’s documents refer to her only as “Momoho’s squaw.” Similarly when, in 1736, the Mohegans held a great ceremony selecting Anne Uncas (granddaughter of Owaneco) as their sachem while Mahomet was in London pleading the Mohegan land case, Connecticut Governor Talcott referred to her only as a pretended “queen or imposter” rather than by name. Further reflecting their understanding of women as simply adjuncts of male power, Connecticut responded by arranging a marriage between Anne and Ben Uncas III, the son of the man the colony sought to impose as sachem of the Mohegans.  

Ironically, Ben himself was not a free man at the time—the colony had to pay forty pounds to buy his indenture from a man in Massachusetts.

As Amy Den Ouden argues, the English had vested interests in denying Algonquian women’s rights to land. English conquest narratives depended on the idea that Indigenous people would one day be “extinct” and thereby forfeit their claims to land. Understanding the sovereignty of Indians solely through its men not only measured their military threat, but also meant that the continued presence of women would not undermine this extinction narrative.

Although English repeatedly produced counts of the various tribes, they often counted only men, even when women were the majority of inhabitants. In 1731, for example, the town of Groton directed a committee to “come to a true understanding of the Pequot Indians in Grotons viz

128. See, e.g., COMMITTEE REPORT CONCERNING UNCAS’ COMPLAINTS (1665) (discussing Uncas’ complaint that the English had taken “his Squaws rights to [Hammonasset’])
129. DEN OUDEN, supra note 27, at 71.
130. Id. at 132–33.
131. Id. at 134.
132. BAKER, supra note 102, at 39.
133. DEN OUDEN, supra note 27, at 5.
134. Id. at 28.
135. Id. at 6–7.
136. Id. at 28.
of all the males sixteen years old and older.”

Similarly, a 1736 report first noted the number of Mohegan families, then disparagingly mentioned that there were also “several Widdows that keepe house, which they Reckoned as families.”

English reliance on the number of men in a tribe was so well established that when Mary Momoho petitioned to the colony she wrote that “we suppose there will be some pleas made that wee are almost all dead” but they had thirty-three men yet alive, and with women and children numbered over 130.

As colonization progressed, there were many reasons for women to outnumber men on reservations. With hunting grounds increasingly closed, men had to travel far from home to find work. Some found wage labor on farms, while others became mariners with whaling ships. One article noted that the men were “so exceedingly dexterous in the use of the harpoon, that at times, the settlement is destitute of men—every mother’s son of them being on whaling expeditions from New London.”

Many also left home to fight, and die, in the French and Indian and Revolutionary wars. But women’s work in agriculture and childrearing allowed them to remain on the land. This meant that women often suffered most directly from dispossession. As Owaneco declared in his 1703 petition to Queen Anne, “[t]he Governor. Did in a time of snow last winter turn our women and children off our planting lands claiming it for his own.” This was likely not just rhetoric to engage royal sympathies—it reflected the reality that it was women who were actually there to be turned out.

For Connecticut, however, women’s stronger connection to the land undermined Indian assimilation. In a 1717 law encouraging Indians to settle in villages “after the English manner,” Connecticut mandated that family portions of land “should Descend from the Father to his Children, the more to Encourage them to Apply themselves to Husbandry, and good Diligence therein.”

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137. Id. at 177.
138. Id. at 128.
139. Id. at 29.
140. Id. at 214 n.3.
142. Baker, supra note 102, at 62.
143. Den Ouden, supra note 27, at 106–07.
144. Id. (quoting deposition of Asnehunt that the dispossession “caused our women and children to cry.”).
145. Laws of the Colonial and State Governments, Relating to Indians and Indian Affairs from 1633 to 1831, Inclusive, with an Appendix.
An 1860s probate case suggests that some Mohegan men also resisted women’s authority over property. Martha Shantup Uncas was an important Mohegan matriarch.\(^\text{146}\) She had several partners over her life, first marrying and bearing two children to John Uncas, who later “got mad and set the wigwam afire and ran away [for twenty years and] was in the revolutionary war.”\(^\text{147}\) She then had one child with Samuel Hoscott (sometimes spelled Horsecoat), and later two children with Bartholomew Tantaquidgeon.\(^\text{148}\) Then she had two children with Gerdon Wyyougs (sometimes spelled Wyax), who left a wife and five children to go live with her.\(^\text{149}\) At the end of her life she lived with Zachary Johnson, who had served as regent to Noah Uncas, the last sachem of the Uncas name.\(^\text{150}\)

As might be imagined, this series of relationships generated consternation in non-Indians. A state committee reporting on land distribution reported its “embarassment” that she had “several sorts of children,” declaring that “[m]any of the males formerly followed the seas, and left the females prey to unprincipled men.”\(^\text{151}\) But Martha herself was delighted to recall her many husbands. When local historian Frances Manwaring Caulkins asked about her first husband, Martha laughingly told her:

> Oh it was so long ago. I have forgotten his name, O he so handsome! His head was round like an apple and his neck like a gourd. My next husband, he handsome too and smart; all the squaws want to get away my two husbands. Then I marry Zachary and nobody trouble me; he so homely, all the squaws let him alone.”\(^\text{152}\)

Martha ensured that Mohegan culture and knowledge would be passed on through the female line. She took as a student Emma Fielding Baker,\(^\text{153}\) who would become key in preserving Mohegan
genealogy and traditions.\textsuperscript{154} She also passed her language and traditional knowledge to her granddaughter Fidelia Hoscott Fielding, the last fluent speaker of the Mohegan language.\textsuperscript{155} Emma and Fidelia in turn passed their knowledge to Gladys Tantaquidgeon, who was crucial in restoring Mohegan sovereignty in the twentieth century.\textsuperscript{156}

