



Wabanaki REACH

Truth • Healing • Change

Historical Timeline of Wabanaki-Maine Relations

Please note: Most of this information came from Wabanaki sources including tribal websites. You can find more information at those sites. This is not a comprehensive timeline. It is a sampling to give Mainers a historical perspective and a tool for sharing history with peers.

1095 – Papal Bull Terra Nullius gives kings and princes the right to “discover” lands and take possession of them based on the fact that they are “empty” of Christians

1455 – Pope Nicholas V writes another of repeated Papal bulls that declare God sanctions taking non-Christian land and asserting total control over the inhabitants of the land. Together, these Papal bulls are called the Christian Doctrine of Discovery. Continuing through today, this doctrine is cited to support taking from Indigenous people.

1537 – Pope Paul III states that Indians, and all other people who may later be discovered by Christians, are by no means to be deprived of their liberty or the possession of their property. But, unlike the above Papal bulls, this one was never enforced as law or policy by the leaders of Europe.

1500's -1600's – Wabanaki encounter Europeans and exchange ideas, knowledge, and materials goods, including Italian G. da Verrazano (1524), Portuguese E. Gomez (1525 for Spain), French S. de Champlain (1604), and English George Weymouth (1605).

1605 – Weymouth kidnaps five Penobscot men. Also in this year, the first Catholic Mission is built on Indian Island. There will be many missions in Wabanaki territory.

1616-1619 – About 75% of Wabanaki people die of disease and this period is called the Great Dying. Many villages are left abandoned. There will be more epidemics of European diseases.

1638-1655 – Mohawk and Wabanaki tribes compete for the fur trade with Europeans resulting in the Beaver Wars.

1675-1796 – Wabanaki are caught up in French and English imperialistic wars for control of Wabanaki homelands. The Wabanaki struggle to maintain their traditional territories. Many treaties are signed during this time, but they are broken or never enforced.

1739 – Chief Polin of the Presumpscot River writes the first documented complaint of a dam hurting fisheries and recommends fish passages be included in the dams so his people will not starve. He presents his statement saying he has “to say something concerning the River which I belong to”.

1755 – Governor Spencer Phips of the Massachusetts colony, issues a proclamation that places a bounty on Penobscot scalps. This is one of many such bounties on Wabanaki men, women, and children.

1775 – Wabanaki agree to join forces with Americans against the British. In exchange for Wabanaki assistance during the war, promises of protected reserved land for tribal sustenance hunting and fishing are made.

1790 – The first U.S. Congress passes the Trade and Non-Intercourse Act, establishing that only the federal government has the authority to make treaties or purchase lands from Native Americans. This was the basis for the 1972 Maine Indian Land Claims suit against the State of Maine.

1794 – The Jay Treaty acknowledges the right of Native people to cross the U.S./Canadian border.

1800 – By this time, the Wabanaki have lost over 90% of their people due to disease, wars, and genocide. In 1803, only 347 Penobscots are left from 10,000 prior to European settlement.

1819 – Congress passes the Civilization Fund Act to provide funds to “civilize” the Indians which meant attempts to force assimilation and solve the U.S. government’s “Indian problem”.

1820 – Maine becomes a state and assumes responsibility and obligations laid out in treaties between Massachusetts and the Tribes. Also in this year, Penobscot John Neptune guides surveyor Joseph Treat on the Penobscot, Allagash, and St. John’s Rivers.

1823 – In the U.S. Supreme Court decision Johnson vs M’Intosh, Chief Justice Marshall writes the Doctrine of Discovery into law as a way to deny land rights to Native Americans. Wabanaki are represented in the Maine legislature for the first time.

1830 - President Andrew Jackson urges Congress to pass the Indian Removal Act. Over 46,000 Indians are forced to move west of the Mississippi River.

1833 - Maine sells four Penobscot townships which in earlier treaties had been reserved for the Penobscot people in "perpetuity" because they included the resources to sustain the tribe. This taking of 100,000 acres of land leaves the tribe with less than 5,000 acres and opens the Penobscot Valley to large-scale lumbering. The state controls the money from the sale and determines when to dole it out to the tribe and for what purpose.

