

Excerpt from  
**Feeling for Stones**  
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## **Chapter Seven** ***Nature's Voice***

### ***Footpaths and Fears – Ellsworth in New England***

Whenever I went to stay at my grandparents' house in Connecticut, one of the first things I did was to walk through every room, checking that all the small things at the height of a child were still in their places. Next to the fireplace in my grandparents' bedroom was a small mahogany bureau, an apprentice's piece, little more than 18 inches high. This was my own 'treasure', given to me by my grandmother. As she got dressed in the morning, I would sit on the floor, rearranging the knick-knacks on top of the little chest. Inside one of the small drawers was a 1922 letter to my grandmother from her mother, Jane Ellsworth Grush. Among other news, she wrote: "*I removed the varnish from the little child mahogany bureau that I use for my sewing ... threads buttons etc – and re-varnished it – my grandfather Grush made it fully 80 years ago. It is a little gem.*" This "little gem" now sits in my own mother's house, tying me back to several generations and centuries.

My great grandmother, Jane Ellsworth Grush, was one of the genealogists of the family. I suspect that in a fit of mild snobbery she was looking to establish her exact relationship to Oliver Ellsworth, the third Chief Justice of the United States Supreme Court from 1796-1799. What she left behind was a large diagram of New England names. At the top are two lines reading: "*Josias Ellsworth (son of John) born 1629 in England near Cambridgeshire Sett. in Windsor, Conn abt. 1646, m. Elizabeth Holcomb 1654, d. 1689*". Beneath this are the names of their nine children followed by selected lines of descendants down to my own grandmother, born in 1896. It is a 250-year record of eight European generations in North America.

In the graphics of this genealogy Josias Ellsworth is the great patriarch – founder of an impressive lineage. But if I study the dates, I see that he was a seventeen year old lad when he arrived in Windsor, Connecticut in 1646. With no earlier recorded history to his name – no reliable record of his birthplace or even the name of the ship that carried him – he seems to have dropped from the sky. He simply appeared and his life and lineage began. In

1650, he was one of about 600 English people and 116 families living in lots between the great Connecticut River and the smaller Farmington River to the west.<sup>1</sup>

The recorded facts of John Ellsworth's Connecticut life are meagre, but clear. In 1654, he bought a house on the far side of the Farmington River and married Elizabeth Holcomb. He was then twenty-five years old. Three years later, in March 1657, he was baptised in Mr. Wareham's Congregational Church, one of the founders of Windsor in the early 1630s.<sup>2</sup> Two months after his baptism, Josias Ellsworth and 64 other men were "made free before the Court" at the Connecticut Commonwealth's General Court of Election on 21 May 1657.<sup>3</sup> This made him one of the electorate of the Connecticut Commonwealth, a privileged status given to only 229 men, roughly 8% of Connecticut's English population between 1639 and 1662.<sup>4</sup> For the rest of his career, Josias Ellsworth prospered, buying a new house in 1658 and at some stage acquiring considerable property on the east bank of the Connecticut River<sup>5</sup>. By 1675, during a tax assessment of Windsor's 147 taxpayers to raise money for a new bridge over the Farmington River, Josias Ellsworth was one of the twenty-nine wealthiest men in town.<sup>6</sup> When he died in 1689, aged 60, he had nine children and an estate of £655; New England had been good to him, both financially and biologically.<sup>7</sup>

But what does the New England career of Josias Ellsworth have to do with political invention and the place of nature? Why has this man's name been vexing me so repeatedly as I thought about this chapter? In the first place, the New England colonies were a political experiment in their own right, and much can be learned from them. In the second place, Josias Ellsworth's career coincided with the first generation of English people in Windsor, the first to settle among the Indians of the Connecticut River. This was arguably also a political experiment, but one that failed. It ended, not in any kind of political and social accommodation or mutual learning, but rather in the conquest and elimination of one people and tradition by another, and it happened in Josias Ellsworth's lifetime. Today, as I read about Josias Ellsworth and the history of early New England, I cannot help but believe that the over-abundant success of my English ancestors with their casual elimination of Indian knowledge was one of the key turning points in our recent environmental history.

