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[CONCLUDED JULY 24, 1794.]

Contracts between the State of New York and different tribes of the Six Nations of Indians, specifying their several cessions and reservations of land, etc.

On the 19th of April, 1793, George Clinton, governor of New York, transmitted to Thomas Jefferson, Secretary of State of the United States, an exemplification of the different treaties entered into by that commonwealth with the Indians of the Six Nations, subsequent to the conclusion of the war of the American revolution. In his letter to Mr. Jefferson, Governor Clinton says, "I had written to the clerk of the city of Albany, and did not receive his answer until yesterday : he informs, as I suspected, that the superintendent of Indian affairs under the British government, was, at the commencement of the revolution, possessed of all the records and documents respecting Indian affairs, and took them with him when he left the country."

The exemplification, thus transmitted, contains a transcript from the record book of Indian deeds, remaining in the office of the secretary of the State of New York, and, commencing in the year 1748. This transcript embraces,

1. A deed, executed by the sachems and chief warriors of the Oneida and Tuscarora nations, at a treaty held at fort Herkimer with George Clinton and other commissioners for Indian affairs for the State of New York, whereby the aforesaid sachems and chief warriors conveyed, on the 28th day of June, 1785, for the consideration of \$11,500, in goods and money, "all that tract of land situate on the west side of the line commonly called the line of property, established at a treaty held at fort Stanwix in 1768, and on the north side of the Pennsylvania line, beginning at the mouth of the Unadilla, or Tianaderha river, where the same empties into the Susquehanna river ; thence up the said Unadilla, or Tianaderha river, ten miles measured on a straight line, thence due west to the Chenango river, thence southerly down the said Chenango river to where it empties into the said Susquehanna river, and to the said line, called the line of property, thence along the said line to the place of beginning ; so as to comprehend all the land belonging to the Oneida and Tuscarora nations lying south of the said line to be run from the said Unadilla, or Tianaderha river, to the Chenango river, and north of the division line between the State of New York and the State of Pennsylvania ; together with all ways, waters, water courses, rivers, rivulets, creeks, and streams of water, and also all mines and minerals, which are or may be found thereon," etc.

2. A contract, executed by the tribe or nation of Indians called the Onondagas, at a treaty held at fort Schuyler, (formerly called fort Stanwix,) with George Clinton and William Floyd, Ezra L'Hommedieu, Richard Varick, Samuel Jones, Egbert Benson, and Peter Gansevoort, jr., commissioners on behalf of the people of the State of New York, whereby the aforesaid Onondagas stipulated, on the 12th day of September, 1788, as follows : "*First* : the Onondagas do cede and grant all then lands. to the people of the State of New York forever. *Secondly*: the Onondagas shall, of the said ceded lands, hold to themselves and their posterity, forever, for their own use and cultivation, but not to be sold, leased, or in any other manner aliened or disposed of to others, all that tract of land beginning at the southerly end of the Salt Lake, at the place where the river or stream on which the Onondagas now have their village, empties into the said lake, and runs from the said place of beginning east three miles? thence southerly according to the general course of the said river, until it shall intersect a line running east and west at the distance of three miles south from the said village, thence from the said point of intersection west nine miles, thence northerly parallel to the second course above mentioned, until an east line will strike the

