

BROTHERTOWN INDIANS RECORD BOOK
1788--1901

WELCH, CORLISS

Records of the Brothertown Indians--large folio (11" x 16½")
leather covered volume of 100-130 pages (Sept. 22, 1788-1901 ?)

Original volume, formerly the property of L.P. Fowler, then of Mrs. Lena N. Fowler Kindness, now belongs to Corliss Welch, a Brothertown Indian. It was borrowed for photostating by the State Historical Society of Wisconsin, through William A. Titus of Fond du Lac, Photo-stat copy was made by Dwight Kelsey for the Society on March 11, 1943, and the original was returned to Mr. Titus.

E. M. Dick
 Dealer in
 General Merchandise
 (By Request)

Brothertown, Wis. Sept. 16, 1901

Hon. W. A. Jones. Com of Ind. Affairs
 Washington, D.C.

My Dear Sir: After consultation we hereby acknowledge the receipt of your circular of the 11th inst. and would say in reply That there is no Roll later than 1838 but we have not got that here.

After our Roll is completed will it be necessary to send it to H. D. George the Indian Agent at Keshena, that was his orders.

2. In making the Roll there must be a line drawn somewhere in order to protect our rights in the claim, or else there will be a large number of claimants that would get on our Roll, that under our former laws & customs would not be entitled.

That was the reason that we asked you for information, whether to enroll according to our former laws and customs as a tribe, would be legal, and have the sanction of the department.

3. The former laws & customs of the Brothertown tribe, and which governed the allotment of our lands here were, when a woman married out of our tribe, her rights and protection went with her husband, and she was stricken off the roll, when a man married out he & his children held their rights. and protection with the tribe. Such has been the laws & customs since the organization of the Brothertown Tribe.

The blanks for application specify that they be executed in duplicate, only one copy to be sworn to, that means that an applicant si (is) entitled to 2 blanks does it not?

We cannot exactly determine the number of blanks that will be needed, but think that we will need 500.

Sept. 22, 1788

At a Treaty held at Fort Schuyler formerly called Fort Stanwix in the State of New York by his Excellency George Clinton Governor of said State, and William Floyd, Ezra L. Hommedien, Richard Varick, Samuel Jones, Egbert Benson, and Peter Gansevoort Junior (Commissioners authorized for that purpose by and on behalf of the People of the State of New York) with the Tribe or Nation of Indians call the Oneidas, it is on the Twenty Second Day of September in the year One Thousand Seven Hundred and Eighty Eight, Covenanted & concluded as follows,-----

First, the Oneidas do cede and grant all their lands to the People of the State of New York for ever.--

Secondly, of the said ceded Lands the following tract, to wit 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 Peroche, 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 Jean, thence along the Westerly Bounds thereof to the South West Corner of the last mentioned tract, thence due South until it intersects a due west line from the Head of the Ticnaderha or Unidilla River, thence from the said point of intersection due west until the deep Spring bears due North, thence due North to the deep Spring, thence the nearest course to the Canascrage 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 North-ward 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

4 hold to themselves & 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 time than twenty one years from the making thereof, and no new lease shall be made until the former lease of the same land shall have expired. The Rents shall be the use of the Oneidas and their posterity forever. And the people of the State of New York shall from time to time make provisions by law to compell the Lessees to pay the rents and in every other respect to enable the Oneidas & their posterity to have the full benefit of their rights 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 these 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 on the Onondaga River about three miles from where it issues out of the Oneida Lake and to remain as well for the Oneida and their posterity as for the Inhabitants of the Said State to land and encamp on, but not withstanding any reservation tot the Oneidas the People of the State of New York may erect public works and edifices as they shall think proper at such place or 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 Building Lands to the extent of one square mile at each place, and further notwithstanding any reservations of land to the Oneidas for their own use, the New England Indians (now settled at Brother Town under the pastoral care of the Reverend Samson Occum and

5 their posterity forever, and the Stockbridge Indians and their posterity forever, are to enjoy their settlements on the Lands heretofore given them by the Oneidas for that purpose, that is to say a tract of two miles in Breadth & 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 buiding a Grist Mill and Saw Mill at their Village (the receipt of which Moneys, clothing and goods and provisions the Oneidas do now acknowledge) 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 aforesaid 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 aforesaid, and in further consideration to the Oneidas the People of the State of New York shall grant to the said John Francis Peroche a Tract of Land beginning in the line of property at a certain Cedar Tree near the Road leading to the 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 Peroche

6 hath consented to accept from the Oneidas in satisfaction for an injury done to him 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 Y rk 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 Lenet and in return for services rendered by him to their Nation Grant to the said Peter Lenet 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 to be held by the Oneidas 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 on any other of the lands so ceded as aforesaid exopt the lands whereof the Oneidas may make leases as aforesaid; the Oneidas and their posterity shall forthwith give notice of such intensions to the Governor of the said Sate for the time being.---and further, the Oneidas and their posterity forever shall at the request of the Governor of the said 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.

In TEstimony whereof as well as the Sachema Chiefs Warriors and others of the Said Oneidas in behalf of their tribe or Nation, as the said Governor and other Commissioners of the

7 People of the State of New York have hereunto interchangeably set their hands and affixed their Seals the day and year above written---

The preceding is a true copy of a record remainin^d in the Secretary's office of the Stat of New York marked Indiand Deeds compared there- with this 7th Day of April 1795 by me

Robt Harpus/ Secretary

An Act for the sale and dispoitiong of Lands belonging to the People of this State----passed the 25th February 1789.

SEC. XVII

And be it further enacted by the authority aforesaid that the Surveyor General shall lay out for the New England Indians, all that part of the tract of Land formerly given to them by the Oneida Indians which is included in the cession lately made by the Oneida Indians to the People of this State, and laying Southward of the lands herein before directed to be granted to Samuel Kirkland, John T. Kirkland and George W. Kirkland, which tract of land so laid out, shall be called Brothertown and shall remain for the cultivation, improvement and use of the said New England Indians and their Brethren, consisting of the tribes call eht Mohegan, Montague, Stonington and Narragansett Indians, and the Pequots of Groton and Nihantics of Farmington and their Posterity, but without any power of alienation or right of leasing the same lands or any part thereof for any longer term than ten years, and without any power of granting such leases where there shall be any subsisting lease including the same lands, and that the tract of land confirmed by the Oneida Indians to the Stockbridge Indians at the said Treaty shall be and remain to the said Stockbridge Indians and their Posterity under the restriction and limitations aforesaid.

8 An Act more effectually to Protect certain Tribes of Indians residing within this state from frauds, passed 22 March 1790

Be it enacted by the People of the State of New York represented in Senate and Assembly, and it is hereby enacted by the authority of the same, that no person shall sue, prosecute, or maintain an action arising on a bond, note promise or other contract whatsoever, hereafter to be executed or made against any Indian residing on the Lands reserved to the Oneidas, Onondagas or Cayugas, and every Person who shall sue or prosecute any such Indian contrary to this ACT shall be subject to pay treble costs to the Party aggrieved. And this Act is hereby declared to be a Public Act, Provided that this Act shall not affect any contract to be made before the first day of July Next.

An Act for the ^wRelief of the Indians residing in Brothertown and New S^Tockbridge Passed 21 February 1791.

I. Be it enacted by the People of the State of New York, represented in Senate and Assembly, and it is hereby enacted by the authority of the same that it shall and may be lawful for the Male Indians residing in Brother-Town and New Stockbridge above the age of Twenty one years, on the first Tuesday in April next, and on the first Tuesday in April in every year thereafter, to meet together and by plurality of votes to choose a clerk, whose business it shall be to preside and keep order at the said meetings and to enter in a Book such of the proceedings of the said meetings as are by this act directed.

9 II. and be it further enacted by the authority aforesaid that it shall and may be lawful for the said Indians so assembled to choose annually a person to be called Marshal, whose business shall be to execute the Orders of the Trustees hereafter to be chosen.

III. And be it further enacted by the Authority aforesaid, that it shall and may be lawful for the said Indians so assembled, to choose annually, three persons as trustees to lay out such part of the Lands in Brother-town or New Stockbridge for the separate improvements of the several families of Indians residing in Brothertown, as shall be deemed necessary by the said Trustees so to be chosen.

IV. And be it further enacted by the Authority aforesaid that the said trustees shall lay out for each Family a sufficient quantity of Land for a separate improvement, and shall cause the bounds of each improvement to be properly marked and distinguished, and the description therof to be entered in the Clerk's Book.

V. And be it further enacted by the Aurhtority aforesaid that every person having a separate improvement so laid out to him by the said Trustee and entered on the said Clerk's Book, the same shall remain to such person and his Family for improvements, and schall enable such person to maintain an action for any trespass which may be committed by any white person or persons, on the Lands so laid out to him or her for improvement, in any court having cognizance of the same.

VI. And be it further enacted by the Authority aforesaid that the said Trustees so to be chosen by and with the consent of the Mayor of the City of Albany for the time being shall have liberty to lease out to any person or persons, such quantity of the undivided Lands in Brother-Town or New Stockbridge (and not laid out for improvement as aforesaid) as a majority of the votes at the said meeting shall agree on, not exceeding Six Hundred & Forty Acres, for any term not exceeding twenty-one years, for the use of the inhabitants of Brother-Town and New Stockbridge, the rents reserved, to be applied by the said Trustees and their successors, for the maintaining a Minister and Free School, for the instruction of Indians, which said Leases shall be recorded in the Clerk's Book.

VII. And be it further enacted by the Authority aforesaid that the said Trustees and their successors are hereby authorized and empowered to bring actions for any trespass committed by any white person or any of

10 the undivided lands in Brothertown or New Stockbridge and not laid out for improvement, or leased for the use of a Minister and School as aforesaid.