## *Technologies of Biological Wealth*

All of which brings us back to the myth of the pristine wilderness and the abundance of natural wildlife observed by the English settlers when they first arrive in New England. There are a wide variety of estimates of the New England Indian population in 1600. However, it now seems that as many as 70,000-100,000 people were probably living in the region in 1600. This was not an empty landscape. Nor was it a recovered landscape whose populations had died off in epidemic disease 100 years earlier, although coastal trading and European diseases during the 1500s had reduced the Indian populations on the coast. Instead, as William Cronon persuasively shows, the abundant life found by the English Puritans was the product of Native Americans and their use of the land over the previous 10,000 years, a depth of time that European civilisations can only imagine.<sup>8</sup>

The interaction of peoples and wildlife over such a long period created a patchwork of different ecosystems in which different species were abundant at different times of the year. James Rosier's account of walking up a river in Maine in 1605 describes areas of great old oak trees growing in widely scattered open fields, but also low thickets of dense shrubs and saplings. Rosier also saw 'high timber trees' suitable as 'masts for ships of 400 tun' while another place 'did all resemble a stately parke, wherein appeare some old trees with high withered tops, and other flourishing with living green boughs.' New England had 'quaking bogs' covered with spongy sphagnum moss, salt marshes, rich oyster banks and great groves of mature 100-foot white pine among which stood a few giant trees 250 feet high with trunks five feet across.<sup>9</sup>

The words that Cronon uses over and over again to describe this landscape are 'mosaic' and 'patchwork'. These are the words for landscapes that have evolved slowly over thousands of years. Such landscapes are formed by countless localised experiences of crisis and recovery. Over and over again, a patch of land will be cleared by some extreme event – a lightning strike, an exceptional flood or attack of disease, a period of cultivation that is then abandoned. Once cleared this patch of land begins a new process of species colonisation, succession, maturation and crisis. As this sequence took place at one site and then another over 10,000 years in New England, starting at different times with different initial conditions and spaces, evolving at different speeds, it created a masterwork of evolution and diverse biological abundance.<sup>10</sup>

The New England Indians were intimately part this evolutionary process using a variety of simple tools and principles. First, they lived seasonally, consuming what was abundant when it was abundant. During the spawning run in spring, they lived off the spawning fish. Migrating birds were consumed in spring and autumn. Larger mammals: moose, deer, bear, were eaten during the winter. By eating those things only when they were abundant, each species had a chance to recover. This was further helped by the fact that Indians stored few surpluses for winter, simply tightening their belts and going hungry during the leanest months of the year.

Indian peoples were also mobile. They moved their living quarters to follow the abundance of the seasons and moved their fields every few years when the fertility of the soils gave out. While the Indians of northern New England were wholly nomadic, the southern agriculturalists added planting to this system. However, in imitation of the botanical life around them, they created fields of messy mixed agriculture: a variety of beans used maize stalks for climbing while squash, pumpkins and tobacco covered the ground between the hills of corn. This style – which is very similar to the Cameroonian smallholder who farms “*like this and like that*” – had numerous virtues: the beans fixed nitrogen in the soil, the full ground cover kept weeds at bay and preserved the moisture in the soil, while each acre in total gave a very high yield for a longer period than the mono-cropping techniques brought over by the Europeans.

Finally, the Indians used fire to create the great parks that attracted the wild game, game that was the effective equivalent to the English settlers’ domestic herds. According to one writer, after seeing the English animals, Indians began speaking of deer as their ‘sheep’. An Oneida chief, speaking in the 18<sup>th</sup> century said, “The Cattle you raise are your own; but those which are wild are still ours.”<sup>11</sup> “Indian burning,” writes Cronon, “promoted the increase of exactly those species whose abundance so impressed English colonists: elk, deer, beaver, hare, porcupine, turkey, quail, ruffed grouse, and so on. When these populations increased, so did the carnivorous eagles, hawks, lynxes, foxes and wolves. In short, Indians who hunted game animals were not just taking the ‘unplanted bounties of nature’; in an important sense, they were harvesting a foodstuff which they had consciously been instrumental in creating.”<sup>12</sup>

What the English saw when they arrived was a ‘primitive’ people. There were no fine houses, no fixed towns and no iron tools. What they did not see, because it was invisible, were the sophisticated conceptual tools and intricate ecological knowledge that

maintained this abundant system. This was oral knowledge, locked up in languages that most Europeans never learned. It was an intimate knowledge in three dimensions, nurtured in everyday interaction with the living environment. Spring was not announced on a numerical calendar but came “when the leaves begin to sprout, when the wild geese appear, when the fawns of moose attain to a certain size in the bellies of their mothers, and when the seals bear their young.”<sup>13</sup> It was knowledge that was demonstrated and shared in the context of particular tasks, a field knowledge that dies once it is brought indoors.<sup>14</sup>