Martha appears to have tried to follow matrilineal descent practices in her will, leaving her property to two of her daughters, Mary [Tante] Quidgeon and Sarah A. Smith (nee Wyyougs).\textsuperscript{157} The will was accepted to probate and Sarah appointed executrix, but Samuel Hoscott, Levi Hoscott, and Hannah Dolbeare (through her husband George Dolbeare) appealed.\textsuperscript{158} Their appeal declared that they were “grandchildren of Martha and are interested in her estate,” whose lands were are “of great value, of thousands of dollars,” and Martha, being a Mohegan, was “incompetent” to devise her land under Connecticut law.\textsuperscript{159} A Connecticut statute provided that “[a]ll conveyances of lands by Indians, whether by deed or otherwise, shall be void,”\textsuperscript{160} but the purpose of the law was “preservation of [Indian land]” and state oversight for sales.\textsuperscript{161} It is not clear why a will devising such land within the tribe should be void. Nevertheless, the New London County Superior Court held that while Mohegan Indian lands were “descendible by custom permitted by the state,” Mohegan Indians were under “Guardianship or wardship” and could not “in any manner alien, convey, or devise their allotted land to any person.”\textsuperscript{162}

In the contest over Martha Uncas’s will, Mohegan men prevented a Mohegan matriarch from leaving her land to her daughters. As the next sections show, however, women were already taking a more visible role in Mohegan history.

\begin{itemize}
\item \textsuperscript{154} See infra Part IV.
\item \textsuperscript{155} FAWCETT, supra note 2, at 25.
\item \textsuperscript{156} Id.
\item \textsuperscript{157} Appeal from Probate, Hoscott v. Smith, Box 125, File 324 (New London Cnty. Ct. Aug. 1, 1860).
\item \textsuperscript{158} Reasons for Appeal, Hoscott v. Smith, Box 125, File 324 (New London Cnty. Ct. Aug. 1, 1860).
\item \textsuperscript{159} Id. (citing CONN. GEN. STAT. § 26-5 (1860)).
\item \textsuperscript{160} 1854 Conn. Acts 615, 616.
\item \textsuperscript{161} Id.; see also id. at 617 (1852 addition describing procedures for consent by overseers).
\item \textsuperscript{162} Decision, Hoscott v. Smith, Box 125, File 324 (New London Cnty. Ct. Aug. 1, 1860).
\end{itemize}
III. MISSIONARY WOMEN MEET MOHEGAN WOMEN

Sarah Lanman Huntington Smith spent only a few years at Mohegan and died just a few years after she left. But her account of the church’s founding has been preserved through the memoir published after her death, while the accounts of the Mohegan founders have not. This Part begins with her story, showing how Sarah’s work with the Mohegans helped her break from the confined expectations for women of her race and class. It continues with the story of the Mohegan women she worked with, reading between the lines of existing records to reveal their intergenerational efforts to support each other and their tribe.

A. The Missionary Perspective

Sarah came from what her biographer called “true Puritan stock.” The first Huntingtons migrated from Norwich, England in 1633 and their descendants became leaders in Connecticut and American history. Sarah’s paternal grandfather was a general in the Revolutionary War and served on the American Board of Commissioners for Foreign Missions. Her paternal grandmother was daughter of one Connecticut Governor, Jonathan Trumbull, and sister of another, Jonathan Trumbull Jr. Her mother, Mary Lanman, was daughter of a Norwich shipping magnate and sister of a U.S. Senator.

In 1840, Sarah’s brother-in-law Eli Hooker published a “memoir” of her life combining lengthy excerpts of her letters with his own

163. EDWARD W. HOOKER, MEMOIR OF MRS. SARAH LANMAN SMITH 10 (2d ed. 1840).
164. Bill Ryan, A Huntington’s Mohegan Mission, N.Y. TIMES, Oct. 6, 1996, at CN13. Interestingly, the first head of the Huntington family in America was a woman. Simon Huntington died of smallpox on the journey, leaving his widow Margaret to raise their five children alone. Id.
165. One of the most famous is Samuel Huntington, a signer of the Declaration of Independence and a Governor of Connecticut. Id.
166. HOOKER, supra note 163, at 9.
167. Id. at 9–10.
168. Mary died when Sarah Huntington was just seven, but her father married Mary’s elder sister, also named Sarah. Id. at 10; Entry for Jabez Huntington (1767-1848), FAMILYPEDIA, https://familypedia.fandom.com/wiki/Jabez_Huntington_(1767-1848) [https://perma.cc/GZR6-6CFN] (last visited April 9, 2022).
narration. Hooker was a minister and enthusiastic biographer of his famous ancestor Reverend Thomas Hooker, founder of Connecticut. Although his narration emphasizes Sarah’s piety and virtues, hints of her struggles against conformity creep in. He writes that as a child “there was some difficulty in training and governing her,” and she had a “somewhat peculiar temperament; affectionate and amiable to favors, fearful of pain and suffering; yet venturesome to an extreme, and decisive and tenacious in her opinions.” Her early letters showed “some flashes of wit,” but seemingly “aware that wit is a rather dangerous talent,” she “repressed, rather than cultivated it, as she grew to womanhood.” Sarah attended boarding school in Boston when she was fifteen, and “was much absorbed in her studies, with some degree of ambition; and for success in them she used to pray.” Still, she resisted greater piety. At least once she hid to avoid attending a prayer meeting with her parents, and while in boarding school she disliked sabbaths at her uncle’s where she “was liable to hear more religious conversation than was agreeable.”

Hooker attributes Sarah’s early imperfections both to her nurse’s “injudicious kindness” in indulging her, and to the “native depravity in which all the human race are guilty before God.” Sarah had a different explanation. In an 1833 letter to her siblings seeking approval for her mission to Syria, she reminds them that she had always “cultivated a spirit of enterprise,” influenced by her mother’s “disregard of those trifling things which many women esteem so highly.” As a result, “the ordinary circumstances of life . . . have appeared to me so insipid—or perhaps I had better say unsatisfying.”

In 1820, Sarah “gave up her heart to God,” which created an opportunity to have a wider influence. Frustrated at the thought that

169. See generally Hooker, supra note 163.
170. See generally Edward W. Hooker, The Life of Thomas Hooker (1870 reprint).
171. Hooker, supra note 163, at 11.
172. Id. at 13–14.
173. Id. at 18.
174. Id. at 15, 18.
175. Id. at 11.
176. Id. at 12.
177. Id. at 127, 131–32.
178. Id. at 132.
179. Id. at 20.
she was not doing anything “for the benefit or happiness of anyone,” she earnestly sought to persuade less religious friends and family to submit to God as well.\textsuperscript{180} Beginning in 1827, she turned her evangelist zeal toward the Mohegans.

