

To His Excellency Caleb Strong Esquire Governor of the Commonwealth of Massachusetts
or to his Successor in that Office

We the subscribers proprietors of Gayhead humbly shew that in the year 1811
Simon Mayhew was Representative of Chilmark: — Two petitions replete with
duplicity respecting us, dated May 1811 were exhibited, their contents being
generally kept secret from the inhabitants of that town, from us, our Treasurer,
Clerk and every real friend until shewn to the General Court: — In consequence of
one of the petitions (without any order of notice) a Law was enacted intitled "An Act
for the better regulation of the Indian ~~and~~ Mulatto and Negro proprietors
of Gayhead in the county of Dukes County," dated 25th June 1811, which petition
prior to said Law was signed by Zachariah Howwosue and an Indian of
small capacity who had served with the the said Simon's Father in law; the
rest of the signers were Squaws of Howwosue's family & connexion, except that
Peter Tolson's name is to the copy but he constantly denies that he ever signed
the original: — Howwosue had previously disposed of 260 acres of land at
Gayhead; on which land our Clerk and some of us entered and being sued by a
whiteman, after attending at four Court Terms obtained final judgement
against him at the Supreme Judicial Court holden at Barnstable in October 1810
Kilborn Whitman and James Washburn Esq's can confirm this

We being accidentally told of said prior petition and consequent Law,
and that the other petition was pending procured copies by which ^{it} appeared
that the pending petition purported that the petitioners predecessors and
themselves made a Creek through the Indian's land at Gayhead with but very
little assistance from the Indians &c. praying for a share in the fishery of
that Creek &c. which pending petition was signed by Nathaniel Mayhew
and one of his Nephews also by the said Simon's Brother and four ^{of his} Nephews
And to support the petition it was backed by Howwosue and the Indian who
had served as aforesaid and by four Indian women; The said Simon being
Representative did not sign, but considering ^{him} as one principally concerned we
fixed an answer shewing that we made the said Creek and had vouchers
in the hand writing of the said Nathaniel to prove that he ordered and we had
paid out of our own Treasury diverse sums which said Creek cost us amounting
to \$80⁰⁰ 30 besides much labor and other sums which we could not state because
the said Nathaniel withheld our former Records; one of which Vouchers was
the account of Benjamin Bassett Esq's the said Simon's Nephew who by his own
sayings wrote both the said petitions His account was for tools used in
the said Creek: Bassett had been a Trader & Retailer of ardent Spirits
and Howwosue owed him

Our Clerks formerly were the said Simon and after him the said Nathaniel
but we disliked them and had yearly chosen William Mayhew
It was hinted that the said Simon was endeavoring to get himself and
the said Nathaniel appointed Guardians over us; We therefore prepared
a petition representing to Governor Gerry that in our opinion Simon Mayhew
and Nathaniel Mayhew were too interested to be our Guardians and that
had by Vote chosen Benjamin Mayhew & Matthew Mayhew Esq's and
William Mayhew in case his Excellency should appoint Guardians and
not disapprove of our choice &c.

We

We sent our Voters and Vouchers to New Bedford desiring Thomas Hazard Esq. to forward them and intercede for us

The petition for a share in the Fishery &c. was rejected, and Mr. Hazard informed us that the Governor said he would not appoint Guardians except something more should be offered

It had been suggested that if we should succeed a man would be sent that was a match for our Advisers

Immediately after the first Monday of April 1812 Benjamin Bassett Esq. began his journey to Boston and thence returned with Tidings that the said Simon & Nathaniel were Guardians

The said Simon knowing that there ^{was} some dispute respecting the boundary between Gayhead and a Neck of land wherein the said Nathaniel had been and Tristram Allen was concerned dexterously got Mr. Allen recommended to be a Guardian in stead of the said Nathaniel

William Mayhew, by purchase of the said Nathaniel, hath become concerned in the same Neck of land

Before the appointment of Guardians we schooled our Children Summer and Winter and supported our own poor