VIII. And be it further enacted by the Authority aforesaid that it shall and may be lawful on complaint of any Indian against another Indian or Indians, (of a trespass, debt, or other matter or thing cognizable before a Justice of the Peace) to them, the said Trustees, for the said Trustees by an order, directed to the said Marshal, to cause the parties to come before with their witnesses, at such time and place as they shall appoint, and after hearing the parties and their witnesses, shall give such judgement out as to them shall be deemed just and equitable; Provided, the judgement in no one cause shall exceed twenty shillings and shall enter the same judgement in the Clerk's Book.

IX. And be it further enacted by the Authority aforesaid, that if such judgement shall not be satisfied in forty days after the same is given, the said Trustees shall order the said Marshall to levy the amount thereof on the goods of the Person against whom the judgement shall be so obtained, to be delivered to the person in whose favour the judgement was given, the said goods first to be appraised by the said Trustees, and the over plus, if any, after satisfying such judgement, to be returned to the person from whom they were taken.

X. And be it further enacted by the Authority aforesaid, that any two of the said Trustees shall be a Quorum, to transact any business enjoined on them by this Act.

XI. And be it further enacted by the authority aforesaid that the Act entitled an Act more effectually to protect certain tribes of Indians, residing within this State, from frauds, passed 22d March, 1790, be, and the same is hereby extended to the Indians residing in Brothertown, and the Indians call the Stockbridge Indians

11 An Act relative to Lands in Brothertown, passed the 31st of March 1795.

Whereas certain Lands heretofore in the County of Montgomery, now in the County of Herkimer, were by Law appropriated to the use of the Indians, commonly called New England Indians, and particularly designated in an Act, entitled, "an Act for the sale and disposition of Lands belonging to the People of this State," passed the twenty-fifth Day of February One Thousand Seven Hundren and Eighty-nine, with permission to the said Indians, under certain restriction; to lease a part of the said Lands for a term not exceeding ten years; And whereas several Indians, in their individual capacity have granted leases for such quantities of the said Land as that others of the Indians who were intended to be participants in the said lands, cannot be accommodated with a part thereof, which has occasioned disputes and controversies between the said Indians themselves, and between them and the white inhabitants settled on the said lands, and whereas the said Indians, and the said white inhabitants have, by petition, severally solicted legislative interference in the Premises, therefore,

I. Be it enacted by the people of the State of New York, representd in Senate and Assembly, and it is hereby enacted by the authority of the same, that Samuel Jones, Ezra L. Hommedieu, and Zina Hitchcock be, and they hereby are appointed commissioners for settling and adjusting all differences which have or may arise between the Indians residing on the said Lands, and between them and the several tribes of Indians claiming an interest in the said Lands, and between the said Indians and the said white Inhabitants.'

12 II. and be it further enacted by the authority aforesaid that it shall be the duty of the said Commissioners as soon as may be after the first day of May next, to repair to Brother-Town, and there to examine into all differences which may have arisen between the said Indians; and betwen the said Indians and the said white inhabitants and to hear the several allegations and proofs of the said parties.

III. And be it further enacted by the Authroity aforesaid that it shall and may be lawful for the said Commissioners to set off part of the said tract in one entire piece, for the use of the Indians now residing in Brother-Town, and for such Indians as may be entitled in law in Brother-Town, notwithstanding any lease or leases made by individual Indians, to any white person or persons whether resident on the same land or not, provided that such piece so to be set off shall not contain less than six nor more than ten thousand acres.

IV. And be it further enacted by the Authority aforesaid, that it shall and may be lawful for the said Commissioners to make a division of the remainder of the Land in Brother-Town, amongst such persons as have obtained leases from individual Indians, or claim under such leases, if such lesees and such claimants were actually resident on and occupying of the said Land, on or before the Twenty-seventy day of December last, on such proportion as they in their judgement shall deem equitable; taking into consideration in such apportionment the improvements which may have been made by any of the said lessees on the Lands which the said Commissioners shall appropriate for the

settlement of Indian Families or individual Indians, and to sell the same to the said persons in Brothertown so having obtained leases or claiming under the leases from individual Indians aforesaid, and who were so actually resident and occupying of the said lands, at such price and on such payments as they in their judgement shall deem most advantageous to the State and least oppressive to the purchasers; and in behalf of the People of this State, to give conveyances for the same lands, and to take mortgages for the payment of the purchase-- money in the name of the People of this State; to cause the same to be registered in the proper office, and to deliver the originals, together with all the purchase-money they may receive, to the

13 Treasurer of the Sate, provided always, that if any such white inhabitant shall refuse to make such purchase as aforesaid, and to give a mortgage for the purchase thereof, and to give up the lease or leases which he may have obtained from and individual Indian or Indians, or the assignment of such lease or leases; then and in that case it shall & may be lawful for the Commissioners to sell the same land to any other whit inhabitant resident in Brothertown, and occupying of the said leases on or before the twenty-seventh day of December last.

V. And be it further enacted by the authority aforesaid, that it shall not be lawful for said Commissioners to dispossess any white inhabitant in Brothertown of the possession of the Lands he occupie^d or holds by lease for ten years, heretofore given, Bonafide, by the Indians residing in Brothertown in their collective capacity at the time of making such leases..Provided,

VI. And be it further enacted by the Authroity aforesaid, that the said lands shall not be sold for less than such sum in the aggregate, as that the mean price shall be at least sixteen shillings per acre; and provided that no sale shall be made to any person who was not actually resident on and occupying part of the said Land on the Twenty-seventh day of December last.

VII. And be it further enacted by the Authority aforesaid, that the monies arising from the sale of the lands so to be make as aforesaid after deducting the expenses which may arise in carrying this Act into effect, shall by the Treasurer, be vested in the funds of the United States, and so much of the interest thereof as may be necessary shall be annually applied for maintaining a School in Brothertown for the education of Indian children, and the remainder of the interest, if any, shall be applied to the benefit of the Indians residing in Brothertown, and such other Indians as have a right in the same lands, and shall be settled theron in such manner as the Person administering the Government of this State for the time being shall judge proper.

14 VIII. and be it further enacted by the Authority aforesaid , that a majority of the said Indians actually resident shall incline to have the whole of the said Tract so to be set apart, divided into lots to be specially appropriated to the heads of families respectively, or to any Indian having no family, and who is by law entitled to part of the said Tract, then the said Commissioners shall cause the same to be laid into such a number of lots, not

less than shall be sufficient, as well for the Indian families actually resident, as for other Indian Families entitled by law; and the contents of such lots severally, as well as the appropriation thereof to any particular family, shall be in the discretion of the said Commissioners. But if the said Indians should not collectively agree to such an arrangement then the said Commissioners may lay out a lot for each family which may choose to have the same so specially appropriated, and shall cause a register of such appropriation to be made in a Book to be provided for that purpose, descriptive of the several lots, together with the name of the head of the Indian Family or individual Indian to whom any lot may be so appropriated, and the names of all the Members of the said Family, their age and sex; and every lot so appropriated, as well as the shole tract so to be set apart and of which no such appropriations shall be made, shall be to the Use of the said Indians, either collectively as a Body of people, or individually by families as the case may be and shall remain to them and their posterity, forever, as an estate or Estates unalienable, and without the power of leasing; and such Book as aforesaid, being certified by the said Commissioners, shall be filed in the Office of the Secretary of this State, and one Copy thereof in the Clerk's Office of the County of Herkømer, to remain in the said office as a part of the public records.

15 IX. And be it further enacted by the Authority aforesaid, that is shall be the duty of the Surveyor General to run the outlines of the Tract commonly called Brother-Town and to make and perform all other Surveys within the same which the said Commissioners shall direct, and to make two _____ thereof, and to deliver the same, together with two field-Books, to the said Commissioners, to be by them filed with the Books in the manner aforesaid.

And be it further enacted by the Authority aforesaid, That the said Commissioners be, and they are thereby authorized and empowered to settle and adjust any other differences and disputes between the said Indians and between the said Indians and the said white inhabitants, respecting the aforesaid lands, and not provided for by this act, in such manner as they shall judge equitable; which decisions shall be binding on the parties.

And be it further enacted by the authroity aforesaid, That any two of the said Commissioners shall be a Quorum to do and transact every matter and thing enjoined by this Act; and the said Commissioners, besides their expenses shall be allowed such reasonable compensation as the Legislature shall hereafter direct.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Treasurer of this State to pay to the said Commissioners or to their Order, a Sum not exceeding One Thousand Pounds, to enable them to fray the expensses of the Surveys herein before mentioned, and such other contingent charges as shall, from time to time, accrue in the execution of the duties enjoined them by this Act; and the said Commissioners shal render true and just Account of all such expenditures to the Auditors of this State and shall report their proceedings to the Legislature

at their first meeting next after they shall have completed the same.

15 The United States of America,
To All To Whome these Presents shall come,
GREETING:

Whereas, by the Act of Congress, approved on the 3d day of March, 1839, entitled "An Act for the relief of the Brothertown Indians, in the Territory of Wisconsin," it is proved, "That the Township of land containing twenty-three thousand and forty acres, lying on the east side of Winnebago Lake, in the Territory of Wisconsin, which, by the proviso of a treaty made with the Menomonie Indians on the seventeenth February, eighteen hundred and thirty-one, and ratified on the ninth July, eighteen hundred and thirty-two, was reserved for the use of the Brotherton or Brothertown Indian, and which, by a subsequent treaty with the Menomonie tribe, bearing date twenty-seventh October, eighteen hundred and thirty-two, and ratified thirteenth March, eighteen hundred and thirty-three, was further secured to the said Brotherton Indians, may be held by them separately and severally in fee simple, after such division shall have been made in the manner" mentioned in the said act, And whereas, from the Report of the Commissioners, mad pursuant to the aforesaid act, it appears that there "has been assigned" to Charles Wiggins for which he "is entitled to a patent from the United States Government under" the said Act, certain tracts or parcels of land described in the aforesaid Report as follows, viz: The East half of subdivision of Lot number Fifty four and Fractions One, and Two, of the West half of Lot number One Hundred and Thirty five, being situated in the aforesaid township.

