

Office of the Public Records Administrator
and State Archives
Finding Aid to
African Americans and Native Americans
1808 - 1869
General Assembly
State Archives Record Group No. 2



**Connecticut State Library
Hartford, Connecticut
2001**

By
Bruce P Stark
Assistant State Archivist

OFFICE OF THE PUBLIC RECORDS ADMINISTRATOR
AND STATE ARCHIVES
Eunice G. DiBella, Public Records Administrator
Mark H. Jones, State Archivist

STATE LIBRARY BOARD
Ann M. Clark, Chair
Edmund B. Sullivan, Vice-Chair
Judge Joseph P. Flynn
Judge Francis X. Hennessy
Joy Hostage
Mollie Keller
Larry Kibner
E. Frederick Peterson
Betty Sternberg
John T. Short
Edwin E. Williams

LIBRARY ADMINISTRATIVE STAFF
Kendall F. Wiggin, State Librarian
Richard Kingston, Director, Administrative Services
Lynne Newell, Director, Division of Information Services
Sharon Brettschneider, Director, Division of Library Development

**Office of the Public Records Administrator
and State Archives**

Finding Aid to

**African Americans and Native Americans
1808 - 1869**

State Archives Record Group No. 2

Connecticut State Library
Hartford, Connecticut
2001

Preface

Since 1855, the Connecticut State Library has acquired archival records documenting the evolution of state government and the formation and implementation of its policies, the rights and claims of citizens, and the history of its institutions, economy, ethnic and social groups, politics, families, and individuals. In 1909, the General Assembly recognized the State Library's unique role by making it the official repository, or State Archives, for historical public records. Today the Office of Public Records Administrator and State Archives carries out this important function.

Records of the General Assembly form one of the premier collections in the State Archives. For years, the acquisition of historical legislative records has been a priority. General Assembly records rank in research and legal value with records of the Office of the Governor and the Judicial Branch of state government. Since the Library received the first transfer of files and papers, General Assembly records have enjoyed high demand. Even today, researchers continue to "unearth" the rich historical data contained within these records. The materials described in this finding aid on African Americans and Native Americans come from two series of General Assembly Records; General Assembly Papers, 1821-1870 and Rejected Bills, 1808-1870.

General Assembly
African Americans and Native Americans, 1808-1869
State Archives Record Group No. 002

History

The General Assembly is Connecticut's legislative body. Its foundation dates back to a commission granted by the Massachusetts General Court giving eight leaders the right "to govern the people at Connecticutt" [sic] for the year beginning March 1636. The Fundamental Orders of 1639 provided a frame of government for the infant colony and granted the freemen of the jurisdiction the right to elect a governor, six magistrates, and four deputies from each of the three towns then in existence. As new towns were organized, the number of deputies and magistrates increased. The Charter of 1662 provided for the election of a governor, deputy governor, twelve assistants, and two representatives from each town.

In March 1662/63 and on several other occasions, the General Court passed acts allowing a group of assistants to act for the colony in case of emergencies when the legislature was not in session. The assistants served as the governor's council and, by an act of October 1698, became the Upper House, while the deputies elected by the freemen of the towns constituted the Lower House. After this formal separation of the two bodies, all legislation required the concurrence of both houses.

For many years, the General Court or General Assembly, as it became called, also served as the colony's and later the state's highest court. Separate lower courts were, however, established: Particular Court, 1638; Court of Assistants and County Courts, 1665-66; separate probate courts, 1698; the Superior Court, 1711; and the Supreme Court of Errors, 1784. The Constitution of 1818 established the formal separation of judicial, executive, and legislative powers. Each town in the state elected one or two representatives to the Lower House. Between 1818 and 1830, the Upper House consisted of twelve men elected at large, but constitutional amendments adopted in 1828 provided for the annual election of state senators by district. Each of the eight counties elected a minimum of two senators and, for the entire period between 1830 and 1870, the Upper House was comprised of twenty-one senators.