Jonathan Panue a proprietor being a pauper of disadvantageous speech, sight and understanding, otherwise in perfect health for aught any one knew, except the apparent effect of his being naked, was under the care of the said Simon who clothed him not. The said Simon put Jonathan to live with Thaddeus Cooke whose house was in our best pasture where Simon kept his milk Cows last Summer. He agreed to clothe Jonathan who lived there with Cooke a year & some days. — In June last Cooke desired Simon to clothe Jonathan and often made the same request until the day of Jonathan's death. Jonathan went from house to house his nakedness being indecently exposed in the Fall and at the time of harvesting Indian-Corn and when the weather became cold he ~~was~~ was hoarse and died on the third day of December last

We having a Girl under poor circumstances met without consulting any white person and by our own promises got a proprietor to victual and clothe her

Notice of the said prior petition ought to have been given before a consequent Law was established which might affect the property, the liberty and even the lives of the Gayhead Nation Tribe which as such had no representation in the General Court

The Board of Guardians, by law, were to keep "a fair account" in stead of which they have kept ~~their~~ separate accounts and the Court of Sessions have received & approved of them as from several Boards (See Copies)

In Nathaniel Mayhew's account No. 1 is Charged for
Cash paid Timothy Mayhew
and reverting back to the years 1803 & 1804 beyond ^{the time allowed in the Statute of} \$25 ..
Leopitimations 3 fat sheep at 18/- - - - - - 54
16 days work on the Creek - - - - - 16
Liquor at sundry times 5 Gallons - - - - - 5
And in his account No. 2 for extra expenses - - - - - 10
am^t - - - - - 65 amounting

amounting to sixty five Dollars, and we deny that any of it was due

The Guardians have had the improvement or hire of two tracts of our land three years ~~or~~ previous to the present year a 500 dollars per year or but little less

They have received pay for Clay & Sand from our Cliffs used by the }
Prcelain & Glass Companies say - - - - - Am^o } \$ 17 00
1500
200

They have also interfered with our Rights or Shares in common, as may be seen by Simon Mayhew's account No 2

Each yearly right or share in the year 1814 was hired at \$ 50

Every proprietor (including infants) has a right allowed ~~to~~ and on the 6th day of December 1811 they were numbered at 270

When the Guardians in the year 1812 were appointed we were ~~made~~ indebted to Samuel Nickerson on ~~xxx~~ interest ~~xxx~~ say 300 Dollars the most of which now remains unpaid - We had not long before the year 1812 paid the expense of the aforesaid Law suit

When the aforesaid prior petition was exhibited against us our real property was worth at least five thousand Dollars more than it ever had been in any twelve months within the memory of man

The said accounts are not the accounts of a Board and we can not tell what is become of our money

Our Complaint is that we are unconstitutionally, unlawfully, cruelly and unjustly misused: ~~and~~ We therefore pray your Excellency to have mercy on us and remove the Guardians which are now in authority over us And in duty bound shall ever pray in a land of Liberty

Gayhead 5th April 1815

Jonathan Cuff
Joel Rogers
Abraham Cooper
John Divine
The Mark of Matthew Gershorn
Paul Cuff
Thomas Cooper
James Cooper
Johnson Peter
Peter and/or Brown
The Mark of Thomas Morse
The Mark of Elijah Cooper
Abigail Rogers

Dorcas Post
Bethuel Rogers
Love Francis
The Mark of Joseph Cooper
John Cole
The Mark of Abigail Brown
Joseph Dugger
Amy Mansley
The Mark of Patience Gershorn

Sarah Horton
The Mark of Sarah Henry Hazard

Turn

The marks of Rhoda O'Grady Mother to the within named Jonathan
Pam the pauper who suffered
as within mentioned

Wadey Cook

Sydia Johnson

Hannah Diene

Amos Jeffers

Joseph Gershorn

Trustam Weeks

Isack Johnson

Mary x Johnson

Naomi Solbury

Polly Cooke

Hannah Francis

Bulah O'Coole

~~herriot Cooper~~
Margt Bone her mark

Mary Peters

Betsy x Morse mark

Matha x Peter's ^{her} mark

Suee x Peter's ^{her} mark

Peggy x Bates, her mark

Hannah x Mannings, her ^{mark}

Esther x Stephens, her mark

Paggy x Tolknut ^{mark}

Lydia Davis

Mary Gershorn

Hannah Cuff

Desiah Stokes

~~1370 45~~
Pere Peters

Joshua Stephens

Joshua ^{his} Johnson
mark

Pethon