Now Know Ye, That the United States of America, in consideration of the premises, and is conformily with the provisions of the aforesaid Act of Congress of the third day of March, one thousand eight hundred and thirty-nine, Have Given and Granted, and by these presents Do Give and Grant, unto the said Charles Wiggins and to his heirs, the said tracts or parcels of land above described: To Have and To Hold the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature therunto belonging, unto the said Charles Wiggins and to his heirs and assigns for ever.

In Testimony Whereof, I, John Tyler President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the ninth of June in the year of our Lord One thousand eight hundred and Forty two, and of the Independence of the United States the sixty sixth.

By the President: John Tyler
By: S_ec'y
Brotherton J. Williamson Recorder of the General
Recorded Vol-- P. 83 Land Office.

16 Report of the Commissioners to the Legislature of the State of New York.

The Commissioners appointed by the Act entitled "an Act relative to lands in Brother-Town" Report that pursuant to the direction ~~made~~ ^{read} the said act they did in the Month of July last repair to Brother-Town, and ~~made~~ ^{read} here in that Month and in August & September following examined into all differences which had arisen between the Indians mentioned in the said Act, and between the said Indians and the white inhabitants (sp) settled on the Tract of Land called Brother-town, and heard the several allegations and proofs of the said parties.

17 That the said Commissioners upon their arrival there caused the Tract of Land called Brothertown to be surveyed and run out by Gerrit Cluett who was appointed by the surveyor General of the State to make the Survey directed by the said Act, by which Survey the said Tract was found to contain the quantity of Twenty-four Thousand and fifty two Acres and the said Commissioners, thereupon, set off part of the said Tract in One entire Piece containing as appears by the Map and Field Book thereof made by the said Gerritt Cluett, nine thousand three hundred and ninety acres for the use of the Indians there reside in Brother-Town, and for such other Indians as may be entitled to land in Brother-Town, and made a division of the remainder of the land in Brother-Town amongst such Lessees and Claimants thereof as are mentioned in the said Act, and sold and conveyed to them according to the directions of the said Act, and received of the purchase Money the sume of ninety Seven Pounds and two Shillings and took mortgages in the name of the People of the State of New York for the residue of the purchase money amounting to Fifteen Thousand two Hundred and Seventeen pound & Four Shillings payable on demand at any time after the first Tuesday of July which will be in the year of our Lord, One Thousand eight hundred & five with interest at six per cent annually, and have caused the said Mortgages to be registered in the office of the Clerk of the County Herkimer, and delivered the originals, together with the said purchase Money they received, to the Treasurer of this State.

That the said Commissioners caused the said Land so set off for the use of the said Indians, to be laid out into One Hundred and forty nine lots as appears by the said map and the Field Book made of the said Lots and have appropriated certain of those lots to particular Indians and Indian Families residing in Brother-town aforesaid, and caused a register of such appropriations to be made in a Book according to the directions of the said Act, and certified the same and filed it with a map and Field Books made by the said Gerrit Cluett in the office of the Secretary of this State: and delivered another copy of the said Books together with another Map and other Field Books made by the said Gerrit Cluet, to the Clerk of the County of Herkimer, but not knowing which, or how many of the other Indians intituled (sp?) to lands in Brother-Town, would avail themselves of their right to settle in Brother-Town, the Commissioners could not appropriate the residue of the said Lots to any particular Indian or Indian Family, and therefore, some legislative provision will be necessary to ascertain, upon the application

of any Indians whether they have a right to settle upon the Lands in Brother-Town, and for assigning particular Lots to them.

The Commissioners beg leave further to suggest to the Legislature that altho' in the said Sales they allowed to every Person who had made improvements upon the Lands set off for the Indians, the value of such improvements, yet there is reason to believe that some of them will not remove, and that others will injure, destory, or take away the Buildings & Fences for which they have been paid. Hence some further provisions will be necessary to carry into effect what the Commissioners have done and to protect and secure the Indians in the enjoyment of their Rights and Property.

- (18) The Commissioners also suppose it would be proper to make some provision for the prevention of Trespass, and the recovery of debts among the Indians in Brother-Town, and to enable them to regulate the Affairs of the said Town.

The expense attending the execution of the Trust reposed in the said Commissioners, exclusive of any allowance for their Service amounts in the whole to nine Hundred and eight Pounds, nineteen Shillings and Four Pence as appears by their accounts settled by the Auditors of this State; A copy whereof is her-unto annered.

All which is submitted to the Legislature by the said Commissioners this 18th February 1797.

Samuel Jones
Ezra L. Hommedieu
Tina Hitchcock

- (19) A Register of the appropriations of Lands to Indian Families and individual Indians made by the Commissioners appointed by an Act of the Legislature of the State of New York entitled an Act relative to lands in Brothertown, the said commissioners having according to the directions of the said act set off a part of the Tract of Land mentioned in the said Act for the use of the Indians now residing in Brothertown and for such other Indians as may be entitled to lands in Brothertown and caused the same to be laid out into lots and numbered from one to one Hundred and Forty-Nine, inclusive, they proceeded to appropriate to the following Indian Families and indiviudal Indians now residing in Brother Town, the following Lots, as the same are delineated on the Mape and described in the Field Book of the Laws set off for the use of the Indians as aforesaid.

That is to say
To Elijah Wimpey, Lot No. 117 being the Lands he has long possessed; he is aged 61 years, is a widower and his children all married.

To David Fowler, Lot No. 105 & 119; His family consist of himself aged 55 years, his wife Hannah, 46 years, his Mother Elizabeth 87 years, his sone James, 11 years, his son Jacob aged 6 years, his Son Adolphus aged 4 years, His Daughter Hannah aged 28 years, his Daughter Rhenea aged 18 years and his Daughter Mary aged 14 years.

To Andrew Corcom, Lots No. 120 & 127. His family consists of himself aged 47 years, his wife Abigail aged 45 years, his son Eliakim aged 15 years, his son Jesse aged 3 years, his son Moses aged 1 year and his Daughter Abigail aged 17 years.

To Benjamin Touce, Lot No. 20. His family consists of himself, aged 30 years, his wife Elizabeth aged 27 years, his son Aaron aged 2 years.

20 To James Wiggins Titus Lots No. 122 & 123. His Family consists of himself aged _____ years. His wife Anne aged 25 years, His Son Martin aged 3 years and his Daughter Mary aged 1 year.

To David Fowler Junior Lot No. 16. His family consists of himself aged 28 years, his wife Pheve aged 27 years, his son James born 11th March 1795, and his Daughter Martha aged 2 years.

To George Peters Lots No. 118 & 125. His Family consists of himself aged 34 years, His wife Eunice aged 27 years, his Son John aged 8 years. His Son Elisha aged 3 years and his Daughter Jerusher aged 5 years.

To Elijah Wimpey Junior, Lot No. 15. His family consists of himself aged 29 years, his wife Elizabeth aged 34 years, his Son Elijah aged one year, his Daughter Clarinda aged 4 years, and his wife's Daughter Mary Peters aged 13 years.

Samuel Brushil Lot No. 25. His Family consists of himself aged 23 years and his wife Esther aged 21 years.

Benjamin Pharon Lot No. 124 & 99. His Family consists of himself aged 33 years, his wife Damaris aged 25 years. His Son Benjamin aged 5 (???) years, his Son Ephraim aged 1 year, and his Daughter Nancy aged 7 years.

To John Tukie Lots No. 11 & 18. The said Lot No. 18 being assigned to him for the support of Elizabeth Cognehen widow aged 60 years, his Family consists of himself aged 51 years and his wife Sarah aged 54 years.

To Obadiah Seipno Lot No. 13. His family consists of himself aged 29 years, his wife Elizabeth aged 21, his son Dennis aged 4 years, and his Son George born 18 May 1795.

21 To George Paul, Lot No. 23. His Family consists of himself aged 23 years, his wife Lucy aged 17 years and his Daughter Amy aged 1 years.

To Jeremiah Luhie, Lot No. 8. His family consists of himself aged 27 years, and his wife Jerusha aged 23 years.

To Thomas Isaacs, Lot No. 24. His Family consists of himself aged 20 years, and his wife _____ aged 18 years.

Shetura

To George Crosley, Lot No. 2 & 6. The said Lot No. 6 being assigned to him for the support of Sarah Davis, Widow aged 47 years. His Family consists of himself aged 46 years, his wife Larechemah aged 41 years, his Son Thomas aged 12 years, his Son Nathan aged 10 years, his Son John aged 2 years, his Daughter Grace aged 10 years, his Daughter Katharine aged 8 years and his Daughter Elizabeth aged 5 years.

To Isaac Wauby, Lot No. 28. His family consists of himself aged 33 years and his Son Ichoiakim aged 4 years.

21 To Amos Hutton Lot No. 5. His Family consists of himself aged 38 years and his wife Elizabeth aged 53 years.

To Roger Wauby Lot No. 3. His Family consists of himself aged 61 years, his wife Mary 50 years, his Son Joseph aged 19 years, and Andrew Wag his Grandson aged 11 years.

⁵
To John Tkeesuck, Lot No. 26. His Family consists of himself aged 49 years, his wife Anne aged 48 years, his Son Christopher 19 years, his Son John aged 13, his Daughter Sarah aged 15 years, and his Daughter Chrlotte aged 5 years.

⁵
To Samuel Tkeesuck Lot No. 133 & 134. His family consists of himself aged 23 years and his wife Mary aged 20 years.