Missionary work was one of the few ways an upper-middle-class white woman like Sarah could exercise that “spirit of enterprise” and rise above “the ordinary circumstances of life.”\textsuperscript{181} As historian Barbara Welter famously wrote, the 1820s saw the rise of a “cult of true womanhood,” emphasizing women’s “solemn responsibility” to, in the face of economic and social instability, “uphold the pillars of the temple with her frail white hand.”\textsuperscript{182} This work emphatically focused on the true woman’s confinement and “gentle submission” to men.\textsuperscript{183} However, true womanhood’s emphasis on women’s perfections “carried within itself the seeds of its own destruction. For if woman was so very little less than the angels, she should take a more active part in running the world.”\textsuperscript{184} Thus Mrs. L.H. Sigourney, an enthusiastic evangelist for true womanhood,\textsuperscript{185} could celebrate that woman’s “legitimate sphere of duty has become extended” to the classroom, science, literature, and to “take her part in ‘perils among the heathen.”\textsuperscript{186} In particular, by working to help her “inferiors”—whether the urban poor,\textsuperscript{187} enslaved African Americans,\textsuperscript{188} or Indigenous communities—white middle-class women could extend their authority outside the home.

Religion provided a particularly welcoming arena for young women straining against gender restrictions. Sarah’s “conversion”\textsuperscript{189} came

\begin{itemize}
  \item \textsuperscript{180} Id. at 23, 26–30.
  \item \textsuperscript{181} Id. at 132.
  \item \textsuperscript{182} Barbara Welter, \textit{The Cult of True Womanhood: 1820 - 1860}, 18 AM. Q. 151, 151–52 (1966).
  \item \textsuperscript{183} Id. at 161–62.
  \item \textsuperscript{184} Id. at 174.
  \item \textsuperscript{185} Id. at 161.
  \item \textsuperscript{186} L.H. Sigourney, \textit{Introduction} to \textit{Noble Deeds of American Women}, at xv (J. Clement ed., 1869).
  \item \textsuperscript{187} Christine Stansell, \textit{City of Women: Sex and Class in New York, 1789-1860}, at 212–13 (1987) (describing middle class women’s work with poor women).
  \item \textsuperscript{188} Sigourney, \textit{supra} note 186, at xv.
  \item \textsuperscript{189} A term she and others used to describe an enthusiastic embrace and submission to God by people who were generally already Christian. Nancy F. Cott, \textit{Young Women in the Second Great Awakening in New England}, 3 FEMINIST STUDS. 15, 15 (1975).
\end{itemize}
amid the Second Great Awakening, in which people across the United States enthusiastically committed themselves to God. Like Sarah, most of the converts were unmarried young women. Although conversion was presented as “submission”—thus conforming to the precepts of true womanhood—it was also an “autonomous choice,” something young women sorely lacked. Because conversion often took place through gender-segregated prayer meetings and the like, it also provided young women with a supportive female. Conversion thus “promised not only a lifetime’s work in religious struggle, but a loyal peer-group with whom to share it.”

Society did not necessarily approve of women whose evangelist spirit led them outside the home. Women could only go on missions as spouses of male missionaries, and even then, wives were warned that “their principal and usually only duty is to render their home a heaven, and their husband happy by lightening his cares.” But women used the demands of faith to resist the bonds of society. As Sarah wrote, “[i]t appears to me there is no time to be lost in consulting, with pride, under the specious names of ‘respectability, and suitable conformity,’” and encouraged “individuals from what are called the ‘first families,’ of both sexes” to devote themselves to missionary work.

The Mohegans were a natural target for Sarah’s ambitions. Filial duty might prevent Sarah from traveling far from home, but the Mohegans were only six miles away. She may also have been conscious that Connecticut was founded with Mohegan assistance and her city of Norwich was founded on Mohegan land. She resisted, for example, questions about whether the Mohegans were sufficiently grateful, answering, “[w]e are but discharging, in some inadequate measure, our debt of gratitude to them; the obligation is on our part.”

190. Id. at 16.
191. Id.
192. Id. at 21.
193. Id. at 22.
194. Id. at 23.
197. Id. at 109 (reprinting Sept. 11, 1831 letter stating that her duties to her parents meant she could not follow her heart to a foreign mission).
198. Id. at 109–10.
199. Id. at 113.
Indian affairs were a central issue at the time. The 1820s and 1830s saw intense national debate over whether Eastern tribes—particularly the Cherokee, Choctaw, Chickasaw, Creek, and Seminole—would be forced west of the Mississippi. Communities across the Northeast sent impassioned letters to Congress pleading to let tribes keep their treaty-protected homelands. The Connecticut-based American Board of Commissioners of Foreign Missions—where Sarah’s grandfather had served as a commissioner—was deeply involved in the debate. Samuel Worcester, a nephew of the Board’s founder, was a missionary to the Cherokee, where he wrote widely read letters against removal. In 1831, Georgia arrested Worcester and fellow missionary Elizur Butler for refusing to swear an oath of loyalty to the state before entering Cherokee territory, triggering the dispute that reached the Supreme Court as Worcester v. Georgia. Sarah was very aware of the removal controversy. She was part of a weekly women’s prayer group that made the tribes threatened with removal “a subject of special prayer,” and in 1831, wrote a missionary friend that she had “thought much of the Choctaws, just setting out upon their march” and “of our imprisoned brethren,” Worcester and Butler.