1842 - The Maine and Canada boundary is established dividing both Passamaquoddy and Maliseet territories.

1845 - "Manifest Destiny" is first used to describe the American Doctrine of Discovery.

1882 - The Secretary of the Interior makes Native spiritual practice illegal by ordering an end to "heathenish dances and ceremonies" in Native communities as such ceremonies are "a hindrance to civilization".

1870-1918 - Richard Henry Pratt founds Carlisle Indian Industrial School. The mission is to "kill the Indian, save the man". Children are abused physically, sexually, and emotionally. Many Wabanaki are taken there. The school becomes the model for the residential school system.

1887 - Congress enacts the Dawes Act which divides tribal lands into individual holdings, a concept foreign to Indian people. Land is sold to non-Indians by the Federal Government. In this same year, Passamaquoddy Lewis Mitchell speaks to the Maine Legislature decrying the state's failure to meet treaty obligations.

1924 - Congress enacts the Citizenship Law whereby Native people can become citizens, but it must be ratified by each state. Maine will be one of the last.

1928-1967 - Many Maliseet, Micmac, and Passamaquoddy children are taken to the Shubenacadie Indian Residential School in Nova Scotia.

1934-1935 - The Indian Reorganization Act allows increased tribal self-government and returns some land allotments back to tribes. The U.S. Dept. of Interior reports on the deplorable health conditions of Native people.

1941 - Following a 1939 unsuccessful effort to increase pay to Tribal representatives, the legislature passes a law to relegate tribal representatives to mere observers. They do not participate again until the law changes in 1975.

1948 - United Nations General Assembly approves a Convention of the Prevention and Punishment of the Crime of Genocide and defined genocide.

1954 - Native suffrage is finally granted for federal elections in Maine.

1956-1970's - Tens of thousands of Native people move from communities into cities with promises of federal job programs and in search of work.

1958-1967 - Bureau of Indian Affairs contracts with Child Welfare League of America to conduct an experiment to prove Native children are better off adopted by white families. Even though this premise is not proven, thousands more children will be taken.

1964 - Passamaquoddy people resist taking of land by blocking road construction

1967 - Native people gain the right to vote in state and local elections.

1968 - Nationwide, there is an increase in Native American grassroots community organizing.

1970 - Maliseets and Micmacs form the Association of Aroostook Indians to protect their communities while they seek federal recognition.

1972 - The Penobscot and Passamaquoddy tribes file the Maine Indian Land Claims lawsuit claiming 2/3 of the state of Maine (12.5 million acres) based on land transactions that were illegal based on the 1790's Trade and Non-Intercourse Act. Also in this year, a scholarship program for Native students is established at the University of Maine.

1973 - Maine officially recognizes Maliseet and Micmac tribes acknowledging their rights as indigenous people to sustenance hunting and fishing.

1974 - Eight Wabanaki people successfully challenge U.S. immigration regarding aboriginal rights to travel in the original territory (including crossing the Canadian/U.S. border) without documentation.

1975 - The Penobscot Nation and Passamaquoddy Tribe gain federal recognition.

1978 - Congress enacted the Native American Religious Freedom Act and the Indian Child Welfare Act (ICWA) providing improved protection for Indian children involved in state child welfare.

1980 - A settlement is reached in the Maine Indian Land Claims case. The Penobscot and Passamaquoddy tribes are awarded a total of \$81.5 million: a \$27 million development fund and \$54.5 million to buy back land from willing landowners. The state of Maine is awarded relief from paying any monetary judgment and relief from returning any of Maine's land. They are also relieved of any wrongdoing for their mismanagement of Indian affairs and finances which caused the tribes to live in immense poverty for over a century. Additionally, the tribes are forced to relinquish their aboriginal claim to any other Maine lands to effectuate the financial

compensation and purchase of new land. Also in this year, the Houlton Band of Maliseets gain federal recognition.

1990's - Despite the ICWA legislation, Maine continues to have one of the highest rates of removal of Indian children and adoptions without notification to the tribe as required by law.

1991 - Aroostook Micmacs gain federal recognition and funds to purchase land.

1995 - Maine's legislature determines that ICWA will govern Maine's child welfare procedures for Indian children.