The United States of America

To all to whom these Presentsshall come, Greeting:

Whereas, by the Act of Congress approved on the 3d day of March 1839, entitled "An Act for the relief of the Brothertown Indians, in the Territory of Wiskonsin"; it is provided, "That the township of land containing twenty-three thousand and forty acres, lying on the east side of Winnebago Lake in the territory of Wiskonsin, which, by the proviso of a treaty made with the Menomonie tribe, bearing date twenty-seventh October, eighteen hundred and thirty-two and ratified on the ninth July, eighteen hundred and thirty-two, was reserved for the use of the Brotherton or Brothertown Indians, and which, by a subsequent treaty with the Menomonie Tribe, bearing date twenty-seventh October, eighteen hundred and thirty-two, and ratified thirteen March, eighteen hundred and thirty-three, was further secured to the said Brothertown Indians, may be partitioned and divided among the different individuals composing said tribe of Brotherton Indians, and may be held by them separately and severally in fee simple, after such division shall have been made in the manner mentioned in the said act; and whereas, from the Report of the Commissioners, made pursuant to the aforesaid act, it appears that there "has been assigned" to Avery Samson for which he "is entitled to a patent from the United States Government under" the said Act, a certain tract or parcel of land described in the aforesaid Report as follows, viz; The East half subdivision of Lot Number One Hundred and Four, being situated in the aforesaid Township.

Now Know Ye, That the United Staes of America, in consideration of the premises and in conformity with the provisions of the

aforesaid Act of Congress of the third day of March, one thousand eight hundred and thirty-nine, Have Given and Granted, and by these presents Do Give and Grant, unto the said Avery Samson and to his heirs, the said tract or parcel of land above described: To Have and to Hold the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature thereunto belonging, unto the said Avery Samson and to his heirs and assigns for ever.

In Testimony Whereof, I John Tyler, President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be herunto affixed.

Given under my hand, at the City of Washington, the ninth day of June, in the year of the Lord one thousand eight hundred and Forty two and of the Independence of the United States the sixty-sixth.

By the President

By unlike to read

20a-21b

The United States of America, To all to whom these presents shall come, Greeting:

Whereas, by the Act of Congress, approved on the 3d day of March, 1839, entitled "An Act for the relief of the Brothertown Indians, in the Territory of Wiskonsin," it is provided, "That the township of land containing twenty-three thousand and forty acres, lying on the east side of Winnebago Lake, in the Territory of Wiskonsin, which, by the proviso of a treaty made with the Menomonie Indians on the seventeenth February, eighteen hundred and thirty-one, and ratified on the ninth July, eighteen hundred and thirty-two, was reserved for the use of the Brotherton or Brothertown Indians, and which, by a subsequent treaty with the Menomonie Tribe, bearing date twenty-seventh October, eighteen hundred and thirty-two, and ratified thirteenth March, eighteen hundred and thirty-three, was further secured to the said Brothertown Indians, may be partitioned and divided among the different individuals composing said tribe of Brothertown Indians, and may be held by them separately and severally in fee simple after such division shall have been made in the manner" mentioned in the said act. And whereas, from the Report of the Commissioners, made pursuant to the aforesaid act, it appears that there "has been assigned" to the Widow Betsy Wiggins for which she "is entitled to a patent from the United States Government and "the said act, a certain tract or parcel of land described in the aforesaid report as follows, viz: The West half or subdivision of Lot number fifty-four, being situated in the aforesaid Township.

21b p21b

Now know Ye, That the United States of America, in consideration of the premises, and in conformity with the provisions of the aforesaid Act of Congress of the third day of March, One thousand eight hundred and thirty-nine, Have Given and Granted, and by these presents Do Give and Grant, unto the said The Widow Betsy Wiggins and to her heirs, the said tract or parcel of land above described, To Have and To Hold the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature thereunto belonging, unto the said The Widow Betsy Wiggins and to her heirs and assigns forever.

In Testimony Whereof, I, John Tyler President of the United Staes of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the ninth day of June in the year of our Lord One thousand eight hundred and Forty two and of the Independence of the United States the sixty-sixth. By the President: John Tyler

By _____ Sec'y.

22a P.22

To Anthony Paul Lot No. 10. His family consists of himself aged 37 years, his wife Christian aged 36 years, his son Samson aged 17 years, his Son James aged 13 years, his Son Behoni aged 8 years, his Son Jonathan aged 4 years, his Daughter Sarah aged 15 years and his Daughter Phebe aged 11 years.

To Oliver Peters. Lot No. 29. His family consists of himself aged 30 years, his wife Anne aged 29 years, his Son Nathan aged 4 years, and his Son Jeremiah born 20 April 1795.

Scipio

To Samuel Leiprio Lot No. 21. His family consists of himself aged 31 years, his wife Charlotte aged 28 years, his Son Isaac aged 6 years, his Son Jacob aged 4 years, his Son Abraham born May 1795, his Daughter Sarah aged 8 years, and his Daughter Esther aged 2 years.

23b P22

To Ephraim Pharon Lot no. 17 and 132. The said Lot No. 132 being assigned to him for the support of his Daughter who is a widow, his Family consists of himself aged 48 years, his wife Phebe aged 48 years, his Daughter Priscilla aged 23 years, his Daughter Phebe aged 10 years.

To James Waukas Lot No. 9. His Family consists of himself aged 26 years, his wife Philena aged 19, his wife's sister Damaris aged 13 years.

To James Toxcoit, Lot No. 19. His family consists of himself aged 51 years, his wife Bashaba aged 42 years.

To Hannah Cohegan, widow Lot no. 114. Her family consists of herself aged 60 years, her Daughter Mehilabel aged 18 years and her Grand-daughter Johanna Daughter of Mehilabel aged 1 years.

24a P23

To Prudence Cujep, widow Lot 104. Her family consists of herself aged 39 and her Son Henry aged 12 years.

To Elizabeth Peters, widow, Lot No. 106. Her Family consists of herself aged 62 years, and her Son Frederick aged 19 years.

To Hannah Robin, widow, Lot No. 116. Her family consists of herself aged 58 years, and her Daughter Rhoda aged 25 years.

To Sarah Simon, widow, Lot No. 12. Her Family consists of herself aged 43 years, her Son Eliphales aged 13 years, another Son Reuben, 5 years.

To Penelope Paul, widow, Lot No. 4, Her Family consists of herself aged 31 years, her Son Nathan aged 7 years, her Son John aged 3 years, her Son Isaiah aged 1 year, her Daughter Anne aged 10 years, and her Daughter Mary aged 5 years.

25b P23 To Jane Patchauper^k, Lot No. 14, being the Lands possess by her F^ather. She is 35 years old and is the only surviving child now in Brothertown of her Father Thomas Patchauper.

To Samual Adams, Lot No. 7. He is aged 60 years.

To John Adams Lot No. 126. He is aged of 40 years.

To Samson Brushil Lot No. 120. He is aged 21 years.

To Benjamin Fowler Lot No. 62. He is aged 21 years.

To Luke Mosuck aged 26 years Lot No. 61

To Thomas Wiat aged 24 years the Western most half post of Lot No. 135.

To Christopher Harry aged 48 years Lot No. 27.

Done at Brothertown the 16 September 1795.

26a P24 An act for the relief of the Indians who are intitled to Lands in Brothertown, passed the 4th March, 1796.

Whereas the Commissioners appointed in, and by an Act entitled an Act relative to Lands in Brothertown, have in pursuance of the said Act, set off part of the Tract of Land therin mentioned called Brothertown, in one entire pice for the use of the Indians now residing in Brothertown and for such other Indians as may be entitled to land there, and have made a division of the remainder of the Land in Brothertown, among such Persons as have obtained leases from individual Indians, or claimed under such leases, and sold and conveyed the same to them according to the directions of the said Act, but it being inconvenient for the shite inhabitants who

27aP24 were then in possession of several parts of the said Land to set off for the use of the Indians to remove immediatly, altho they wer respectively allowed and accepted compensation for their improvements, they wer~~e~~ left and most of them still continue in the possession thereof and it being necessary that effectual provisions be made as well for their speedy removal will prevent any others from taking or holding possession of any part of said Land. Therefore,

Be it enacted by the People of the State of New York represented in Senate and Assembly, and it is hereby enacted by the authority of the same. That it shall and may be lawful for the Person administering the Government of this State for the time being, and he is hereby required by the first day of May next or as soon thereafter, as may be by such ways and means as he shall judge proper, to cause every white Person who shall then be in the possession of any part of the said Tract set off for the use of the Indians, to be removed from the same and shall also from time to time, thereafter, if there shall be occassion by such ways and means, as he shall judge proper,

28a P25 cause all and every white person who may be in the possession of any part of the said Tract of Land set off for the use of the said Indians, to be removed from the said Tract and all expenses to be thereby incurred shall be borne and paid by this State.

And Whereas the said Commissioners have assigned to the Indians now residing in Brothertown, particular parts of the said Land, set off for the use of the said Indians but doubts and difficulties have arisen as to what other particular Indians are entitled to part of the said Lands, and it is necessary that some persons be authorized as well to determine upon application of any particular Indian, whether he is entitled to settle on the said Lands, and if he is to assign him a particular lot or part for that purpose, as generally to superintend the affairs of the Indians in Brother-Town afore said. Therefore,

Be it further enacted by the authority aforesaid That it shall and may be lawful for the person administering the Government of this State for the time being, from time to time and with the advice and consent of the Council of

28b P25 appointment, to appoint and commission three or more proper persons for that purpose to be called, Superintendents of the affairs of the Brother-Town Indians, who shall hold the same office during the Pleasure of the Council and such Superintendents or the major part of them shall have power to determine upon application to them by or on the behalf of any particular Indian whether he is entitled to settle upon the said Land, and if he is to assign him a particular Lot or part of a Lot or Lots, at their discretion for that purpose, and it shall not be lawful for any Indian or Indian Family or other person to settle upon, or take possession of any part of the said Land not assigned to him or them as aforesaid.