Beginning in 1830, Sarah and another young white woman of the area began a Sabbath school at Mohegan. Although conducted on Sundays, Sabbath schools were non-sectarian general education schools, often begun by individuals outside the auspices of a church. At a time when paid teachers were often men, young women frequently served as Sabbath school instructors. Sarah had already taught in a Sabbath school organized by a friend before her conversion but gave

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201. Id.
203. Id.
205. HOOKER, supra note 163, at 110.
206. Id. at 121.
207. Id. at 110.
209. Id. at 118.
it up because she thought it improper for one without “personal religion.”\textsuperscript{210} The Mohegan Sabbath school soon led to a weekday school, in which the two women would alternate weeks, joining on Sundays to conduct the Sabbath school together.\textsuperscript{211}

Sarah loved her time at Mohegan. She reveled in the change from her life in Norwich. “My circumstances and duties are altogether new,” she wrote, “and I sometimes think myself in a dream.”\textsuperscript{212} “I was perfectly delighted with my situation,” another letter noted, “which was as romantic as real life can be, to say nothing of my affections.”\textsuperscript{213} She was enthusiastic about her Mohegan students and friends, writing repeatedly of their “acute minds” and “interesting and elevated” conversation.\textsuperscript{214} Sarah even formed a “strong conviction” that “the Indians are really Israelites,” believing that their faces so resembled “the lineaments of our Saviour” that it must be that “their progenitors were his peculiar people.”\textsuperscript{215}

Although she sometimes spoke of fatigue (not least because she often walked the six miles to Mohegan),\textsuperscript{216} she wrote that her only trials were “in the difference, coldness, and unkind remarks of some Christian friends.”\textsuperscript{217} Another letter tartly notes, “I should like to ask Mr. _____ if the Saviour had any regard to his ‘station,’ when he left his throne for a dwelling among our wretched race?”\textsuperscript{218} She closes the letter with a wish that the constellations are “as bright and beautiful in Wiscasset, as they are this evening in Mohegan.”\textsuperscript{219}

Sarah seems to have regarded the Mohegans with more respect and less ethnocentrism than many of her peers. Although convinced of

\textsuperscript{210} Hooker, supra note 163, at 16–17.
\textsuperscript{211} Id. at 112–13.
\textsuperscript{212} Id. at 115. Although this letter was when her work was still new, she wrote the same to her mother sometime later: “My duties here are delightful, and I should love to spend my life in seeking after those who are lost.” Id. at 116.
\textsuperscript{213} Id. at 112.
\textsuperscript{214} Id. at 114, 116.
\textsuperscript{215} Id. at 115–16.
\textsuperscript{216} Id. at 115, 121.
\textsuperscript{217} Id. at 116 (reprinting Jan. 20, 1831 letter).
\textsuperscript{218} Id. at 115.
\textsuperscript{219} Id.
the superiority of white civilization and religion she was at times hesitant to impose her beliefs. She wrote that she “shrank from a personal application” about faith to the married daughter of the family where she stayed, until the woman came to Sarah’s room for an hour-long conversation. Another young Mohegan woman, a recent convert, became one of the teachers in the school. After her former teacher and mentor, Mrs. L.H. Sigourney, suggested the Mohegans be employed outside the reservation as servants, she carefully objected. “I would not venture to dissent entirely from your mature judgment; still, I have been led to think,” she wrote, “it is desirable that they should be kept together . . . upon their own territory. I feel likewise some repugnance to their being servants to those who have treated them so cruelly.”

Sarah also began raising money for the Mohegan cause. In 1830, she took up a subscription in Norwich for funds to build what became the Mohegan Congregational Church. That secured, she sought money to pay a minister and teacher. After the Connecticut legislature refused, she turned to the U.S. government. On December 8, 1831, she wrote to Secretary of War, Lewis Cass. Although the president of a local benevolent association had already written twice on the Mohegans’ behalf without response, she wrote, “my own sex are sometimes successful in the cause of humanity, while others are ‘turned empty away.’” She also petitioned her cousin, Representative Jabez

220.  Id. at 114, 116 (describing her work as the “government of untamed, untutored beings” and another states that despite their acute minds, the Mohegans lack “moral and intellectual culture.”).

221.  Id. at 117.  Sarah’s letter describing this says that the woman was about the age of the sister she was writing to, suggesting she might have been either Diana Rogers or Rachel Fielding, Cynthia Hoscott’s two daughters listed on the 1827 Mohegan Census. Census of Mohegan Indians, 1827 and Continued to February 1830, CT. STATE LIBR., http://files.usgwarchives.net/ct/newlondn/history/other/censusof170gms.txt [https://perma.cc/NJ9U-37DE] (last visited April 12, 2022).

222.  Hooker, supra note 163, at 122.

223.  Id. at 122–23.

224.  Id. at 110.

225.  Id. at 118.

226.  Id.

227.  Id.

228.  Id.
W. Huntingon, for funds. In response, the government sent $500 to build a house for a teacher, and $400 to employ one. The domestic missionary society sent a further $100 a year for support of the teacher and his family.

Sarah’s success in securing other teachers at Mohegan made it more difficult to justify her time away from her family duties. As early as December 1830, “the increased weakness of [her] mother’s eyes” required her to spend alternate weeks in Norwich rather than teach at Mohegan full time. By April 1831, she had already secured three teachers for the Sabbath school, one a recent Mohegan convert. She now spent only her Sabbaths at Mohegan and wrote to L.H. Sigourney of her “desultory and changing life.” In 1832, Sarah’s brother fell ill, and she devoted herself to his care until he died.

When, in 1833, missionary Eli Smith asked her to marry him and return with him to Syria, she must have jumped at the chance to escape. Seeking her father’s permission, she wrote that, although she had “determined to devote [herself] to performance of filial and other relative duties, and ‘in honor to prefer’ all others” but felt “under a cloud” in the pursuit. She hoped to convince him “that at the age of thirty, and after twelve years’ training in the school of Christ, [her] resolution is not hastily formed.” When her father demanded she seek the opinion of her brothers and sisters, she wrote them, “I have been hedged up of late, and my circle of duties continually narrowing, until my field is circumscribed by the walls of my father’s house.” On receiving their response and advice, she wrote again to her father, and finally he consented.
Her father's reluctance to let her go might not have been wholly selfish. In her letters, Sarah acknowledged that in embarking as a missionary she might "find a watery grave," and she was not far wrong. After three years work in Syria, she accompanied her husband on a journey to Smyrna, Turkey, because she was ill and thought relief from her responsibilities would help. Instead, their ship wrecked and the survivors walked for several days before getting a new ship. They reached Turkey thirty days after the shipwreck; by that point Sarah was so sick she could not get out of bed. Sarah lived for some time after, but on September 30, 1836, at the age of 34, she died. Childless, her many journals lost in the shipwreck, she left behind her letters, the first girls' school in the Turkish Empire, and the church that would preserve the Mohegan Tribe.