### ***Mosaic Rights & Column Rights***

The abundance of New England was created by more than knowledge, however; it was supported by a system of rights very different from those the colonists created. In a chapter titled “Bounding the Land” William Cronon makes a distinction between individual ownership and group sovereignty. He quotes – as many others do – the colonist Roger Williams’ statement that

*the Natives are very exact and punctuall in the bounds of their Lands, belonging to this or that Prince or People*

but Cronon believes this exactitude applied to the “sovereign rights that defined a village’s political and ecological territory.”<sup>15</sup> Within this territory, a variety of rights applied. The rights to agricultural land worked by women, for example, only extended to the right to plant and harvest until such time as the field was abandoned; all other rights – to collect wood or hunt, for example – might belong to other people who would exercise them at different times. Around a particularly plentiful fishing site – such as a major inland waterfall during the spawning season – several villages might gather to collect fish, even though the waterfall was normally part of one’s village’s territory. Hunting rights were similarly broken up. Animals and birds that were very abundant were owned by whoever killed them, but when they were hunted by collective drives, all those involved in the hunt had an equal right in the bounty. Quite separately, the man who set winter traps, owned the animals that were captured in them.

In looking at similar systems of rights in Africa, I have come to call this kind of property system “mosaic rights”, because different people can have different rights at different times on the same hectare of ground, creating a mosaic of rights in that land. Modern Anglo-American rights, however, are rarely mosaic rights. Instead, they are “column

rights:” He who owns a hectare of ground owns the minerals beneath, the water that runs through it, everything that grows or is built on top of it, and the very air over the hectare itself. Column-rights societies rely on fences, hedges and clearly marked boundaries. Mosaic-rights societies have few fences; instead, footpaths criss-cross the territory linking people to different sites as and when they are needed.

Mosaic rights were part of society in pre-industrial England. They are clearly expressed in the ancient forest laws – some people had the right to gather fallen wood for home fires, the king had the right to kill large game, villagers’ swine were allowed to forage for fallen acorns – and they also applied to other common land held by villages, rather than individuals. However, in a slow process, taking several centuries, individuals in England enclosed more and more common land so that column rights increased and mosaic rights fell away. By the early 17<sup>th</sup> century when the English settlers were sailing to New England, more and more individuals had found ways to enclose common land. It was a sensible strategy for any ambitious man seeking to increase his family’s fortune and probably helped to increase agricultural production as the population grew. It also forced many people to leave the land and migrate to cities, towns and, no doubt, North America.<sup>16</sup>

When the English settlers arrived in New England, the Indians were living with an elaborate system of mosaic rights in a territory criss-crossed by footpaths. Several of the early land agreements that survive, show an early English willingness to recognise these rights. Cronon quotes from a deed agreed on July 15, 1636 between William Pynchon, a fur trader, and the Agawam village in central Massachusetts for the sale of four or five miles along the Connecticut River. No fewer than thirteen Indians signed this agreement, representing an entire kin group. But while the Agawam villagers gave Pynchon permission “for ever to trucke and sel al that ground” they also reserved a number of rights for themselves. Under this agreement, the Agawam villagers:

*... shal have and enjoy all that cottinackeesh [planted ground], or ground that is now planted; And have liberty to take Fish and Deer, ground nuts, walnuts akornes and saschiminesh or a kind of pease.*<sup>17</sup>

However, just as the common rights of English villages had vied with individual ambition in England, so too did the shared mosaic rights of the Indians stand in the way of ambitious English settlers and the territorial ambitions of the English crown<sup>18</sup>. The primacy of fences

over footpaths is clearly expressed by John Winthrop in 1629, as he prepared to leave England to establish the Massachusetts Bay Colony.