And Whereas the said Commissions have received as purchase money upon the Sales made by them as aforesaid the Sum of Ninety-Seven Pounds two Shillings, and have taken Mortgages in the name of the People of this State for the payment of the further sum of fifteen Thousand Two Hundred and Seventeen Pounds, and Four Shillings making in the whole Fifteen Thousand Three Hundred and Fourteen Pounds and Six Shillings, and have paid the said money and delivered the said mortgages to the Treasurers of this State,

29a P26 so that after deducting the expenses which have arisen in carrying the said act into effect, there will remain the Sum of Fourteen Thousand four Hundred and five Pounds Six Shillings and eight pence which is to be vested in the funds of the United States, and the interest thereof applied to and for the purposes mentioned in the said Act, but as that cannot be done immediately and the interest on the said mortgages is generally payable in small sums, and at different times, it will be most convenient to this State and advantageous to the Indians, for the State to take the said mortgages and appropriate a like sum for the Use of the Indians. Therefore, Be it further enacted by the authority aforesaid, That the said sum of money paid to the Treasurer by the said Commissioners, and the monies to be received for principal and interest on the said mortgages shall be appropriated to the use of the People of this State and the Treasurer of this State for the time being, shall on the first Monday in August next, and on the first Monday in August in every year thereof out of any money then in the Treasury not otherwise appropriated

30b P26

pay to the order of the Person administering the Government of this State for the time being, the Sum of eight Hundred and Sixty-four pounds, Six Shillings and four pence being the amount of the interest of the said Sum of fourteen Thousand four Hundred and Five pounds, Six Shillings and eight Pence, at the rate of six per cent, who shall cause so much thereof as may be necessary for that purpose to be applied for erecting a School house and maintaining a School in Brotherton, for the education of Indian Children, and the remainder after payment of the salary to the Attorney herein after mentioned, to and for the benefit of the Indians then residing in Brotherton, in such manner as he shall judge proper.

And Whereas, the said Indians are liable to impositions and losses from their ignorance of the Laws of this State, and of the proper means of seeking redress for injury, for remedy whereof,

IV Be it further enacted by the authority of aforesaid,

That it shall and may be lawful for the person administering the Government of this State for the time being, from time to time, by and with the advice and consent of the Council of appointment to appoint and commission some proper person learned in the Law to be the Attorney of the said Indians, during the pleasure of the said Council, and the person so appointed shall from time to time advise and direct the said Indians residing in Brothertown, in all controversies among themselves, and with any other person, and defend all suits brought against any of them, by any white person, and commence and prosecute all such suits and actions for them, or any of them, as he may find necessary of proper, and in the prosecution and defence of any such suits he shall observe and pursue such advice and directions as shall be given him, if any, by the Superintendants; and shall receive as a compensation for his services and expences in the Premises, the Yearly Salary of One Hundred and twenty five Dollars, to be paid out of the said interest money.

31A P27

V And be it further enacted by the authority aforesaid, That it shall and may be lawful for any Indian, whether male or female, to whom any of the said Lands has been or shall be assigned as aforesaid, or who shall become entitled to the same, to sue and maintain actions of Tresspass, and to recover damages to his or her own use, for any tresspass which shall be committed upon his or her said land, either by cutting or carrying away, injuring or destroying any of the timber, wood, grass, grain, Buildings, fences or other thing growing or being thereon.

VI And be it further enacted by the authority aforesaid, that it shall and may be lawful for the said Attorney of the Brothertown Indians, to sue and maintain actions of tresspass in the name of the Brothertown Indians for any tresspass which has been since the first day of October last, or shall be hereafter committed upon any part of the said Land so set off for the said Indians, and not assigned to any particular Indian or Family, and the damages to be recovered

in every such action, after deducting all expences attending the recovery, shall be paid by the said Attorney to the said Superintendants, to be by them applied to and for the relief and benefit of the Indians then residing in Brotherton.

33a P28 VII And be it further enacted by the authority aforesaid; That it shall and may be lawful for any Indians residing in Brother-Town, to cut timber upon any part of the said tract set off for their use, and not then assigned to any particular Indian or family, for the purpose of repairing their buildings or erecting others, or for the purpose of making or repairing highways and Bridges within the same tract, but for no other purpose whatsoever. Provided always, that it shall and may be lawful for the Indians residing in Brothertown, at all times to cut any timber upon any part of the said Tract set off for their use whether the same be assigned to any particular Indian or family or not, for the purpose of making or repairing highways or bridges within the same tract; but if any other person shall at any time cut or carry away any timber growing or being upon any part of the said tract so set off for the use of Indians, every such person shall be liable to an action of trespass for the same notwithstanding any sale, lease or licence (-) of or from any Indian or Indians; and every such sale, lease or licence made or given, or to be made or given is hereby declared to be utterly void, and if any such trespass be done upon the land assigned to any particular Indian or family, and the person or persons entitled

34b P28 to the same, do not within thirty days thereafter direct the said Attorney of the Brothertown Indians, to commence and prosecute a suit for the same, then the said attorney shall bring an action for the same in the same manner, as if the trespass was done on some part of the said tract not assigned to any particular Indian or Family, and the declaration in such case shall charge that the defendant broke and entered the close (?) of Brothertown Indians, and cut or carried away the trees or timber there growing or being, and no plea or evidence that the place where such trespass was committed had been assigned to any particular Indian or Family, not any licence or release, or argument of any Indian or Indians, shall be any bar to any such action, and the damages recovered in every such action, shall be applied in the same manner as the damages recovered for trespass on the parts of the said Tract not assigned to any particular Indian or Family.

35a P29 VIII And be it further enacted by the authority aforesaid, and it is hereby declared that the said tract of land so set off for the use of the Indians as aforesaid, is herein after intended and shall hereafter be called and known by the name of Brother Town, and (Shall) not hereafter to be considered as any part of the Town of Paris, and that the land so sold as aforesaid by the said Commissioners, shall hereafter be considered as part of the said town of Paris and not as any of Brothertown, and if any Indian to whom any part of the said land so set off, for the use of the Indians, hath been, or shall be assigned as aforesaid, or who shall be entitled to the same, shall neglect to take possession thereof, for one year after becoming so entitled, or shall leave Brothertown with his family, and continue absent for one year, every such Indian shall thereby

shall thereby forfeit all right to the said land, and the Superintendants shall thereupon at their discretion assign the same land to any other Indian then residing in or entitled to land in Brotherton aforesaid.

And be it further enacted by the authroity aforesaid; That it shall and may be lawful for the person administering the Government of this State for the time being, from time to time, by and with the advice and consent of the Council of appointment, to appoint and Commission five of the Indians then residing in Brothertown aforesaid, to be keepers of the place there, who shall hold their office during the pleasure of the Council, and shall severally have power

35b P29 to keep the peace in Brother-town aforesaid, and the said keepers of the peace, or any three or more of them shall have power to hold a Court in Brothertown aforesaid on the first Monday in every month, and in such court to hear and determine all disputes and controversies between any person residing in Brothertown aforesaid, concerning any debt, demand or tresspass, where the sume due or damages sustained shall not exceed the sum of five poinds, and all actions for the recovery of the penalty of any Byelaw to be made at any town meeting in Brothertown aforesaid; and it shall be lawful for either of the said keepers of the peace, upon complaint made to him, to cause the person complained of, to be summoned to appear at the next court to be held in the School House in Brothertown to answer the complaint, and the said keepers of the peace or the Major part of them, shall at such next Court or other Court to which the cause may be adjourned, hear and examine allegations and proofs of the parties, and make such order and decree between them as shall appear to them just, and if such order and decree is not performed in one month thereafter, shall then cause the sum adjudged or decreed to either party to be levied by distrep and sale of the goods and chattels of the party who shall be adjudged or decreed to pay the same, together with such fees as are herein after allowed to the Marshall for executing the process but the said keepers of the peace shall not take any fees for their services. And it shall be lawful for the said keepers of peace to adjourn any cause depending before them to the next court, when they shall find it necessary. And if the defendant shall not be personally summoned upon the process against thim, and shall not appear at the return thereof, a new summons shall be issued, but if he shall have been personally summoned, then the Court may at the return of the Summons proceed to hear and determine the cause, whether the defendant appears or not, unless a reasonable excuse shall be offered, in which case they shall adjourn the cause to the next courrt and the judgement of the said keepers of the peace or of the major part of them, who shall attend upon the hearing of any cause, shall be conclusive to the parties.

37a P30

And whereas, it may happen that persons who shall be guilty of committing trespases or breaches of such byelaws shall not have sufficient goods and chattels to pay the damages or penalty and whereas it is necessary for maintaining peace and good order in Brothertown that such persons shall not go unpunished,---Therefore:

38bP30

X Be it further enacted by the authority aforesaid, That, if any such person shall be convicted of any offence before the said keepers of peace or any three or more of them, they shall give a certificate thereof, setting forth that the defendant naming him as convicted of a trespass or breach of a byelaw in Brother-town, and is adjudged to pay a certain sum of money for the same to the plaintiff, mentioning the Sum and the plaintiff's name, and that the defendant hath not sufficient goods and chattels in Brothertown to pay the same, and upon producing such certificate to the attorney for the Brother-town, Indians for the time being and proving before him that the same was made or given by any three or more of the said keepers of the peace, the said Attorney shall issue a warrant directed to the Sherif of the County and to some or one of the Constables of the said County residing near Brothertown, commanding the said constable or Constables to take such defendant and convey him to the gaol of said County, and there to deliver him to the said Sherif and commanding the said Sherif to receive him into the said gaol and safely keep him there for the space of thirty days, unless he should sooner pay the said Sum of Money, together with the fees for issuing and executing the said warrant, which thirty days shall be computed from the time the defendant shall be delivered to the Sherif or Gaoler

39a P31

And the said Sherif and his deputies and every constable to whom such warrant shall be directed are hereby required to execute the same according to the tenor thereof as aforesaid. And all expenses of executing any such warrant and of supporting any such prisoner in Gaol shall be paid by the said Attorney of the Brothertown Indians and the same shall be repaid to him by the said Superintendant our of the Money belonging to the Brothertown Indians.