B. The Mohegan Perspective

And what of the people who received Sarah at Mohegan? Henry A. Baker, who included his version of the Mohegan past in his triumphant 1896 history of the founding of Montville, presented Sarah as a savior of the Mohegans in their lowest time. In his telling, the tribe was then a "forlorn remnant of such an historic race," most of whose members were "of mixed blood, but claim the title to the land through their mothers." Sarah, Baker wrote, "put forth her hands to raise them from their depth of ignorance and degradation," and from the "untiring efforts" of her and other "females of similar spirit . . . the Mohegans were lifted up and started again . . . on the road leading to a higher
state of morality and intelligence.” It is true that Mohegan land was fast being stripped of its resources. “Tradition says,” a 1905 account claimed, “that in her journeys of exploration through the thickly wooded country she shaped her course by the sound of the wood-choppers’ axes.” Other evidence, however, suggests that the Mohegans who received Sarah did so for their own purposes, and the results were shaped as much by their intelligence as by hers.

Sarah’s work at Mohegan was supported by a multi-generational Mohegan matriarchy. The Sabbath school, and later the lodging for Sarah and her co-teacher, were at the home of Lucy Tintaquidgeon, who died in 1829 at age ninety-eight. As Sarah described in 1830, “[h]er children, grand-children, great-grand-children, and great-great-grandchildren now dwell there, in one habitation. Her memory is precious to her descendants; and her children, two of them at least, give evidence of piety.”

Men do not seem to have been central to the household. Lucy Tintaquidgeon was a widow whose husband had gone to sea as a mariner in 1778. Her daughter, Lucy, had married Peter Teecomwas, but by the 1782 census she had apparently been “cast off” by him. Lucy’s daughter Cynthia had one daughter by an unnamed man, four children by Isaiah Hoscott, and two children by Valentine Smith, but the 1827 census did not list her as living with any of them. Lucy’s daughter Bethany also seems to have married a Hoscott, but the 1827 census did not list her partner either. Cynthia’s daughters Diana and Rachel were married in 1827 but only the women of the household figure in Sarah’s memoirs. In writing from Syria, it was to “old Lucy’s kitchen” that her memories went. (Despite this, when Reverend James Fitch

249. Id.
251. Hooker, supra note 163, at 111.
252. Id.
254. Baker, supra note 102, at 58.
255. Census of Mohegan Indians, 1827 and Continued to February 1830, supra note 221.
256. Id.; Brown & Rose, supra note 253, at 402.
257. Census of Mohegan Indians, 1827 and Continued to February 1830, supra note 221.
258. Hooker, supra note 163, at 126.
commemorated the church’s founding seventy-five years later, he focused on the male relatives, calling it a “house then occupied by the relatives of Sampon Occom, now by Mssrs. E.C. Fowler and W. Quidgeon”)

Lucy Tantaquidgeon’s relationship to Samson Occom (she was his sister) may, however, help explain why she and her children welcomed Sarah among them. Occom was a celebrated writer and preacher. He had toured England to raise funds for a proposed Indian Charity School, speaking before great audiences and meeting the nobility. His sermon on the execution of a Wampanoag man, Moses Paul, for killing a white man, was reprinted and circulated throughout the American colonies. During his life and for centuries after, Occom has been held up as an example of the success of American assimilation policies, but his life and writing belie this frame. Coming of age as the Mohegan people litigated (and lost) their battle against English encroachment

Although a celebrated protégé of his teacher, Reverend Eleazar Wheelock, he broke from him after Wheelock used the funds raised to support Indian education to found Dartmouth instead. He used his postings as a missionary in Long Island and upstate New York to forge diplomatic and cultural alliances between Indigenous peoples.

He penned petitions for the Mohegan people against Connecticut’s domination, and public writings on the evils of slavery and colonialism He also remained immersed in Algonquian culture all his life, contrasting the reciprocity and social responsibility of Indigenous communities with the savagery of the English. He communicated with his sister Lucy throughout his travels, at one point sending her an elm bark box carved with traditional Algonquian dots and lines to tell her of his journeys.

For Occom’s relatives, the

259. Fitch, supra note 250, at 3.
261. Id. at 22–23.
262. Id. at 4.
263. Id. at 14.
264. Id. at 21–22.
265. Id. at 22–23.
266. Id. at 5, 8.
267. Id. at 5, 7, 35.
268. Id. at 4.
Christian education Sarah Huntington offered would have had a revolutionary potential.

Lucy would also have known other examples of the potential of Christianity for Mohegan revitalization and resistance. She and Samson had lived through the first Great Awakening, when inspired preachers broke from the established church, Indigenous people were among them.269 In the 1740s, Mohegan convert Samuel Ashpo left the English-led New London church, founding a church that became an important base for traditional Mohegans.270 Occom had also been mentored by Narragansett minister Samuel Niles, who founded a separatist religious community after the Congregational Church excommunicated him for preaching without a license.271 While Sarah Huntington’s English supporters looked at her work as furthering assimilation, Lucy Tantaquidgeon might well have seen it as a supporting independence.272

Lucy Tantaquidgeon died shortly before Sarah Huntington founded her Sabbath school.273 Her family likely lent their homestead to Sarah’s efforts, both “because her memory is precious to her descendants” and because “her children, two of them at least, give evidence of piety.”274 From the beginning Sarah had several eager students and supporters. Initially, she needed to take a guide to get to the school, so traveled there with “a little Indian girl behind me upon the horse, and half a dozen other children following on foot, talking as fast as their tongues would go.”275 On another occasion as she walked back to New London, she noted that two boys and a girl, ages seven, eight, and nine, chose to walk with her and she found their conversation to be interesting and elevated.276 By December 1830, her daily school had eighteen to twenty students, “including four adults—one man, two married

269. Id. at 13.
270. Id.
271. Id.
272. See Linford D. Fisher, The Indian Great Awakening: Religion and the Shaping of Native Cultures in Early America 10 (2012) (describing how first Great Awakening led to a “thriving, largely underground, post-Awakening movement that provided several decades of cultural connectivity and intertribal fellowship for Christian subsets of Native communities.”).
273. Hooker, supra note 163, at 111 (quoting Oct. 25, 1830, letter from Sarah Huntington to Jeremiah Evarts, stating that Lucy Tantaquidgeon “died last winter at the age of ninety-eight.”).
274. Id.
275. Id. at 112 (quoting Nov. 3, 1830, letter).
276. Id. at 116.
women, and one ‘squassise’ (an unmarried Indian female).” The Sabbath school was “nearly twice as large,” and included whites as well as Mohegans.