The present Constitution, adopted in 1965, provides for a Senate of 30 to 50 members and a House of Representatives of 125 to 225 members. The General Assembly currently consists of 36 senators and 151 representatives. Electors in each senatorial and assembly district choose members for two-year terms. The legislature holds regular length sessions in odd-numbered years and shorter sessions in even-numbered years. It conducts business through a system of joint committees comprised of members of both houses, a practice that dates back some 175 years.

Scope and Content

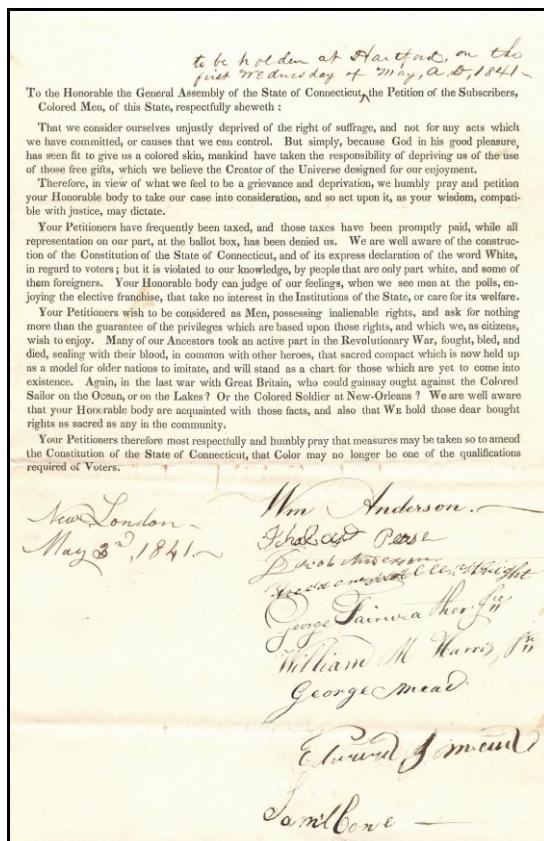
This index contains citations to photocopied materials on African Americans and Native Americans that are found in General Assembly Papers, 1821-1870 and Rejected Bills, 1808-1870. The documents have been so heavily used that some have become damaged, so the originals have been photocopied. One set of photocopies has been inserted in place of the originals. A second set of photocopies is housed in separate boxes and this index provides citations to materials in four boxes of records relating to African Americans and Native Americans. The two have been grouped together in this finding aid because of intermarriages between members of these two groups.

The African-American section of the index contains 119 records housed in two boxes. Box 1 holds items from General Assembly Papers and Box 2 records from Rejected Bills. The list is arranged by place

and then by date. Thirty-five records are not location specific and come first. In addition, each record provides information on source (General Assembly Papers or Rejected Bills), the name or names of persons submitting the petitions or subjects thereof, whether or not the record contains a list of names, subject of documentation, and box and folder in which each record is found.

The subjects covered in the African American papers differ markedly in form and content from their Native American counterparts. A major group of records concerns the subjects of prison (8 petitions) and prison release (23 petitions). All prison petitions relate to commutation or postponement of death sentences. Henry Wilson, originally from Danbury, had his death sentence commuted to life imprisonment by the General Assembly in 1822. He unsuccessfully petitioned to be released from prison four times between 1826 and 1833 and was finally freed in 1835.

The largest category of documents relates to the subject of rights for African Americans in Connecticut. Twenty-six sets of papers concern the subject of the franchise, 6 constitutional questions, 5 taxation, 4 the right of trial by jury, and one each on emancipation, citizenship, and unlawful enslavement. The first franchise petition was sent to the May 1817 session of the General Assembly by William Laws of Norwich and eight others. They requested that they "should either be exempted by an express law from the payment of a capitation [sic] or Poll tax or be admitted with the White Male Inhabitants of this State to an equal participation of the right of suffrage." The memorial was rejected (Box 2, folder 2). The bulk of petitions from Connecticut African Americans seeking the right to vote, prompted by Article VI, Section 2 of the 1818 Constitution that limited the franchise to white males, come from the period between 1838 and 1850.¹ They culminated with the introduction a Constitutional amendment in 1850 giving that right to all male citizens of at least twenty-one years hold who lived in the state for at least one year (Box 2, folder 21).