XI And be it further enacted by the Authority aforesaid, That the said keepers of the peace for the time being shall be Commissioners of the highways in Brothertown, and shall have power to them or the major part of them from time to time to alter any highway in Brother-Town and to lay out others as there may be occasion, and to direct how and when the same or any of them or any part thereof shall be made, mended or repaired, provided always that all highways by them laid out shall be at least four rods wide and they shall cause a record thereof to be entered by the town clerk of Brother-town.

40b P31

XII and be it further enacted by the Authority aforesaid, That it shall and may be lawful for the male inhabitants for the time being of Brothertown aforesaid, of the age of twenty-one years and upwards, and they are hereby required to assemble together, and hold town meetings, at the School-House in Brother-town aforesaid, on the first Tuesday in April in every year, at which meeting the senior keeper of the peace then present shall preside, and then and there to elect one Town Clerk, two Overseers of the Poor, two Marshalls, and so many overseers of the highways as the majority of the inhabitants so met shall think necessary, who shall hold their respective offices for one year, and until others shall be chosen in their places; and if any of the officers so chosen shall refuse to serve or shall die, or remove out of the Town, or become incapable of

41a P32 serving before the next annual town meeting, then, and in every such case, another or others shall be elected in his or their places in the manner aforesaid, at a town meeting to be held for that purpose; and the said inhabitants of Brothertown are hereby authorized at their annual town meeting, or at any other town meeting to be held for that purpose, from time to time to make or dain and **establish** such rules, orders, regulations and bye-laws as the majority of them so met may think necessary and convenient for the better relief of the poor, and for bounding out children, whose parents are (or)? absent, and for ascertaining what Bridge and what part of any highway each of the overseers of the highways shall have the care of, and which of the inhabitants shall be obliged to work on the highways and how many days each of them shall work, thereon, and for ascertaining the sufficiency of fences, and the times, places and manner of preventing or permitting cattle, horses, sheep and swine, or any of them to go at large, and for ascertaining demages done by trespasses and for maintaining good order among themselves and concerning any other matters relating to their own affairs, and to impose such penalty on the offenders against such rules, orders, regulations and bye-laws, or any or either of them, as the majority of the inhabitants so met shall seem proper, not exceeding forty shillings for any one offence, to be recovered with costs by any inhabitant of Brother-town who shall sue for

42b P32 the same by action of debt, before the said keepers of the peace or any three of them, the one half of which penalty when recovered shall be for the use of the Person who shall sue for the same, and he shall pay the other half to the overseers of the poor of Brother-town, to be by them applied to the relief of poor; and that all such rules, orders, regulations and bye-laws shall be entered by the Town Clerk in a Book to be provided for that purpose and shall continue in force until revoked or altered by some subsequent town meeting, but no special town meeting shall be held for any purpose unless notice thereof signed by two or more of the said keepers of the Peace, befixed upon the door of the School-House in Brothertown aforesaid, at least six days before the day of holding such town meeting.

XIII And be it further enacted by the authority aforesaid, That the expenses of the highways shall respectively cause the highways and bridges of which they shall be respectively chosen overseers; to be repaired and mad according to the directions of the said commissioners; and shall warn the inhabitants to work thereon whenever it shall be necessary and shall superintend and direct the sames.

43a P33 XIV And be it further enacted by the authroity aforesaid, That the Marshalls to be chosen in Brothertown as aforesaid, shall have the like powers and authroity there as Constables of other Towns in this State have by law in their town, and shall be entitled to one Shilling for serving every Summons, and two Shillings for serving an execution for any sum not exceeding twenty Shillings and at the rate of two Shillings in the pound for serving every executiön for any sum twenty Shillings.

XV And be it further enacted by the authroity aforesaid, That upon the death of any Indian residing in Brothertown to whom any Law hath been or shall be assigned as aforesaid, or who shall become entitled to any land so assigned, if he dies possessed therof leaving issue, the same land shall go to and be equally divided among such issue, the same Land shall go to and be equally divided among such issue if they are all in equal degree of kindred to him or her, but if he leaves a child or children and the issue of a deceased child or children, then such issue shall stand in the place of his, her or their Parent, and take only such share as his, her or their parent would have taken if living; and in the like manner if any such grand-child shall be dead leaving issue, shall issue shall stand in his or her place and take such Share as he or she would have been entitled to if living; and in like manner the division shall be made where the deceased leaves only grandchildren, and great grand-children and if such Indian leaves no issue, then the land, he or she dies possessed of or entitled to in Brothertown, shall revert to the Brothertown Indians, and the said Superintendants shall thereupon assign the same to some other Indian or Indians residing in Brothertown, or entitled to land there as aforesaid; But in all cases the widow of the deceased shall have a right to continue in the House her husband dies possess of during her widowhood, and the Superintendants shall also assign to her so much of the law as they may think necessary.

44b P33

XVI And be it further enacted by the authroity aforesaid, That the said Superintendants or the major part of them or the said Attorney of the Brothertown Indians if empowered by them for that purpose shall have power from time to time to settle all disputes and controversies between the Brothertown Indians conderning said Lands, and to determine all claims to any of the said lands, and all dispute that may arise conderning the same upon the Death of any Indian entitled to any Land in Brother-town and their determination shall be conclusive and all orders judgments and decrees made by them or the major part of them relating to the said Lands shall be entered by the Town Clerk of Brothertown in a Book to be provided for that purpose.

45a P34

XVII And be it further enacted by the authority aforesaid, That the Overseers of the Poor of Brother-town for the time being shall be guardians of the persons and property of all Infants in the said Town who shall not have any Parents there to take care of them.

XVIII Abd be it further enacted by the authority aforesaid, That it shall not be lawful for any Indian in Brother-town to sell any spirituous Liquor without licence from the said Uperintendants under the penaly of three Pounds for every such offence to be recovered before the said keepers of the peace or any three of them the one half of such penaly shall be to the use of the Indian who shall sue for the same and the other half for the use of the poor of Brothertown.

46b P34

XIX And be it further enacted by the authority aforesaid; That the

said Town-Clerk in Brother-Town shall from time to time be supplied by the said Superintendants with such Books and paper as may be necessary for the execution of the Duties enjoined on him by this act, and shall be paid by the said Superintendants annually such Sum as they shall deem adequate.

47a P35 XV And be further enacted by the authority aforesaid; That the Act entitled an Act for the Relief of the Indians, residing in New Stockbridge and Brother-town and the act entitled an Act for the relief of the Indians residing in Brother-Town and New Stockbridge, except the last clause thereof, shall be and hereby are repealed so far as the same in any manner respects Brotherton or Brothertown Indians. The People of the State of New York by the Grace of God free and independent: To all to whom these presents shall come Greeting. Know Ye that We _____ special trust and confidence in the prudence, integrity, and ability of William Floyd, Thomas Eddy and Edmond Prior Esquires have in pursuance of an act entitled "An Act for the relief of the Indians who are entitled to lands in Brothertown" passed the 11th of March 1796, Nominated, Constituted and appointed and by these presents do nominate, constitute and appoint them the said William Floyd, Thomas Eddy and Edmond Prior all and singular the powers, surisdictions and authorities to the said office of Superintendants as aforesaid by the said Act belonging or in any wise appertaining To have and to hold exercise and enjoy the same unto them the said William Floyd, Thomas Eddy and Edmond Prior together with all and singular the advantages to

48b P35 the same belonging for and during our good pleasure to be signified by our Council of Appointment. In Testimony whereof We have caused these our Letters be made Patent and the great Seal of our said State to be hereunto affixed. Witness our trusty and well beloved John Jay Esquire, Governor of our said State, General and Commander in Chief of all the Militia, and Admiral of the Navy of the same. By and with the advice and Consent of our said Council of Appointment, at our City of New Yori the twenty-fourth day of March in the year of our Lord one thousand sev en hundred and ninety and in the Twentieth year of our Indpendence.

Witness

John Jay

Passed The Secretary's Iffuce
the 20th day of
March, 1796

Lewis A. Scott, Secretary

49a P36 To the Brother-town Indians, New York 6 mo 2 of 1796.