1999 - The federal government finds the State of Maine to be out of compliance with the ICWA. Tribal child welfare staff agree to assist state child welfare staff and together form a collaboration to improve compliance. This collaborative will become Maine-Wabanaki REACH.

2000 - The Place Name Changes legislation rids state lands of offensive place names. This same year, Penobscot and Passamaquoddy tribal leaders are held in contempt of court for refusing to turn over tribal documents related to water and pollution issues they consider to be internal tribal matters.

2001 - Public Law 403 is enacted requiring Maine Native American history and culture to be taught in public schools.

2002 - Tribal leaders present the first State of the Tribes address in the Maine legislature.

2003 - The EPA approves Maine's application to administer and enforce wastewater discharge permits affecting Wabanaki territories. In this same year, Maine voters overwhelmingly defeat a proposal for the Penobscot Nation and Passamaquoddy Tribe to open a casino.

2006 - With other members of the United South and Eastern Tribes, the Wabanaki tribes endorse the Kyoto Protocol, an international environmental treaty.

2008 - Tribal and state child welfare staff agree to pursue the creation of a Truth and Reconciliation Commission.

2009 - The Episcopal Church rejects the "Doctrine of Discovery" and will be followed by other Christian denominations.

2011 - Governor of Maine signs an executive order directing state agencies to recognize the sovereignty of Wabanaki tribes in their work with tribes.

2012 - The Five Tribal Chiefs and the Maine Governor sign the Mandate for the Maine Wabanaki State Child Welfare Truth and Reconciliation Commission (TRC). In this same year, the Commissioner for the Maine Department of Inland Fisheries and

Wildlife informs the Penobscot Nation that the state has interpreted the Penobscot Nation to be limited to the over 200 islands in the Penobscot River and not the actual water of the River. Subsequently, the Tribe sues the State in federal court for its rights to its ancestral waters.

2013-2015 - The TRC Commissioners visit native and Maine communities to hear statements of people who were involved in the state child welfare system.

2014 - The Ninth Circuit Federal Court in *White v. University of California* cites the Doctrine of Discovery in a decision against Native people's rights to the human remains of the Kumeyaay Nation.

2015 - The Governor rescinds the 2011 Executive Order to recognize Tribal sovereignty. Due to disrespect of Wabanaki people and representatives, the Penobscot Nation and Passamaquoddy tribe recall their representatives to the state legislature. The TRC presents its final report.

2016 - Belfast celebrates the first government official Indigenous Peoples Day in Maine on the second Monday in October replacing Columbus Day.

2017 - Federal Appeals court in a 2-1 decision determines that according to the law the Penobscot River is not included in the Penobscot reservation and the Penobscot Nation requests an en banc review of that decision.

2018 - Increased calls for change or clarification of the Maine Indian Land Claims Settlement Act. Wabanaki/Maine relations becomes an issue in both the gubernatorial and attorney general races.

2019 - Maine prohibits Native American mascots in public schools, replaces Columbus Day with Indigenous Peoples Day, and authorizes the Legislative Task Force on Changes to the Maine Indian Land Claims Settlement Implementing Act.

2020 - Maine recognizes the right for the Penobscot Nation and the Passamaquoddy tribe to prosecute non-tribal people accused of committing acts of domestic violence or other crimes under the federal Violence Against Women Reauthorization Act of 2013. Task Force on Changes to the Maine Indian Land Claims Settlement Implementing Act legislation calls to align Maine law to allow Wabanaki the same rights as all other tribes in the United States. It is unsuccessful. Four Maine tribes form Wabanaki Alliance to educate the people of Maine about the need for securing sovereignty for the tribes in Maine.

2021 - Again, most legislation to align Maine law stalled. One bill to allow tribes to develop casinos passed the legislature but was vetoed by Governor Mills. In a mixed decision, the federal en banc review confirms the earlier decisions that according to

law the Penobscot River is not included in the reservation. Knowing that the venue for change does not rest solely on the legislature, but with the people, Wabanaki REACH initiates a truth-telling project focused on the Maine Indian Claims Settlement Act and the Maine Implementing Act.