¹ Numerous additional petitions signed by whites from various Connecticut towns are found in Rejected Bills and General Assembly Papers.

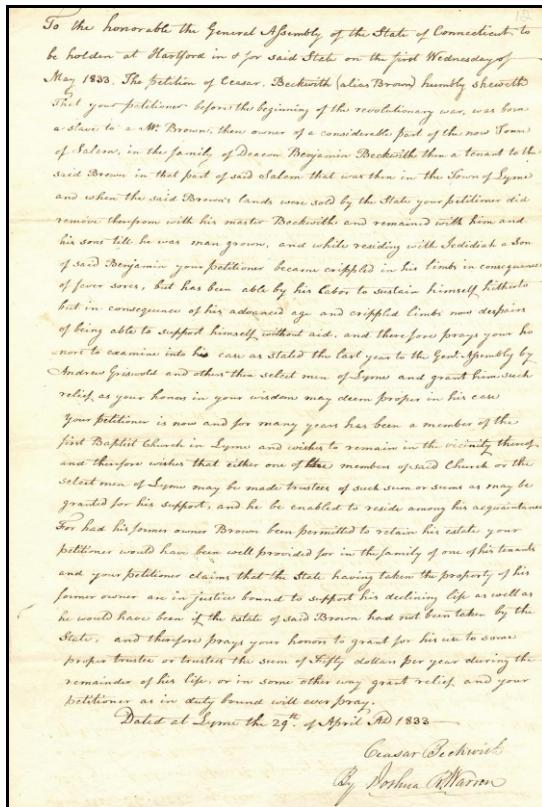
Franchise Petition from New London, 1841, Rejected Bills

The five petitions from African Americans asking for exemption from taxation relate closely to franchise memorials. The first such petition, dated 1814 and found in Rejected Bills (Box 2, folder 1) from Stanley Bias and William Lamson of New Haven, asserted that they owned “property sufficient . . . to qualify them for freemen.” Since legislation restricted the right to vote to white men, they requested that they be exempted “from all taxes whatsoever on their property & occupations.” Four sets of documents from 1838 asked that the General Assembly pass legislation to guarantee the right for a jury trial for all persons “claimed in this State as fugitive slaves” (Box 1, folder 14).² Another four memorials relate to colonization, the first was an 1825 resolution of the General Assembly favoring gradual emancipation and saying that colonization “may reasonably be deemed conducive to be desirable an object” (Box 1, folder 5). The other three documents consist of reports of the legislature on colonization between 1852 and 1856, one including legislation appropriating \$1,000 “to aid in the removal of such colored persons . . . as may choose to emigrate to Liberia” (Box 1, folder 21).

Four sets of documents concern Connecticut ratification of the 13th and 15th amendments to the Constitution (Box 1, folders 26, 28, 29). They contain copies of the amendments sent to the state by Secretary of State William H. Seward. Also included (Box 1, folder 26) is an 1865 request from the General Assembly to the Supreme Court of Errors asking for an opinion whether or not African Americans were citizens. The Court answered in the affirmative.

Seventeen petitions concern the subject of claims against the State of Connecticut, the bulk found in Rejected Bills. One case concerned a request from the selectmen of Lebanon asking the State to pay the costs of caring for an insane pauper (Box 1, folder 1). Caesar Beckwith of Lyme, a crippled former slave, asked for state support on the grounds that the State confiscated the estate of his former master and should, therefore, “support his declining life as well as he would have been if the estate of said Brown had not been taken” (Box 2, folder 5). Three additional petitions relating to reimbursement of expenses are closely related.