At least some Mohegans were hesitant about Sarah’s project. “[A]fter such protected neglect of their best interests,” her letters noted, “the Indians seem surprised at a renewal of effort, on the part of the whites; and can hardly believe that it is not dictated by some selfish principle, or destined soon to evaporate.” She noted that “[t]hey will speak, however, of the ‘good meetings’ and ‘beautiful singing’ which they had among them many years ago,” perhaps an allusion to the separatist church founded by Samuel Ashpo. Another letter reported that “the unfriendly whites are continually exciting the Indians to suspicion—instilling into their minds the idea that our efforts are only a speculation, and that all the expense is derived from their own pittance,” and this concern diminished her congregation until she could reassure them.

By April 1831, however, her Sabbath school had grown, and boasted three Mohegans among its teachers. “One of the Mohegan teachers,” she noted, “is a lovely girl, of recent spiritual birth, belonging to a family of ten children, from whom we at first experienced opposition, ridicule, and actual persecution—now five of them are attached to the school.” She reported three conversions in the family where she resided, and that they held religious services twice a week, on Sabbath afternoons and Wednesday evenings.

Of course, Lucy Teecomwas and Cynthia Hoscott, Lucy Tantauquidgeon’s daughter and granddaughter, also showed their support by donating their land to build the church. They likely came to own the land through the 1790 division of tribal lands. The division was based on a 1782 list of Mohegan Indians. On that list, Lucy Teecomwas appears as a separate household from her mother as “Lucy Dantaquechin, wife of Peter Trocomas, cast off” living with “Eliphalet,

277. Id. at 114.
278. Id. at 115.
279. Id. at 111.
280. Id. at 124.
281. Id. at 122.
282. Id.
283. Id.
284. Baker, supra note 102, at 58.
about 6 years old” and “Cynthia, about 4.” It is not clear why Cynthia would also have been listed on the deed, but perhaps she had claims as her mother’s heir. Equally significant is the recipient of the land: not the Congregational Church, or American Board of Missions, or any other white-led organization, but the Mohegan Tribe. This suggests that Lucy and Cynthia’s gift was less about assimilation than Mohegan self-governance. And Mohegan self-governance is the Church’s most important legacy.

IV. THE CHURCH AND THE TRIBE

From the moment of its founding, the Church provided an important center for tribal activity. Although some of this activity concerned Christian worship, much did not, reflecting instead educational, traditional, and political goals. As in its founding, women played a dominant role. When, in the 1970s, new possibilities arose to renew claims for land and sovereignty, activity surrounding the Church was crucial to their success.

A. The Church as a Center of Tribal Activity

Women were always dominant in the life of the Church. When it first opened its doors in 1832, Lucy Teecomwas was the sole Mohegan member listed, although Lucy’s daughter Parthenia and Cynthia’s daughter-in-law Nancy were baptized and received into the church the same day. By 1840 or 1842, the church had forty members, but only thirteen were Native. Of those, three were men and ten women, leading a later commenter to remark, “[o]ne cannot help wondering if the same disparity of the sexes will continue to exist in the next world.” Women and girls also used the church to contribute to communities outside their own. In 1844, for example, Cornelia Dolbeare collected funds and went on a Christian mission to “labor among the Choctaws.” In the 1840s, a little Mohegan girl collected hazelnuts

285. Id.
286. Id.
287. Fitch, supra note 250, at 6 (listing Parthenia and Nancy Hoscott as the converts); Brown & Rose, supra note 253, at 187, 402 (showing that Nancy Hoscott was the wife of Cynthia’s son John Hoscott and that Parthenia was the daughter of Lucy Tantaquidgeon who had married an unnamed Hoscott).
288. Id. supra note 250, at 7.
289. Id.
290. Id. at 8.
and traveled five miles to Norwich to sell them to raise funds for the American Board of Foreign Missions.  

The Church also provided a means to celebrate and expose others to Mohegan culture. After the Church was enlarged and remodeled in 1842, the Mohegans held a fair to pay for the expense. Mohegans provided instruction on making traditional yohcake from pounded parched corn and refreshments of succotash and wild strawberries in woven baskets. The handicrafts included wooden spoons, baskets, and whalebone carving by seafaring men. Tying together traditional knowledge and western learning, children set up a post office and distributed mail from within what the Hartford Courant called a “bower of birch branches,” but was likely the frame of a wigwam.

The Mohegans also distributed their own newspaper for the occasion, the Mohegan, Extra. Although only published once, the Extra may have been the first tribal newspaper published in New England. The paper frames its contribution with humility, stating “suffer us for once to throw out our Indian torch amid your brighter luminaries, without fear of eclipsing the light you so richly enjoy,” and “[w]e trust it will be none the less interesting for having a variety of poetry and prose—if poetry we may even dare call it; nor for having on it the print of juvenile fingers.” The Extra also leveraged the contributions of famed Mohegans to make claims on white attendees. A poem extolling the goods at the fair, for example, contains this stanza:

This Indian broom you sure will buy,
out of respect to Uncas;
And what you’ll stake for Occum’s sake,

293. Id. at 90.
294. Id.; see also id. at 106 n.58.
295. Id. at 90.
296. Id. at 87–88.
297. Id. at 89–90.
298. Id. at 88.
Oh pray be quick and tell us.299

A fictional dialogue between “Helen” and “Pocahontas” at the end of the paper was even more pointed, noting the encroachment on the “old Indian burial ground” as asking,