Friends and Brothers:

We expect you have already been informed of the Govenor having appointed General William Floyd as Superintendant of the Affairs of the Indians at Brother-town. This we expect will be handed you by General Floyd whom we recommend from our knowledge of him as your friend. We are satisfied he has the walfare of your Nation at Heart, and as we have given you many proofs of our Steady Friendship we hope you will now closely attend to such advice as General Floyd ~~my give you.~~ He will kindly inquire into your situation and you must ~~make known your wants to him,~~ he will advise you what bye-laws and regulations may be necessary for you to make among yourselves, and you will inform him of such as you have already made, so as he may

give you his sentiments thereon. Having had several conversations with him on the subject of your affairs we shall leave him to inform you of the Supplies that is proposed to be handed you this summer. You need not fresh assurances from us how desirous we are to promote your welfare every way, as we believe a reformation is really begun among you, we earnestly recommend to those Sobermen and women who have so nobly stepped (sp) forward in so good an undertaking, that they persevere in a steady conduct, and by setting examples of Sobriety and Industry induce others to join them not only in refraining themselves from the least use of spirituous liquor, but to put your laws in full force against all offenders in this respect, Until this shameful practice is entirely laid aside you will labour under many great disadvantages, and of preventing us from serving you so fully as we wish to do. We trust you will closely attend to General Floyd's counsel which will be for your good as we well know his human disposition and regard for you will lead him to bestow much pains with you. On your example of industry and Sobriety great expectations are formed with respect to a similar information with the Neighboring Indians; and we earnestly hope General Floyd will have it in his power to give a favorable report of you to the Governor, so as to induce him also to be your friend. We have no time now to enlarge much recommending you to the strict observance of the dictates of the Good Spirit placed in each of your hearts. We are truly

Your Real Friends
Edmund Prior
Thomas Eddy

To Thomas Eddy, Stubon June 19th, 1796
Sir:

I got to Whitestown the tenth of June and as I had an opportunity at the German Flatts to send to the Indians', I sent them word that I would meet them Monday following, which I did, accompanied by Mr. Kirkland and Mr. Clark Attorneys. The Indians as I was informed were pretty generally there. I gave them your letter which was publicly read; I then told them that I was come in behalf of the Superintendants to enquire into their circumstances generally, and their present necessities in particular, and that I would endeavour so far as might appear reasonable and proper to relieve them: I told them of what we had concluded to send them from New York, and also that we had it in contemplation to build a convenient House for their public worship, School, Townhouse and Court House. I then wished them to consult among themselves and let me know what things they were most in need of, they did so, and their result is as follows;- They told me that a house built on the plan and for the purposes which I had mentioned was a very desirable thing, but that their other immediate necessities were so great that they wished the Building of the House might be omitted for this Season and that they might be furnished with such articles as they would name; and which they thought at present would be more useful. The articles which they gave me in writing are 4 pair of Oxen, 12 cows, 120 bushels of Corn, 3 Barrels of Pork, 6 Ploughs, 6 chains, 3 sets of Harrow's (?) teeth, 3 sets of Cart Irons, and one hundred Sheep. After I had inquired very particularly into their circumstances, I was the Gentlemen with me, fully satisfied that the money could not be laid

out to greater advantage than to procure those things for them and for that purpose have made four Drafts on you in favour of Joseph Kirkland an order all of the same date, one for 150 Dolls, one for 300 Dolls, one for 228 Dolls and one for 200 Dolls amounting in the whole to 875 Dolls.

54b p38 I have requested Mr. Post at Fort Schuyler, if an articles or Goods should be sent to his care for the Brother Town Indians, to deliver them to Mr. Kirkland or his order, who will deliver them to the Peace-makers of Brother Town, to be distributed according to their Judgement.

The next Morning after I got to Whites Town, I received a Message that there wer six Persons at a Neighbouring house, who wer appointed by the Society of Friends to go among the Indians, who heard I was in Town and desired to have some conversation with me. After Breakfast I went to see them and was much gratified by the interview, they appear to me to be steady judicious Men, and none but such could have reason expect to succeed in so arduous an undertaking. Their names, I think, were John Prince, James Cooper, Joseph Sansom, Isaiiah Powland, Enock Walker and Henry Simmons Hung.

From your Friend & Humble Servant
Wm. Floyd

55a p39 To General Floyd at Fort Stanwix dated New York 7th mo. 11th, 1796

Repeated Friend, *ultima*
Thy Favour to Thomas Eddy of 19th (unable to read), is now before us with the contents of which we are much pleased. The delay of the Building and laying out the money designed for that, in articles more immediately necessary for the Indians, we think a very judicious step, as while it will tend to convince them how much we wish to serve them, They will also receive more immediate benefits. We hope by this time the goods proposed to be sent them when thou wast here, have reached them.

Thous will observe several additions to them that were agreed to before thous left us, which was in Consequence of our interview with the Governor. As the articles will probably be ready for distribution before thou comes away, thou may probably learn whether they are suitably adapted to their wants, and from thence form a judgement how to proceed in future. When suitable opportunity can be had to consult with them, we think there would be a propriety in doing it. And therefore as it is possible some supplies of Clothing, Blankets may be wanted for the winter season, it would be agreeable to us if thou would endeavour to obtain such knowledge of the articles most necessary and furnish us with the list, therof. We also think there will be a propriety in making an inquiry of them, what is probable they will want next Season, as that will afford us time to procure the Articles both in quanti~~y~~ and quality much better adapted to their use, and perhaps a saving. This Spring we found much difficulty in procuring some things, particularly the Hoes, Axes, Sickles, some of which are short of the quantity designed, and we fear may also be deficient in the quality, tho we spare no pains to procure them of the most proper kinds. If thou should have another opportunity with the Indians before thy return, we wish to infomr them of our uniting with thee in what thou hast done, and we also unite in Sentiment with thee in the absolute nece-

56b p39

57a P40 ssity of their making strict bye-laws (unable to read) Laws to prevent the introduction of spiritous liquors among them, and that when made they be careful to enforce them in all delinquents. The bills thou mentions having drawn will all be duly honoured as they appear.

We are very Repsectfully thy
Friends
Edmund Prior
Thomas Eddy

To General Floyd at Fort Stanwix dated New York 8 Mo. 15th 1796

Esteemed Friend.

58b P40 Since our last we have been without any of thy Favours, and Altho' we much approved of what thou did as being for the most immediate benefit of the Indians and have paid the Bills thou drew, yet we have since had cause to regret furnishing them with any supplies till their schoolhouse was built. We now find that the Law expressively directs that the Schoolhouse shall be first built and a Master provided, and until this is done the Governor is restrained from handing us any more money that may be thought sufficient for those purposes. Of course when we called on him in expectation of recovering the Money, we could get noen, as he said the House must be firs compleated as the law directs.

We have now no way of being paid our advances but by setting about and completeing the Schoolhouse with all possible expedition, and on consulting with the Governor we have approved of erecting only a Schoolhouse at present, and at a furture time erect another house to serve for to transact their Town Business in and as a Meeting House.

We have therefore, wilt therefore with his approbation, changed the plan of that we sent thee and enclosed thou wilt find one calculated for a School House only, near where the Old one stands, on John Lukis' land, is thought to be an eligible spot for the New House.

59a P41 Perhaps if the Indians are informes that the Governor is restrained by law from granting any further support to them until the house is finished, they will generally turn out and endeavour by their exertions to compleat the Building in a short time. We are of opinion that Logs be collected and sawed into pieces about 4 or 5 inches thick and as wide as the Timber will admit of to be placed on the top of each other and joined, and dove tailed together. The Building then to be boarded on the outside with Boards to stand upright, not lenthways; these Boards may be planed so as they can be painted if thought necessary at a future day. The roof to be shingled, the lower pieces of the Building to be 18 inches from the Ground underpined with Bricks or Stone and til this can be done it may remain perhaps till next year supported on Blocks. The floor should be Pitch Pine Plank or if not to be had of white Pine and sealed above with boards. The Floor and ceiling should be grooved but need not be planed.

On this plan we wish thee to procure as many men as can work and proceed immediately and erect a House in the most convenient situation that can be obtained and thou readily see the necessity of sending us an Account of the cost thereof as soon as it can be ascertained, which if some part is done by the (unable to read) may be done even before the building is finished. Thou will please engage young Wampey or some other for a Master at a stipulated Salary until we can procure one that may be better qualified.

60b p41 The Governor agrees to advance as 500 Dolls. towards erecting the proposed house, but thou wilt remember no more can be got till the Building is finished, or the cost thereof known so as to report it to the Govenors. It will be necessary that thou send us an Account of Articles purchased for and supplies to the Indians. Thou may readily procure Money for going on with the building from any of the Store keepers for Bills on us which we would be glad thou could make at 30 Days sight if in thy Power. It is probably (~~unable to read~~) thou may engage _____. Post at old Fort Schuyler, or Kirkland the Attorney to Superintend the Building, after thou engages a good Carpenter. We wish to hear from thee by next Post and are with much Esteem.

Thy Assured Friends
Edmond Prior
Thomas Eddy

61a P42. Plan of the Building

24 Feet by 30 in the clear
9 ^D high

Door in the middle of the Front and two windows each side.
Two windows in the west, none in the North.
Chimney in the East. Windows 12 lights 7 by 9.

The following was handed to the Superintendants as Lots assigned the Indians by Wm. Floyd. (10 mo. 20th 1796)

To James Nyles Lots Number 42 and 43 for himself & Family.

To John Brushel Lots Number 39 & 40 for himself & Family

To Timothy Brushel Lot number 73 for himself and Family

To Abigal Brushel Lot No. 46 for herself.

To Sarah Fouces, Lot No. 45 for herself.

To Mary Nedson, Lot No. 128 for herself.

62b P42 to Gideon Harry Lot No. 1 for himslf and Family

To Patience Occom, Lot No. 41 for herself and Family.

Brothertown September 12, 1796

Dear Friends.

We the Indians of this Town have this summer past received of our Interest Money to the amount of ____ (blank). But we want should send us Winter Clothing, such as home-spun Flannel, and likewise chequered (unable to read) for Sirting (sp) and also coating of different kinds and also Blankets of a large size so that they will answer for beding and likewise some red broad cloth for women's cloaks. We would further make mention to you
63a P43 our Interest Money, that is, We as a Body with our peace Makers,

are very much dissatisfied in raving of it come in the manner which it came this Summer past, that is having it or receiving of it in Specie, for we do not find that it hinders any of our People of sidposing of their Interest Money after they have receive it, altho' it is in Specie, they will go and sell it for Rum, and if we should have it in Money they could do no more, for we cannot prohibit it among our people for it is their Property: by receiving our Money in Specie, the white People take advantage of us in asking such extravagant price for Cows & sheep. We would ask you one Question, and that is, are we looked upon so much beneath and incapable or incapacitated than the Oneidas & the Stockbridges, that we cannot have our M^oney in our own hands, so that we should have need of dividing but once a year. For we have lost this Summer past in receiving our Money, 260 Days work at Six Shillings per Day, (excluding the Women's Labour), so in the method that we now receive our Money, will never answer for us, it has proved a detriment to forming already. (Transcribed exaactly as written in the original). Therefore our request is to you, as you are the Superintendants of the Affairs of Brothertown Indians, we

64b P43 would wish that we could have our Money sent on to us in this our Town and here divide it among ourselves, if we can thus have our Money sent on to us as we have therein requested, then we shall as a Nation receive benefit thereby; or otherwise it will prove to our disadvantage because at that time every Proprietor is obliged for to attend in receiving their part of it. We now want to know whether we can have any relief as respecting our Money.