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place of beginning, and thence east to the said place of beginning. *Thirdly* : the Onondagas and their posterity, forever, shall enjoy the free right of hunting in every part of the said ceded lands, and of fishing in all the waters within the *same*. *Fourthly* : the Salt Lake; and the lands for *one* mile round the same, shall forever remain for the common benefit of the people of the State of New York, and of the Onondagas and their posterity, for the purpose of making salt, and shall not be granted, or in any wise disposed of for other purposes. *Fifthly* : in consideration of the said cession and grant, the people of the State of New York do, at this treaty, pay to the Onondagas, one thousand French crowns in money, and two hundred pounds in clothing, at the price which the same cost the people of the State of New York. And the people of the State of New York shall annually pay to the Onondagas and their posterity, forever, on the first day of June, in every year, at fort Schuyler, five hundred dollars in silver; but if the Onondagas, or their posterity, shall, at any time hereafter, elect, that the whole or any part of the said five hundred dollars shall be paid in clothing or provisions, and give six weeks' previous notice thereof to the governor of the said State for the time being, then, so much of the annual payment shall, for that time, be in clothing or provisions, as the Onondagas or their posterity shall elect, and at the price which the same shall cost the people of the State of New York, at fort Schuyler aforesaid. *Sixthly*: the people of the State of New York may, in such manner as they shall deem proper, prevent any persons, except the Onondagas, from residing or settling on the lands so to be held by the Onondagas and their posterity, for their own use and cultivation; and if any person shall, without the consent of 'the people of the State of New York, come to reside or settle on the said lands, or on any other of the lands so ceded, as aforesaid, the Onondagas and their posterity shall forthwith give notice of such intrusions to the governor of the said State for the time being ; and further, the Onondagas and their posterity forever, shall, at the request of the governor of the said State, be aiding to the people of the State of New York in removing all such intruders, and in apprehending, not only such intruders, but also felons and other offenders, who may happen to be on the said ceded lands, to the end that such intruders, felons, and other offenders, may be brought to justice."

3. A contract, executed at a treaty held at fort Schuyler, (formerly fort Stanwix), by the 'Oneida tribe or nation of Indians, on the 22d September, 1788, with George Clinton, William Floyd, Ezra L'Hommedieu, Richard Varick, Samuel Jones, Egbert Benson, and Peter Gansevoort, junior, commissioners on behalf of the State of New York, by which the Oneidas entered into the following stipulations : "First, the Oneidas do cede and grant all their lands to the people of the State of New York, forever. Secondly : of the said ceded lands, the following tract, to wit:

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Beginning at the Wood creek opposite to the mouth of the Canada creek, and where the line of property 'comes to the said Wood creek, and runs thence southerly to the northwest corner of the tract to be granted to John Francis Perache, thence along the westerly bounds of the said tract to the southwest corner thereof, thence to the northwest corner of the tract granted to James Dean, thence along the westerly bounds thereof to the southwest corner of the' last mentioned tract, thence due south until it intersects a due west line from the head of the Tianaderha or Unadilla river, thence from the said point of intersection due west until the Deep Spring hears due north, thence due north to the Deep Spring, thence the nearest course to the Canaseraga creek, and thence along the said creek, the Oneida lake and the Wood creek, to the place of beginning, shall be reserved for the following several uses ; that is to say, the lands lying to the northward of a line parallel to the southern line of the said reserved lands, and four miles distant from the said southern line, the Oneidas shall hold to themselves and their posterity, forever, for their own use and cultivation, but not to be sold, leased, or in any other manner aliened or disposed of, to others. The Oneidas may, from time to time, forever, make leases of the lands between the said parallel lines, (being the residue of the said reserved lands), to such persons, and on such rents reserved, as they shall deem proper, but no lease shall be for a longer term than twenty-one years from the making thereof; and no new lease shall be made until the former lease of the same lands shall have expired. The rents shall be to the use of the Oneidas and their posterity, forever. And the people of the State of New York shall, from time to time, make provision by law to compel the lessees to pay the rents, and in every other respect to enable the Oneidas and their posterity to have the full benefit of their right so to make leases and to prevent frauds on them respecting the same ; and the Oneidas and their posterity, forever, shall enjoy the free right of hunting in every part of the said ceded lands, and of fishing in all the waters within the same ; and, especially, there shall forever remain ungranted by the people of the State of New York, one half mile square; at the distance of every six miles of the lands along the northern bounds of the Oneida lake, one half mile in breadth of the lands on each side of the Fish creek, and a convenient piece of land at the fishing place in the Onondaga river, about three miles from where it issues out of the Oneida lake, and to remain as well for the Oneidas, and their posterity, as for the inhabitants of the said State to land and encamp on : But notwithstanding any reservation to the Oneidas, the people of the State of New York may erect public works and edifices as they shall think proper, at such place and places, at or near the confluence of the Wood creek and the Oneida lake, as they shall elect; and may take and appropriate for such works or buildings, lands to the