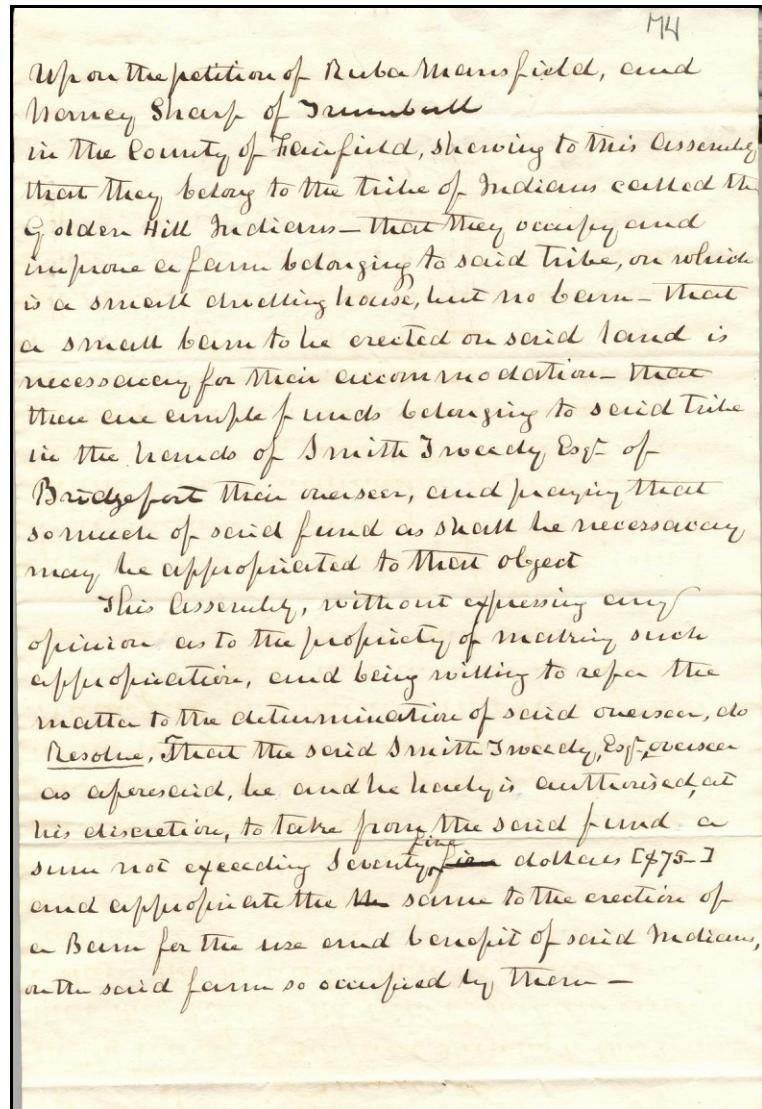
² A number of similar petitions by whites are found in General Assembly Papers, Box 28.



Petition of Ceasar Beckwith, 1833, Rejected Bills

The subject of education was addressed in 10 petitions. The General Assembly passed acts in 1830, 1839, and 1841 to establish special schools for African American children. The bulk of the documentation, however, concerns the passage of and efforts to repeal the so-called Canterbury Law of 1833 designed to prevent anyone from establishing a school to educate “coloured persons belonging to other states.”

The remaining documents consist of three petitions regarding estates of deceased persons and eleven other sets papers on miscellaneous subjects. As might be expected, the miscellaneous items cover a wide variety of subjects. They range, from an 1837 request from Absalom Peters of Lebanon asking the State to appoint managers to “manage the affairs of our Negroes” (Box 2, folder 10) and an appropriation to pay for the return of Peter Augustus from South Carolina who was unlawfully enslaved (Box 1, folder 5), to requests from William King (Box 2, folder 1) and the “Coloured Methodist Episcopal Ebenezer Church of Bridgeport (Box 1, folder 2) for changes of name.