Is there no way in which the graves of our forefathers can be preserved, that in after years if our race should become extinct, and none but the white man found where once the numerous and powerful tribes of Mohegans, Pequots, and Naragansets roamed free and unmolested, he might have some few monuments of Indian greatness, and something to remind him of Uncas, friend of the white man?300

What might seem a simple church fair thus became an assertion of the traditional culture, rights, and independence of the Algonquian people. The fair was likely the first iteration of the Wigwam Festival, a church fundraising event held annually between 1860 and the 1920s, and sporadically until 1941.301 As more Mohegans sold their tribal lands and moved away in 1861, the festival became a regular Mohegan homecoming.302 Although many Mohegans were not members of the church, they all contributed to the festival, the men constructing the large brush arbor and the women preparing and selling food and handicrafts.303

The 1842 festival occurred in June, but subsequent festivals took place in late summer or early fall, the time of the traditional Green Corn dance.304 Like the Green Corn dance, the Wigwam Festival featured corn and corn products, and Gladys Tantaquidgeon and anthropologist Frank Speck report that it was a modern version of that traditional celebration.305 Unlike the traditional festival, the Wigwam Festival was associated with the church and solicited non-Indian attendance. It therefore was the subject of non-Indian reporting, leaving a paper record in a way traditional practices rarely did, something that

299. Id.
300. Id. at 87-89 (reprinting and discussing dialogue).
302. Id.
303. BUREAU OF INDIAN AFFS., supra note 14, at 3.
304. Id. at 31.
305. Id. (noting reports of Tantaquidgeon and Speck).
would prove important in their recognition petition as the tribe sought to document continued cohesion.

From the beginning, the church catalyzed tribal schooling. For almost a century before Sarah Huntington’s efforts, there had been no school for Mohegan children.306 Once the church was established, however, the minister did double duty as a teacher.307 Local school districts at the time only educated white children, although they counted Mohegan children in the numbers sent to the state for school funding.308 Reverend Anson Gleason, one of the first ministers of the Mohegan church, petitioned the state about this inequity, and Connecticut directed the districts to transfer the money to Mohegan instead.309 The school and church still struggled for sufficient funding (Reverend Gleason soon had to leave to become a minister to the Oneida to support his family),310 but there seems to have been a school at Mohegan regularly since the founding of the church.311 An 1872 article noted that “a larger number of [Mohegan] children attend in property than in any of the neighboring districts; indeed, although the tribe numbers about one hundred souls, there is no person over ten years who cannot read and write.”312

The Church also served as a center for Mohegan political action. Gladys Tantaquidgeon reported regular tribal meetings at the church, but only some were documented. The Mohegan Indian League, for example, an early land claims effort, met there in 1897.313 The tribal council met with other tribes there in the early 1900s.314 At least one tribal council meeting was held there in 1933.315 Harold

307. Id.
310. Fitch, supra note 250, at 8.
311. See BUREAU OF INDIAN AFFS., supra note 14, at 11.
313. BROWN, supra note 14, at 62.
314. Id. at 7.
315. Id.
Tantaquidgeon held the Tribal Social Club there in 1935. The Council of the Descendants held some of their meetings there in the late 1960s. Meetings of the Confederation of the Mohegan-Pequot American Indian Nation and Affiliated Algonquian Tribes were held there until 1983, when a leadership contest led local Mohegans to change the locks.

The church was particularly important as a center for women's leadership through the Mohegan Ladies Sewing Society. The Society ran the Wigwam festival, the most visible coordinated tribal activity. Emma T. Baker, granddaughter of Cynthia Hoscott, was both the President of the Society superintendents of the church Sunday school and a key figure in maintaining tribal records. Baker was also elected President of the Mohegan Descendants League in 1896. Not featured in the written records was that Baker was also a Medicine Woman, selected and trained as a culture keeper by her great-aunt Martha Uncas. Baker, in turn, selected her great-niece Gladys Tantaquidgeon as a culture keeper, training her in Mohegan herbal medicine and culture. Gladys served as Vice President of the Sewing Circle, carrying on Baker's position as both church and cultural leader.

Even though the formal membership of the church was never very large, and often included more non-Indians than Mohegans, the church played a central role in the community life of the tribe. This role would be decisive in later struggles for sovereignty and land.

B. Mohegan Church and Twentieth Century Mohegan Resurgence

The twentieth century brought both challenges and opportunities to Mohegan. The population scattered during World War II, church

316. Id.
317. Id.
318. Id.
319. Id. at 3.
320. See BROWN & ROSE, supra note 261, at 187.
321. BROWN, supra note 14, at 6.
322. FAWCETT, supra note 2, at 28.
323. BUREAU OF INDIAN AFFS., supra note 14, at 11.
324. BROWN, supra note 14, at 6.
325. FAWCETT, supra note 2, at 23–25.
326. Id. at 25–26.
327. Id.
attendance declined, and the church fell into disrepair. At the same
time, unified tribal activism, and new federal receptivity to it, created
new legal and political possibilities. For the Mohegan Tribe, the history
surrounding the church was part of what made those possibilities
come to fruition.

In the 1920s, federal Indian policy began to shift away from assim-
ilation and incrementally toward tribal self-government. Influ-
tial in this shift were a new cohort of social scientists open to cultural
relativism and a new generation of highly educated Native people ad-
vocating for their rights. Gladys Tantaquidgeon participated in both
trends. She studied at the University of Pennsylvania, worked with
anthropologist Frank Speck to document Mohegan culture, and in
the 1930s traveled throughout the country as a member of the federal
Indian Arts and Crafts Board. Although her father John and
brother Harold did not travel so far from home, they too were inspired
by the new age, building the museum of Mohegan culture on the Tan-
taquidgeon family land, and founding the Tribal Social Club to coordi-
nate Mohegan activity to address Mohegan problems.

Federal policy soon shifted back toward assimilation and termina-
tion but in the 1960s tribal self-determination began to take hold. The Mohegan Tribe would participate in two key parts of that shift:
land claims and federal recognition.