*As for the Natives in New England, they enclose noe Land, neither have any settled habytation, nor any tame Cattle to improve the Land by, and soe have noe other but a Naturall Right to those Countries, soe as if we leave them sufficient for their use, we may lawfully take the rest, there being more than enough for them and us.*<sup>19</sup>

At the end of his book, *The History of Ancient Windsor*, published in 1892, Henry Stiles reproduces the substance of twelve land agreements between the Indians and the English and concludes: “One fact is most conclusively proved by this array of documentary evidence, that the *whole of Ancient Windsor was honestly bought, and even rebought* by our ancestors, of the native proprietors.”<sup>20</sup> In fact, most of the agreements Henry Stiles published are of the “repurchase” of the land between 1660-1690 and all describe column rights without any reservations. For some reason, the original agreements of the 1630s and 1640s are not published; perhaps, by the 1892, they were lost along with any mosaic rights the Indians may have reserved.<sup>21</sup>

### ***Conquest and Disease***

But why did the mosaic rights of the Indians not survive? Why were the Indians as a people not strong enough to defend their own rights as they defined them? The historian, Francis Jennings lists four critical features of English policy: 1) the incitement of Indian tribes against each other; 2) a disregard for agreements, treaties and pledges made with Indians; 3) the use of tactics of total extermination against some tribes in order to terrorise others and 4) a propaganda of falsification to justify their own actions. He also writes that the English forces believed that the Indians were “outside the law of [English] moral obligation.”<sup>22</sup>

This attitude comes across clearly in the minutes of General Court of Connecticut for the 5<sup>th</sup> of April 1638 when the discussion was dominated by various ways to barter or buy corn from the Indians who had a surplus. The colony was two years old by then, but was clearly not able to produce enough food to feed itself for a full year. Without food from the Indians, the English colony would starve. Despite this dire necessity, the Court’s discussion is marked by condescending arrogance, backed by a willingness to use force:

*It is ordered that there shal be sixe sent to Warranocke Indians to declare unto them that wee have a desire to speake with them, to knowe the reasons why they saide they are affraide of vs, and if they will not come to vs willingly then to compel them to come by violence, and they may leave 2 of the English as pledges in the meane time and to trade with them for Corne if they can.*<sup>23</sup>

During the same meeting, there is consideration of a dispute between the English colonists of Wethersfield and Soheage, the Indian leader in the area. After hearing all the details, the court concludes that as the

*...first breach was on the saide English parte, All former wronges whatsoever are remitted on both sides and the said Soheage is again receiued in Amytie to the saide English.*

It is as if the English were saying, “As we caused the first injury, we will forgive you as well as our own men.”

This arrogant and greedy attitude – which would not have been tolerated between two adjacent villages in England – fuelled two conquering wars between 1638 and 1675, when first the Pequot and then the Narragansett peoples were destroyed by Puritan forces, using methods that even in that time were dishonourable. The first war ended in 1637 when the Pequot fort at Mystic was surrounded and everyone inside was massacred as they tried to escape. Similar atrocities on both sides attended the second war against the Narragansett which ended in 1676.<sup>24</sup>

These wars were ruthless and successful. One reason they were successful is that Indian societies, with their mosaic rights and rich ecological knowledge, lived in relatively small kinship groups. Their hierarchies and networks of relationship were fluid and full of rivalry. They were, like many African societies, competitive and molecular rather than unified and hierarchical. As a collection, they could be easily manipulated and picked off by any power with greater organisational skill and determination.

However, I doubt that these wars and manipulations would have been as successful, but for one critical biological factor: the devastation of Indian society and political leadership by repeated epidemics of European disease. In Massachusetts, two of the greatest epidemics were in 1616-1617 and again in 1633-1634, but epidemics flared up wherever Europeans met



Native American populations for the very first time. In 1674 Daniel Gookin estimated that the Indian peoples of England had declined from 72,000 people in 1600 A.D. to 8,600 by 1674, a mortality rate of nearly 90% in 75 years. In Francis Jennings words, New England had become a “Widowed Land.”<sup>25</sup>

### *The Fundamental Orders*

Josias Ellsworth arrived in Windsor in 1646. He was seventeen years old and 1646 was the turning point in the English Civil War. This young man had come of age and decided to move to North America during an acute political crisis in England, a time when popular democracy, dogmatism and the rights of rulers were being hotly disputed on all sides. It was a time of violence, disorder, political confusion and economic hardship. As a young man, he could not have escaped the accelerating disagreements, the explosion of pamphlets, the heated debates of his home country, or the impressing armies of both sides. Many of his first political lessons must have been learned at this time and must have shaped his political ambitions.