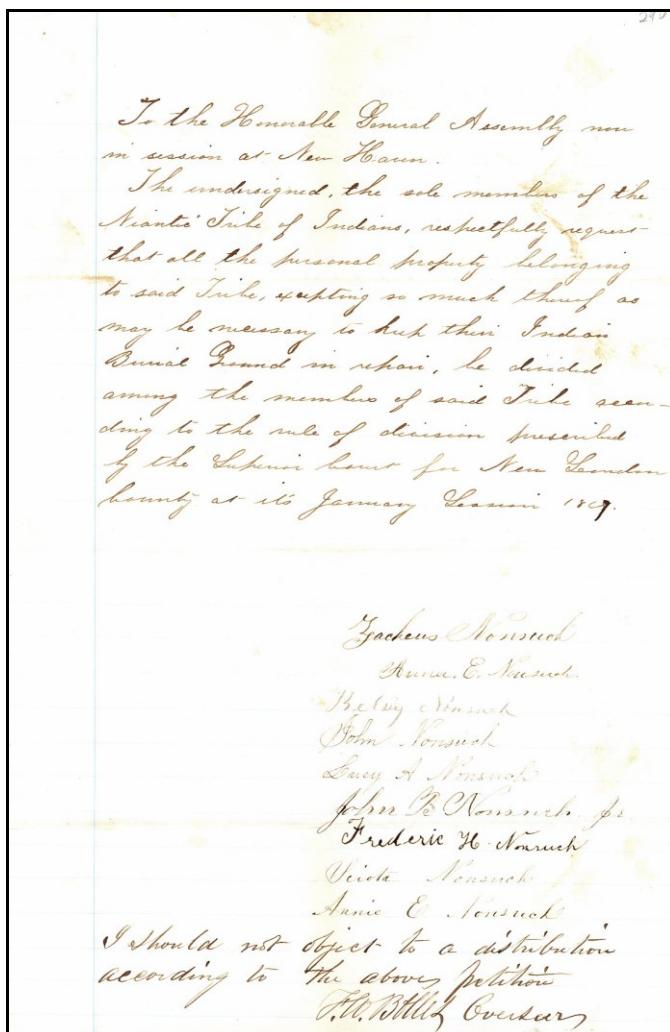


Golden Hill Paugussett Petition, 1846, General Assembly Papers

For Native Americans, the list is arranged first by tribe and then by year. Material from General Assembly Papers is found in Box 1 and records from Rejected Bills in Box 2. Papers not pertaining to particular tribes or to individuals not identified by tribe are placed first and they make up the first four pages of the Native Americans list. In addition, each record contains name or names of the person filing the petition or subject of General Assembly action, whether or not a list of names is found with the documentation, place, subject and sometimes an additional note, source, and box and folder location of the information. Researchers can often infer tribal identity from place of residence for each person and, perhaps, by their knowledge of Indian surnames.

Connecticut's tiny Indian population is relatively well documented, because Native Americans had tribal status and legislative approval was required before any tribal lands could be sold. Researchers studying the Mohegan, Niantic, Golden Hill Paugussett, Turkey Hill Paugussett, Eastern (North Stonington) Pequot, Mashantucket (Ledyard) Pequot, and Schaghticoke tribes will find relevant information in the records of the General Assembly. Much of the material in these records concerns tribal matters, in particular the sale of lands, as the records document the gradual alienation of land from Native Americans in Connecticut. Almost half of the 138 records concerning Indians relates to the subject areas of sale of lands, protection of lands, and exchanges of and titles to land. The papers contain, for example, eleven

records concerning the Niantic Indians between the years 1824 and 1868. Nine concern protection or sale of lands, ending with legislation to sell all remaining lands of the disappearing tribe in 1868 and an act to preserve the tribe's burial ground in the town of East Lyme. The case of the Nantics represents only the most dramatic instance of a trend that affected all Connecticut tribes.