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extent of one square mile, at each place : and further, notwithstanding any reservations of lands to the Oneidas, for their own use, the New England Indians (now settled at Brotherton, under the pastoral care of the reverend Samson Occum) and their posterity, forever, and the Stockbridge Indians and their posterity, forever, are to enjoy their settlements on the lands heretofore given to them by the Oneidas for that purpose ; that is to say: a tract of two miles in breadth and three miles in length for the New England Indians, and a tract of six miles square for the Stockbridge Indians. *Thirdly:* in consideration- of the said cession and grant, the people of the State of New York do, at this treaty, pay to the Oneidas two thousand dollars in money, two thousand dollars in clothing and other goods, and one thousand dollars in provisions ; and also five hundred dollars in money to be applied towards building a grist mill and saw mill at their village : and the people of the State of New York shall annually pay to the Oneidas, and their posterity, forever, on the first day of June, in every year, at fort Schuyler, six hundred dollars in silver : but if the Oneidas, or their posterity, shall, at any time hereafter, elect that the whole, or any part, of the said six hundred dollars, shall be paid in clothing or provisions, and give six weeks' previous notice thereof to the governor of the said State for the time being, then so much of the annual payment shall, for that time, be in clothing or provisions, as the Oneidas and their posterity shall elect, and at the price which the same shall cost the people of the State of New York at fort Schuyler. And as a further consideration to the Oneidas, the people of the State of New York shall grant to the said John Francis Perache, a tract of land, beginning in the line of property, at a certain cedar tree, near the road leading to Oneida, and runs from the said cedar tree, southerly, along the line of property, two miles: then westerly, at right angles, to the said line of property, two miles; then northerly, at right angles, to the last course, two miles; and then to the place of beginning; which the said John Francis Perache hath consented to accept from the Oneidas, in satisfaction for an injury done to hi by one of their nation. And further, the lands intended by the Oneidas for John T. Kirkland, and for George W. Kirkland, being now appropriated to the use of the Oneidas, the people of the State of New York shall, therefore, by a grant of other lands, make compensation to the said John T. Kirkland, and George W. Kirkland. And further, that the people of the State of New York shall, as a benevolence from the Oneidas to Peter Penet, and in return for services rendered by him to their nation, grant to the said Peter Penet, of the said ceded lands lying to the northward of the Oneida lake, a tract of ten miles square, wherever he shall elect the same. *Fourthly :* the people of the State of New York may, in such manner as they shall deem proper, prevent any persons, except the Oneidas, from residing or settling on the lands so

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to be held by the Oneidas and their posterity, for their own use and cultivation. And if any person shall, without the consent of the people of the State of New York, come to reside or settle on the said lands, or on any other of the lands so ceded as aforesaid, except the lands whereof the Oneidas may make leases as aforesaid, the Oneidas and their posterity shall forthwith give notice of such intrusions to the governor of the said State for the time being. And further, the Oneidas and their posterity, forever, shall, at the request of the governor of the said State, be aiding to the people of the State of New York, in removing all such intruders; and in apprehending, not only such intruders, but also felons, and other offenders, who may happen to be on the said ceded lands, to the end that such intruders, felons, and other offenders, may be brought to justice. Before the execution hereof, the Oneidas, in public council, declared to the commissioners, that they had, in return for his frequent good offices to them, given to John J. Bleecker, of the lands reserved for their own use, one mile square, adjoining to the lands of James. Dean, and requested that the same might be granted and confirmed to him by the State."