When Josias Ellsworth arrived in Windsor, the people of the town were governed by a short, straightforward agreement signed about eight years earlier by nineteen English colonists from the Connecticut towns of Windsor, Hartford and Wetherfield. Known as the “Fundamental Orders” it is a short document with eleven original clauses, based on broad principles of self-government. It states the desire of the three towns to be “as one Publike State or Commonwealth” and then lays out the rules for electing officers and holding semi-annual meetings. This was the defining constitutional document for the Connecticut colonists, under which the voting Freemen were a clear political elite, my ancestor among them.

For many scholars, these “Fundamental Orders” are one of the founding documents in American history,<sup>26</sup> featuring in numerous articles about the evolution of the American constitutional system. It is lauded as the first written constitution of a self-governing people, an early example of modern democratic norms. Yet, it also represents a conspicuous political failure on the part of my ancestor and his generation because there is no mention at all of the majority population among whom they were living. As a people with rights and political standing of their own, the Indians are invisible. This is an English document for English people creating a new social order in New England. No one else is involved.

Why should this matter? It matters because the English were busy destroying the abundance of New England in the unconscious act of overriding Indian knowledge, customs and rules. By the 1600, the mosaic rights and molecular societies of the Indians had evolved over thousands of years and created a landscape of notable biological abundance. They embodied the intricate ecological knowledge of a healthy people. When the English decided that the Indians were to be left out of Connecticut's leading political institution, they denied themselves access to the knowledge and understanding of Indian societies. By then destroying those peoples and their society, the English conquered the land, but the abundance they coveted swiftly vanished. In its place, the monolithic column rights system created by the New Englanders created the foundations for a global trading economy capable of accumulating wealth and using it to transform the raw materials of the world. Today that system continues to transform ecosystems everywhere, creating monetary wealth while altering ecosystems so drastically that we risk our own well-being and survival.

The Puritan colonisers saw the hand of God in every epidemic disease and successful military campaign that reduced or subjugated the Indian population. They believed that God had blessed their occupation and transformation of the new land. Four hundred years later, I lack their faith. To me, their triumph has turned sour, the harbinger of a great disaster. What might we have learned if the New England Indians had survived in health and strength? Would the English settlers and other Europeans have been forced to change their own assumptions about rights, land, and the definition of success? Could our two societies have created new political structures and systems of rights capable of taking the best of both traditions, rather than rewarding some of the worst impulses in human character?

Shortly after finishing this research, I took a train up the east side of the Connecticut River on a cold winter's day. In the late afternoon, as the light was fading, we went past Windsor. As I looked out, I could see the town on the other side of the river, just as a bald eagle was searching the open waters for his winter's meal. Changes in New England's economy have brought back much of the wildlife, but the Indians' rich landscape is gone. It was their footpath rules that Josias Ellsworth walked over when he escaped from the English Civil War in 1646, but it was today's American fences he left behind him when he died.

## References

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## Ednnotes

<sup>1</sup> Stiles, Henry R. *The history of ancient Windsor*. Facsimile of 1892 edition, Somersworth, New Hampshire Publishing Company, 1976. Vol 1. For estimate of English population see page 106; for map of Windsor, see p. 148.

<sup>2</sup> Stiles, Henry R. *The history of ancient Windsor*. Facsimile of 1892 edition, Somersworth, New Hampshire Publishing Company, 1976. Vol 1, p. 27. In the spring of 1636, the Wareham congregation walked down along Indian trails from Dorchester, Massachusetts to the Connecticut River, after disagreements with the Massachusetts Bay Colony. There were, in fact, one of three distinct parties of English competing to settle in Windsor: a group from the Plymouth Colony (at that time a separate political entity from the Massachusetts Bay Colony), the Dorchester congregation from the Massachusetts Bay Colony, and the "Stiles Party" who had embarked from London in the Spring of 1634 with a grant from the English government.

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<sup>3</sup> <http://www.colonialct.uconn.edu/NewCTScanImages/0015THEP/V0001/I000/031502> downloaded on 22/02/2002. "The Colonial Connecticut Records (CCR) is a digital collection created by staff at the University of Connecticut Libraries and supported generously by the Mashantucket Pequot Museum and Research Center and the Connecticut State Library. The project aims to bring the colonial history of Connecticut alive and more accessible to users worldwide by the online delivery of the complete, digitized volumes of the Public Records of the Colony of Connecticut, 1636-1776." (<http://www.colonialct.ucon..cedu/about.cfm>)