Petition of Niantic Indians to Preserve Burial Ground, 1868, General Assembly Papers

Claims to reimburse expenses and acts to reimburse the costs of caring for indigent Indians represents the second most prominent subject in the Native American Papers. In 1824, the selectmen of Harwinton submitted a claim to the General Assembly to pay the costs of caring for pauper Chester Martin and the civil authority of Groton requested state funding to care for a crippled child abandoned by a transient Indian women. The legislature rejected both of these petitions. A total of twenty records concern these subjects.

Fourteen petitions contain requests for release from state prison and acts for prison release. Eleven relate to Henry Manasseth who over a period of sixteen years saw his death sentence commuted to a life sentence and, after a number of unsuccessful petitions for release from prison, was finally freed in 1867. Seven records concern investigating conditions of the Golden Hill Paugussett, Mashantucket Pequot, and Mohegan tribes. Another five sets of documents relate to the appointment of commissioners or overseers, while four concern the subject of inheritance. Two have particular interest to those studying racial identity. In 1820 and 1822, the Mohegans sent two unsuccessful petitions to the General Assembly asking for passage of an act, "that no Negros, mulattos or other people of color shall be supported from the Mohegan

property & that if any Mohegan . . . shall marry any Negro or mulatto the children of such marriage shall have no part or portion of the Mohegan lands or property.” See Rejected Bills, Box 2, folders 3-4.

Twenty-one sets of documents relate to miscellaneous subjects, although many address land issues. For example, the records include documentation on Mohegan concerns for chapel land (1831), rights to land (1836), exchange of lands (1849), common lands (1860), and divisions of lands (1860, 1862). A Mashantucket Pequot 1856 petition concerned a mortgage, while an 1842 petition from Jeremiah Cogswell of the Schaghticoke tribe requested permission to invest the proceeds of the sale of notes in land. Other subjects of Native American petitions include fishing rights, citizenship, education, highways, and the preservation of burial grounds.

One hundred and five of 138 petitions give the name of the tribe in the documents, while 33 do not. Nine concern general acts or drafts of legislation, like “An Act in addition to an Act, entitled Act for the preservation of Indians, and the preservation of their Property.” All the other 24 petitions, except for an 1823 memorial from the Selectmen of Groton asking for state reimbursement to pay the expenses of caring for a crippled child abandoned by “a transient Indian woman” (Box 2, folder 5), concern named individuals. It is likely that most of the remaining petitioners or subjects of petitions had tribal identification, although nothing is so stated in the documentation. Philip Freeman and Hester Frank of Derby, for example, heirs of the estate of John Howdee may have been Turkey Hill Paugussets and Joseph Manwell of Kent a Schaghticoke.

The Mohegans were clearly the most prominent tribe in nineteenth-century Connecticut and they were represented in 55 petitions between the years 1814-69. Mashantucket Pequot Indians are found in 12 petitions (1824-62), Niantic in 11 (1824-68), Schaghticoke in 8 (1823-51), Golden Hill Paugussett 7 (1808-49), Turkey Hill Paugussett 5 (1823-41), Eastern Pequot 3 (1824-26), and a Narragansett Indian in one 1811 petition.

Provenance

The records of the General Assembly, from which the African American and Native American Papers have been drawn, came to the State Archives in a series of transfers from the Office of the Secretary of the State, the constitutional office responsible for the “safe-keeping and custody of the public records and documents.”

Related Records

General Assembly Papers and Rejected Bills are the successor records to the “Connecticut Archives,” 1629-1820, part of Record Group 001, Early General Records. Earlier documentation on African Americans and Indians can be found in several different series of the “Connecticut Archives.” Related materials can also be found in both county court and superior court records.

Access Note

The records in each of the total of four boxes are chronologically arranged. Researchers interested in material on specific individuals, subjects, places, or tribes need to consult the two lists found in this finding aid.