4. A contract executed by the sachems, chiefs, and warriors of the tribe or nation of Indians, called the Cayugas, at a treaty held in the city of Albany, with George Clinton, Pierre Van Courtlandt, Ezra L'Hommedieu, Abraham Ten Broeck, John Hathom, Samuel Jones, Peter Gansevoort, Jun., and Egbert Benson, commissioners on behalf of the State of New York, by which the said sachems, chiefs, and warriors of the Cayugas, covenanted, on the 25th of February, 1789, as follows: "*First* : the Cayugas do cede and grant all their lands to the people of the State of New York, forever. *Secondly* : the Cayugas shall, of the said ceded lands, hold to themselves, and to their posterity, forever, for their own use and cultivation, but not to be sold, leased, or in any other manner aliened, or disposed of, to others, all that tract of land, beginning at the Cayuga salt spring, on the Seneka river, and running thence southerly, to intersect the middle of a line to be drawn from the outlet of Cayuga to the outlet of Waskongh, and from the said place of intersection, southerly, the general course of the eastern bank of the Cayuga lake, thence westerly, to intersect a line running on the west side of the Cayuga lake, at the mean distance of three miles from the western bank thereof, and from the said point of intersection, along the said line, so running on the west side of the Cayuga lake, to the Seneka river, thence down the said river to the Cayuga lake, thence through the said lake, to the outlet thereof, thence further down the said Seneka river, to the place of beginning, so as to comprehend within the limits aforesaid, and exclusive of the water of Cayuga lake, the quantity of one hundred square miles. Also, the place in the Seneka river, at or near a place called Skayes ; where the Cayugas have heretofore taken eel ; and a competent piece of land on the

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southern side of the river, at the said place, sufficient for the Cayugas to land and encamp on, and to cure their eel. Excepted, nevertheless, out of the said land so reserved, one mile square at the Cayuga ferry. *Thirdly* : the Cayugas and their posterity, forever, shall enjoy the free right of hunting in every part of the said ceded lands, and of fishing in all the waters. within the same. *Fourthly* : in consideration of the said cession and grant, the people of the State of New York do, at this present treaty, pay to the Cayugas, five hundred dollars, in silver ; and the people of the State of New York shall pay to the Cayugas, on the first day of June next, at fort Schuyler, (formerly called fort Stanwix,) the further sum of one thousand six hundred and twenty-five dollars; and, also, the people of the State of New York shall annually pay to the Cayugas, and their posterity, forever, on the first day of June, in every year thereafter, at fort Schuyler aforesaid, five hundred dollars in silver. But if the Cayugas, or their posterity, shall, at any time hereafter, elect that the whole, or any part of the said annual payment of five hundred dollars, shall be paid in clothing or provisions, and give six weeks' previous notice thereof to the governor of the said State for the time being, then so much of the annual payment shall, for that time, be in clothing or provisions, as the Cayugas or their posterity shall elect, and at the price which the same shall cost the people of the State of New York, at fort Schuyler aforesaid. And, as a farther consideration to the Cayugas, the people of the State of New York shall grant to their adopted child, Peter Ryckman, whom they have expressed a desire should reside near them, to assist them, and as a benevolence from them, the Cayugas, to him., and in return for services rendered by him to their nation, the said tract of one mile square at the Cayuga ferry excepted, out of the said lands reserved to the Cayugas for their own use and cultivation, that of a tract beginning on the west bank of the Seneka lake, thence running due west (passing one chain north of a house lately erected, and now in the occupation of the said Peter Ryckman) to the line of partition between this State of New York and the commonwealth of Massachusetts, of the lands ceded to each other, thence due south along the said line of partition, thence due east to the Seneka lake, thence northerly along the bank of the said lake, to the Place of beginning, so as to contain sixteen thousand acres. The people of the State of New York shall grant three hundred and twenty acres to a white person married to a daughter of a Cayuga named Thaniowes, including the present settlement of the said person on the south side of Caghston creek ; and that the people of the State of New York shall grant the residue of the said tract of sixteen thousand acres to the said Peter Ryckman. *Fifthly* : the people of the State of New York may, at all times hereafter, in such manner, and by such means, as they shall deem proper, Prevent any person, except the Cayugas and their adopted breth-