Land claims litigation sought to redress longstanding illegal tak-
ings of Indian lands. Since 1790, federal law had prohibited acquiring
tribal land without federal consent. But states and private individ-
uals throughout the Northeast flouted this prohibition and the United
States did little to stop them. Stymied by restrictions on suing on
their own behalf, tribal governments could do little to stop them until
the 1960s. That year, Congress authorized tribes to sue without

328. BROWN, supra note 14, at 62.
330. Id. at 128.
331. FAWCETT, supra note 2, at 27.
332. Id.
333. ANDERSON ET AL., supra note 34, at 139-40, 148-49.
335. See JOSEPH WILLIAM SINGER, Nine-Tenths of the Law: Title, Possession,
336. Id. at 615–27 (describing the various barriers to litigation due to the
illegal taking of American Indian land by the state of New York in 1795).
federal consent, and the Oneida Indian Nation of New York soon brought a test case.\textsuperscript{337} As that case worked its way through the federal courts (reaching the Supreme Court in 1974, 1985, and indirectly in 2005\textsuperscript{338}) other Northeastern tribes followed suit.\textsuperscript{339} The Mohegan Tribe was among them, suing Connecticut in 1977 for illegally taking tribal land.\textsuperscript{340}

Although the case survived initial motions to dismiss,\textsuperscript{341} it ran into another hurdle: federal recognition. In early cases involving the Mashpee Wampanoag Tribe of Massachusetts, courts had determined that a tribe could not bring a land claim unless it proved that it still had tribal status.\textsuperscript{342} The federal process for determining tribal status was ad hoc and inconsistent, but in 1978, the Bureau of Indian Affairs enacted regulations including the following requirements:

(a) The petitioner has been identified as an American Indian entity on a substantially continuous basis since 1900.

(b) A predominant portion of the petitioning group comprises a distinct community and has existed as a community from historical times until the present.

(c) The petitioner has maintained political influence or authority over its members as an autonomous entity from historical times until the present.

(d) The petitioner’s membership consists of individuals who descend from a historical Indian tribe or from historical

\textsuperscript{337} Id. at 620 (discussing 28 U.S.C. § 1362).


\textsuperscript{339} Clinton & Hotopp, supra note 17, at 17–18.


\textsuperscript{342} Mashpee Tribe v. Town of Mashpee, 447 F. Supp. 940, 943 (D. Mass. 1978), aff’d sub nom. Mashpee Tribe v. New Seabury Corp., 592 F.2d 575 (1st Cir. 1979) (“[T]he plaintiff must establish its status as an Indian tribe as of the date that the action was commenced in order to maintain this action in the form elected by the plaintiff.”).
Indian tribes which combined and functioned as a single autonomous political entity. . . . \footnote{343}{See 25 C.F.R. § 83.7 (1978). In 2015, this requirement was amended to require proof of the criteria only from 1900 to the present, 25 C.F.R. § 83.11 (2015).}

Satisfying this standard—proving continuity of community and governance structure from times when tribes created few written records and when those creating records sought to destroy any community and governance structures that did exist—is incredibly difficult. \footnote{344}{ANDERSON ET AL., supra note 34, at 269–70.} \footnote{345}{Id.} \footnote{346}{BROWN, supra note 14, at 62.} \footnote{347}{Id. at 1.} \footnote{348}{The Mohegan Tribe of Indians of Connecticut, Final Determination of Existence as an Indian Tribe; Notice, 59 Fed. Reg. 94-17687 (Mar. 15, 1994) (recognizing the Mohegan Indian Tribe of Connecticut, Inc. as an Indian Tribe).}

Successful petitions for recognition may take decades and hundreds of thousands of pages of records. \footnote{345}{But the Mohegan Tribe had to meet this standard to prevail in its land claim.}

The Mohegans almost did not succeed. The tribe first provided notice of its intent to petition for acknowledgement in 1978, but the petition was not complete for years, and did not receive a proposed finding until 1989. \footnote{346}{The proposed recommendation was against recognition, based on the finding that the tribe lacked cohesive tribal political and community structure in the twentieth century.}

The tribe and several scholars provided extensive new information, and in 1994, the finding was reversed. \footnote{348}{As reported in Final Determination of Assistant Secretary Ada Deer: Extensive new information was supplied about the importance of the Mohegan Congregational Church as a focus of tribal activity and community in the modern period. This evidence demonstrated that the period when the church was closed was much shorter than assumed in the proposed finding, that some activities had continued during the period when the building itself was not usable, and that the restoration and reopening had the support of the wider Mohegan community, including members who belonged to other religious faiths . . . .}
The proposed finding . . . that the tribe did not meet criterion 83.7© because it could not demonstrate that it had maintained political influence or other authority over all of its members since 1941 . . . . concentrated on the role of those men identified as “chiefs” in the documentation. New evidence submitted in response to the proposed finding indicated that the Mohegan leadership structure was much more complex. The office of chief, while largely representative, was supported by various working officials such as the president of the League of the Descendants and the president of the Mohegan Ladies Sewing Society. The proposed finding also focused upon the formal, male, leadership of the tribe, and ignored the traditional importance of its informal, female, leadership.\(^{349}\)

On receiving the news, tribal members cried and danced that their long battle had succeeded. Then they trooped up the hill from the tribal office to the Mohegan Church. There, they each took a turn ringing the big church bell, telling the world the Mohegans were finally home.\(^{350}\)

CONCLUSION

The Mohegan Congregational Church is a powerful symbol of the depths hiding beneath surface histories of New England’s Indigenous peoples. From the surface, the Church and its Ladies Sewing Circle might seem to represent Mohegan acculturation and Mohegan women’s abandonment of their traditional powerful role. Digging beneath the surface shows the reverse. The Church was part of a long Mohegan history of using the trappings of non-Indian culture to pursue tribal interests and independence. The Ladies Sewing Circle was the visible form of women’s work holding together the Mohegan people. Together, the Church and the women that sustained it succeeded in restoring recognition of Mohegan land and sovereignty in the twenty-first century. And this is the story of just one New England tribe. Many more such stories are surely available for scholars and students willing to look beneath the surface.

\(^{349}\) Id.