A

To the Senate and
House of Representatives in
General Assembly convened

We undersigned a
majority of the Committee appointed by
the last General Assembly to investigate
the affairs of the Mohegan Indians
and mature some plan by which the
common lands belonging to the tribe
may be rendered more available for
the welfare and prosperity of said tribe
would respectfully report

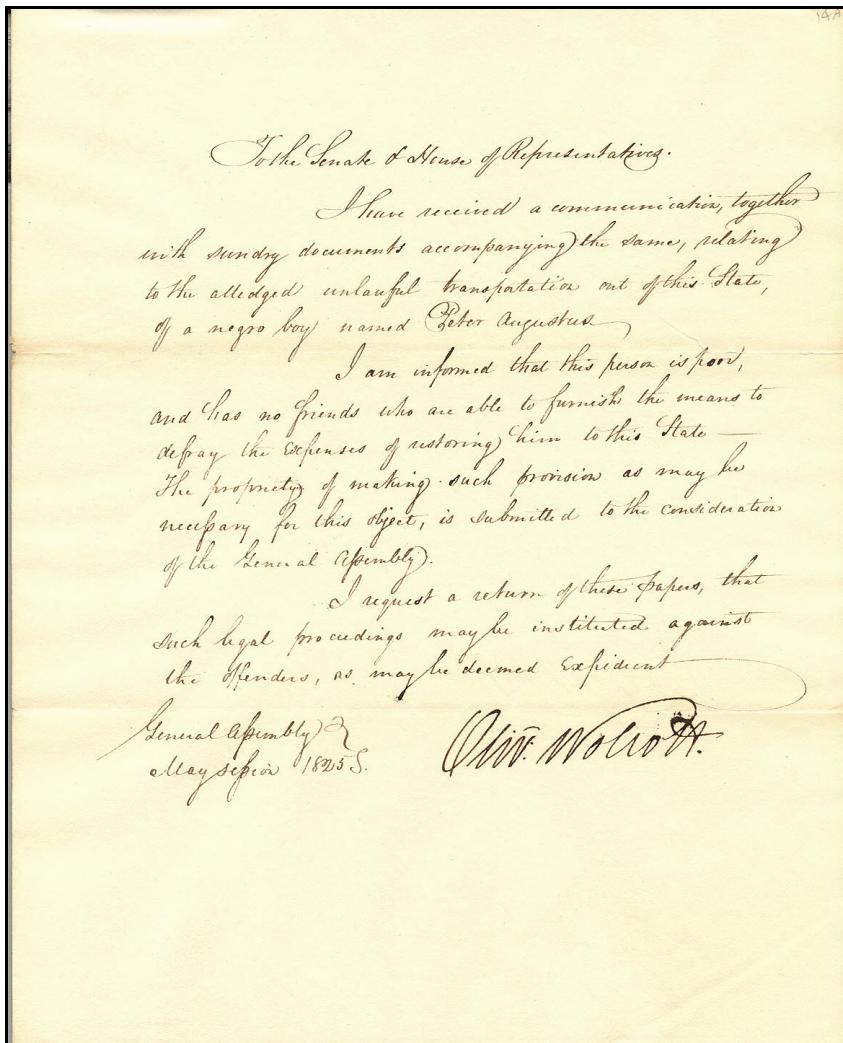
That in the year 1681 an agree-
ment was made between the Colony
of Connecticut and Uncas Sachem of
the Mohegans by which Uncas conveyed
to the Colony all the lands then belonging
to the tribe and the Colony agreed to reserve
a sufficient quantity of land for the In-
dians and their descendants to cultivate.

In 1717 and in 1718 the General
Court adopted measures to appropriate
suitable portions of land to families
which should descend from the father
to his children

First Page of Report on Mohegan Indians in hand of Gov. Buckingham, 1860, General Assembly Papers

Container Listing

- 1. General Assembly Papers**
African Americans, 1821-1869
Box 1
- 2. Rejected Bills**
African Americans, 1810-1870
Box 2
- 3. General Assembly Papers**
Native Americans, 1822-1868
Box 1
- 4. Rejected Bills**
Native Americans, 1808-1869
Box 2



Letter regarding the return of Peter Augustus from South Carolina, 1825, General Assembly Papers