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ren the Paanese, from residing or settling on the lands to be held by the Cayugas and their posterity, for their own use and cultivation : and if any persons shall, without the consent of the people of the State of New York, come to reside or settle on the said lands, or any other of the lands so ceded as aforesaid, the Cayugas and their posterity shall forthwith give notice of such intrusions to the governor of the said State for the time being ; and further, the Cayugas and their posterity, forever shall, at the request of the governor of the said State, be aiding to the people of the State of New York in removing all such intruders; and apprehending, not only such intruders, but felons, and other offenders, who may happen to be on the said ceded lands, to the end that such intruders, felons, and other offenders, may be brought to justice. Notwithstanding the said reservation herein above specified to the Cayugas, it is declared to be the intent of the parties, that the Cayuga, called the Fish Carrier, shall have a mile square of the said reserved lands, for the separate use of himself, and for the separate use of his family, forever. Before sealing and delivery hereof, it was, for the greater certainty, declared to be the intent of the parties, that this grant and cession is only of the lands eastward of the partition line abovementioned, between this State of New York and the commonwealth of Massachusetts; and that, with respect to such part of their country as is to the westward of the said partition line, the right and property of the Cayugas to be the same as if this grant and cession had not been made. The Cayuga salt spring, and the land to the extent of one mile around the same, to remain for the common use and benefit of the people of the State of New York, and of the Cayugas and their posterity forever. And the land to be reserved at the fishing place near Skayes, shall be of the extent of one mile on each side of the river, the above reservation of land on the southern side of the river, only, notwithstanding.

5. At a treaty held at fort Stanwix, on the 22d of June, 1790, between George Clinton, Pierre Van Courtlandt, Ezra L'Homme-dieu, Abraham Ten Broeck, Peter Gansevoort, Jun., and Richard Varick, commissioners on behalf of the State of New York, and the sachems, chiefs, and warriors, of the tribe or nation of Indians, called the Cayugas, the latter acknowledged to have received from the people of the State of New York, the sum of five hundred dollars in silver, being the annual payment stipulated to be made to the said Cayugas by the (next preceding) contract of the 25th of February 1789 ; and also the further sum of one thousand dollars, as a benevolence. To this acknowledgment is added the following stipulation : "And we, the said Cayugas, in consideration thereof, do, by these presents, fully, freely, and absolutely, ratify and confirm the said agreement and cession, and all and singular the articles, covenants, matters and things, therein expressed and contained, on the part of us, the said Cayugas,

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done, or to be done, executed, or performed: and we, the said Cayugas, do further hereby grant and release, to the people of the State of New York, all our right, interest, and claim, in and to all lands lying east of the line of cession by the State of New York to the commonwealth of Massachusetts ; except the lands mentioned in the deed of cession (of the 25th of February, 1789) to be reserved to **us, the Cayugas**, and our posterity."

6. At a council fire kindled at fort Stanwix, on the 16th day of June, 1790, at which were present, George Clinton, Pierre Van Courtlandt, Ezra L'Hommedieu, Abraham Ten Broeck, Peter Gansevoort, Jun., and Richard Varick, commissioners on behalf of **the State of New York**, and the sachems, chiefs, and warriors, of the tribe or nation of Indians called the Onondagas, the latter acknowledged to have received from the people of the State of New York, the sum of five hundred dollars, in silver, being the annual payment stipulated to be made to the said Onondagas, by the contract of the 12th of September, 1788 ; and also the further sum of five hundred dollars, as a benevolence: " and the said Onondagas do, by these presents, fully, freely, and absolutely, ratify, and confirm the said agreement and deed of cession, and all and singular the articles, covenants, and things therein expressed and contained, on the part of the said Onondagas, done, or to be done, executed, or performed."