<sup>4</sup> Jones, Mary Jeanne Anderson, *Congregational Commonwealth: Connecticut, 1636-1662*. Wesleyan University Press, 1968, p. 82. The author quotes Albert E. McKinley who "conservatively counted only 229 freemen in Connecticut between 1639 and 1662, out of what he estimated was a total population of over three thousand. Less than one-third of the admitted inhabitants of the towns [i.e. people entitled to vote in Township affairs] achieved freemanship." To qualify, a freeman needed to own £30 in real estate, to be recommended by the deputies of his town, and to receive a vote of approval from the General Court of Election. Two years later, the property regulations further restricted the number of freemen in the Commonwealth. Women, children, indentured servants and the 'few Indian slaves' were not eligible to become freemen at all. (Jones, 1986, p. 81)

<sup>5</sup> Stiles, Henry R. *The history of ancient Windsor*. Facsimile of 1892 edition, Somersworth, New Hampshire Publishing Company, 1976. Vol 1. p. 155.

<sup>6</sup> Stiles, Henry R. *The history of ancient Windsor*. Facsimile of 1892 edition, Somersworth, New Hampshire Publishing Company, 1976. Vol 1, p. 88. The tax assessors created 5 classes of taxpayers. The first, or wealthiest class, were all those men who had a family, a horse and four oxen. The second class had a family, a horse and two oxen, the third, only a family and horse; the fourth only a family and the fifth class were bachelors, most of whom had a horse.

<sup>7</sup> Stiles, Henry R. *The history of ancient Windsor*. Facsimile of 1892 edition, Somersworth, New Hampshire Publishing Company, 1976. His prosperity does not seem to have inspired any excessive generosity, however. During an appeal the follow year for donations to the poor settlers who had suffered during the 1775/76 Indian war, he subscribed an unexceptional 3 shillings, far below the largest gifts of a £1. Vol 1, p. 229, charity, and Vol 2, p.210 for value of his estate.

<sup>8</sup> William Cronon, *Changes in the Land: Indians, Colonists and the Ecology of New England*. Hill and Wang, New York, 1983, p. 42 for population estimates, p. 33 for time in New England. See also Francis Jennings, *The Invasion of America: Indians, Colonialism and the Cant of Conquest*. University of North Carolina Press, Chapel Hill, 1975, p. 29. Also Alden T. Vaughan, *New England Frontier: Puritans and Indians: 1620-1675*. Little, Brown and Co., 1965, p. 28. This last is a defence of the Puritan treatment of the Native Americans and he cites James Mooney's estimate of the population as 25,000 in 1600. James Mooney, "The Aboriginal Population of America North of Mexico" in *Smithsonian Miscellaneous Collections*, LXXX, no. 7 (1928), p. 2.

<sup>9</sup> William Cronon, *Changes in the Land: Indians, Colonists and the Ecology of New England*. Hill and Wang, New York, 1983, p. 27-31.

<sup>10</sup> William Cronon, *Changes in the Land: Indians, Colonists and the Ecology of New England*. Hill and Wang, New York, 1983. See chapter 2, "Landscape and Patchwork", passim for details. Edward O. Wilson's description of this same process appears in *The Diversity of Life*, in the opening the first section, which is titled, "Violent Nature, Resilient Life". Penguin Books, 1992. For a theoretical discussion of these ideas see the work of C.S. Holling, which I first read in "What Barriers? What Bridges?" by C.S. Hollings in *Barriers and Bridges*, editors Lance H. Gunderson, et al. 1995.

<sup>11</sup> Jennings, Francis: *The Invasion of America: Indians, Colonialism and the Cant of Conquest*. University of North Carolina Press, Chapel Hill, 1975, p. 65.

<sup>12</sup> William Cronon, *Changes in the Land: Indians, Colonists and the Ecology of New England*. Hill and Wang, New York, 1983, p. 51.

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<sup>13</sup> William Cronon, *Changes in the Land: Indians, Colonists and the Ecology of New England*. Hill and Wang, New York, 1983, p. 39.

<sup>14</sup> See William J. Ong, *Orality and Literacy*, Routledge, 1982 for a discussion of the characteristics of oral v literate societies.

<sup>15</sup> William Cronon, *Changes in the Land: Indians, Colonists and the Ecology of New England*. Hill and Wang, New York, 1983, p. 60.

<sup>16</sup> See David Cressy, *Coming Over: migration and communication between England and New England in the seventeenth century*. Cambridge University Press, Cambridge, 1987 and N.C.P. Tyack, *Migration from East Anglia to New England before 1660*. Unpublished PhD thesis, University of London, 1951. This migration was further encouraged by the fact that much of the monastic lands seized by Henry VIII in the 1550s had largely been sold off by 1600. Many of the rising gentry owed their improved status to the purchase of these lands, but by the time Josias Ellsworth was coming of age in the 1630s and 1640s, these lands were no longer on the market, forcing ambitious people to look for opportunities elsewhere. See Overton, Mark, *Agricultural Revolution in England: The transformation of the agrarian economy 1500-1850*. Cambridge University Press, Cambridge, 1996, p. 168-205.

<sup>17</sup> William Cronon, *Changes in the Land: Indians, Colonists and the Ecology of New England*. Hill and Wang, New York, 1983, p. 66-67. A similar set of rights agreed in 1648 are described in Alden T. Vaughan, *New England Frontier, Puritans and Indians 1620-1675*. Little Brown and Co, Boston, 1965, Appendix VI, p. 349-50. In the text of his book, Vaughan writes: "Making the sale of land to the colonists especially palatable for the Indian was the knowledge that he could retain almost full use of the property he sold. The land was long longer his in the legal sense, but the thousands of land sale deeds that have survived the ravages of three centuries show unmistakably that the vender usually retained full rights of hunting, fishing, and sometimes even of planting." p. 108.

<sup>18</sup> The Royal Charter of the Massachusetts Bay colony, issued in 1629, is a model statement of column rights: *To have and to houlde, possesse, and enjoy all and singuler the aforesaid continent, landes, territories, islands, hereditaments, and precincts, seas, waters, fishings, with all and all amnner their commodities, royalties, liberties, prehemyences, and profits that should from thenceforth arise from thence, with all and singuler their appurtenances, and every parte and parcel thereof, unto the saide Councell and their successors and assignes for ever*. Quoted in William Cronon, *Changes in the Land: Indians, Colonists and the Ecology of New England*. Hill and Wang, New York, 1983, p. 71.

<sup>19</sup> Alden T. Vaughan, *New England Frontier, Puritans and Indians 1620-1675*. Little Brown and Co, Boston, 1965, p. 110-111.

<sup>20</sup> Stiles, Henry R. *The history of ancient Windsor*. Facsimile of 1892 edition, Somersworth, New Hampshire Publishing Company, 1976, vol 1, p. 123. See Chapter VI: "Notes on the Purchases of Windsor's Lands from the Indians" *passim*. Emphasis in the original.

<sup>21</sup> John Winthrop, Sr, the first Governor of the Massachusetts Bay Colony, wrote the *History of New England*, one of the prime sources for all historians. However, according to Francis Jennings, "The documents interpreted by Winthrop have had a high mortality rate. Especially as regards Indian affairs, his interpretations have had to be accepted in lieu of the prime sources because of the latter's disappearance." Francis Jennings, *The Invasion of America: Indians, Colonialism and the Cant of Conquest*. University of North Carolina Press, Chapel Hill, 1975. p. 182.

<sup>22</sup> Francis Jennings, *The Invasion of America: Indians, Colonialism and the Cant of Conquest*. University of North Carolina Press, Chapel Hill, 1975, p. 212.

<sup>23</sup> <http://www.colonialct.uconn.edu/NewCTScanImages/0015THEP/V0001/I000/002900> downloaded 30/08/2002. This quotation and the others are from Volume 1, pages 17-20.

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<sup>24</sup> Francis Jennings, *The Invasion of America: Indians, Colonialism and the Cant of Conquest*. University of North Carolina Press, Chapel Hill, 1975. This book has an extensive discussion of both wars in Part II, *passim*.

<sup>25</sup> These figures come from Francis Jennings, *The Invasion of America: Indians, Colonialism and the Cant of Conquest*. University of North Carolina Press, Chapel Hill, 1975, see Chapter 2: “Widowed Land”, for population figures see p. 29. Alden T. Vaughan, *New England Frontier: Puritans and Indians: 1620-1675*. Little, Brown and Co., 1965, p. 321-22, states that by 1750, the Indian population was “down to a few thousand.”

<sup>26</sup> See, for example, the webpage of the University of Oklahoma College of Law, titled “A Chronology of US Historical Documents”. <http://wqww.law.ou.edu/hist/>