These from your Friends and very humble Servants.

David Fowler	:	
John Lukie	:	Peacemakers
John Skeesuck	:	
Isaac Wobby	:	

David Fowler Jun. Clerk

65a P44 The claim of Sarah Pendleton formerly Sarah Potteague to a Lot Land in Brotherton, states for the decision of the Superintendants.

Sarah was a descendant from the Naraganset Indians, one of the Tribes to whom the Lands in Brothertwon were granted. She married one James Pendleton who as a descendant from a Negro-Man and a woman who was part white & part negro.

The said James is still living and also a number of Children whom Sarah had by the said James. Sarah in consequence of being a descendant from the Naraganset Tribe claims a Lot in Brothertown. The Indians now resident in Brothertown object to the said Sarah's claim, because she married a Man of Negro extraction. In support of their objection they say it has been an immormorial custom among all the Nations, as well the Naranganset (their spelling) as others from whom the Brothertown Indians descended, That if any Indian Woman or Girl married a Negro Man or any one who had a mixture of Negro Blood, she forfeited all her rights and privilages as an individual of the Nation from which she or they descended, and in particular all right and title to Lands belonging to the Tribe or Tribes to whom they belonged. And they state further that in a Town Meeting held by the Inhabitants of Brothertown, it has been

66a P44

solemnly resolved "that if any of their women or Girls married a Negro or any one who had a mixture of Negro-Bloos, they should forfeit all right and Title to Lands in Brothertown and that she or they so offending should be immediately removed from the Town and never suffered to reside ther afterwards." The above facts were taken from the Peace Makers in presence of the said Sarah Pendleton who agreed to them as above stated.

Quere 1: Is Sarah Pendleton entitled to a Lot on Brothertown?

67a P45 Quere 2: If entitled to a Lot, what interest shall she have in it? an Estate for Life, for years or in few?

J. Kirkland Attorney for
the Indians
Whitestown September 25th 1796

We own this Sarah to be one of the Naraganset Tribe, but according to our Brothertown Agreement, & our ancient custom of our Nations that was made in the year 1789, and it being the tenth article of our Town Book; Thus agreed by the legal voters of the aforesaid Town that if any of our Indian woman or Girls shall marry Negor or any intermixt with Negro, shall forfeit all right and privilege to the Brothertown Lands and further agreed upon that she or they shall immediately be removed our of the said Town and never there after shall be suffered to reside therein anymore.

Whereunto we have interchangeably set our hands with these our Peace Makers.

David Fowler :
John Lukie : Peace Makers
John Skeesuck :
Isaac Wooby :

68b P45 The Superintendants having given the consideration to the above case of Sarah Pendleton, formerly Potteague, are of opinion and Thereupon do decide that Sarah Pendleton having married James Pendleton a descendant from a Negro-Man, has thereby, (agreeably to the Bye Laws & Rules which have long been among the Brothertown Indians and the terms on which they hold their Lands experssed in the Deed of Gifts from the Oneida Nation) forfeited all Share, Interst and advantage that whe was before entitled to in the Lands of Brother Town. Given under our hands at New Y rk this 15th day of the loth month in year of our Lord 1796.

Edmond Prior : Superintendants of
Thomas Eddy : the Affairs of the
Brothertown Indians

69a P46 To John Jay. Esq. Govenor of the State of New York

The Superintendants of the Affairs of the Brothertown Indians respectfully Report That agreeably to the direction of the Govenor to have a School-House erected for the use of the Indians, they have contacted to have the same completed by the last day of this month; and from the full confidence they have in the person with whom they contracted, and the progress all ready make, there is every reason to expect the building will be finished agreeably to contract by the time mentioned.

A person has generously offered to take charge of the School for the

ensuing winter free of any expence (sp) to the Indians, and in the Srping the Superintendants with the Govenor's approbation propose to engage some person who may appear equal to the undertaking. But to secure a man of abilities, it will be necessary to offer him a handsome salary, the Govenor will therefore please mention what sum per annum may be offered to procure a School-Master of respectable character.

70b P46 Most of the Indians have been but a short time in possession of the Farms alloted them, and are not yet in a situation to supply themselves fully with grain & other provisions, and were in great want of those articles.

The Superintendants have the satisfaction to inform the Govenor that there seems to be a good disposition among many of the Indians to improve in their moral conduct and in agricultural knowledge, and as an encouragement to an increase of this disposition they suggest the propriety of supplying them with some Cows, Oxen, and such farming Utensils as they may most want, also Blankets, Clothing, and some common necessary articles.

The Superintendants after having thus expressed their sentiments on the present situation of the Indians, and stated their wants, they submit the same to the Govenor to take such further measures as he may think necessary to carry into effect the humane intentions of the Government toward thos Indians to promote which will afford a sensible pleasure & satisfaction to the Superintendants.

William Floyd
Edmund Prior
Thomas Eddy

New York 10 mo. 15th 1796

71a P47 To John Jay Esq. Govenor of the State of New York.

The Superintendants of the Affairs of the Brotherton Indians having made a Report this day on their situation, take the liberty now to enumerate such articles as appear necessary for them, and as their wants have been for some months past very pressing, the Superintendants have made the subsequent arrangements, which they request the Govenor will confirm if approved of by him.

Agreably to what is contained in the report of this date, they have contracted for building the School House which will cost per contract exclusive of underpinning & painting.

T.s
167.

A person having offered to keep School without any Salary till next Spring, it will probable be sufficient to appropriate for paying a Master from the next Spring to the time that the Annuity becomes due next year.

30.

Allowance to the Attory by Law

50.
\$247.

72b P47 After deducting this Sum from the annuity of \$864.6.4 there will remain \$6.7.1.4 and the Superintendants are of opinion that this Sum appropriated to the purchase of following articles would be most useful and satisfactory to the Indians. Viz----

	Estimated at
A few Barrels Pork	
4 Yoke of Oxen	
6 Cows	
About 50 Sheep	
100 Bushels Corn	\$350.0
a few Sett (sp.) of Harrow	
Teeth, & some log's chains & ploughs	
expenses attending procuring & delivering	
them	
1 bbl Tea. 3 doz Frying Pans, 200 years	
Low Cloth. 5 doz. hoes. Some Scythes and Axes,	
Crockery, Pens, Needles &	
Sundry Small Articles-----	105.10
100 yards Flannel for shirts, 120 yards Coating	160.0
50 Blankets, 75 yards Cloth for Cloaks, with	
some small articles	<u>\$ 615.10</u>

Some of the Article above cannot be ascertained with exactness either as to price or quality, but the Superintendants are of opinion they will not differ much from the above statement.

73a P48 When the whole are purchased an Account of the Cost thereof will be exhibited and a proper Return of the Moneys that already have or may be advanced.

New York 10 mo. 15th 1796

Edmun Prior
Thomas Eddy

New York 17 Oct. 1796. You will herewith receive a Warrant on the Treasurer for \$664.6.4 which with \$200 you have already received amounting to \$864.6.4 is the whole sum allotted by the act for the relief of the Indians who are entitled to Lands in Brothertown.

74b P48 After having paid the expenses of erecting and compleating the School H^ouse for which you have contracted, and also the expense of providing a proper Master for the said School during the Current Year, and also paying the Salary of the Attorney to the said Indians mentioned in the said Act, you will apply the residue of the said money as far as it will go, towards supplying the said Indians with the article herein before mentioned.

Signed John Jay

New York 11 mo., 10th 1796

Esteemed Friends,

General Floyd handed us your Letter dated 12 September, and agreeably to your request we now send you some Goods which we have sent to the care of John Post at the Old Fort Schuyler, who will deliver them to you, or to such Persons as you may appoint to receive the, we have taken a great deal of pains to purchase them cheap, and we hope you will be please with them.

75a P49 You express yourselves as not satisfied in getting your annuity in Goods, but say you want it paid in money. The Law directs that the Govenor should lay out this money in such a way for your benefit "as he shall judge proper", and he ordered us to buy for you

the Goods we sent you, and on our showing him your Letter, he said he would by no means agree to give you Money instead of Goods, for that you were now yet got into so good a State of improvement as to know how to lay out the money with common prudence.

We told the Governor that we fully agreed with him in opinion, and we may add that you plainly convince us that you are in a very weak state when you say in your letter that you do not find that it hinders any of your People disposing of the Goods for Rum. Why don't you make a Bye-Law to prevent any person next year from having any share of the Interest Money, who is guilty of exchanging the goods he may receive for Rum? You must endeavor to improve yourselves by making good wholesome Laws, and you who are the peace makers by setting good examples of soberness and industry. We may however tell you for your encouragement that at the end of this year anyone among you, who has during the year kept himself from drinking to excess, and has been industrious in improving his Farm, and by so doing set an example of Sobriety & Industry to the Nation, we will use our Interest with the Governor, to allow such a Person or Persons to receive his Share of the Annuity in Money instead of goods.

You say you would ask us one Question, and that is, "Are you looked upon so much beneath, incapable or incapacitated than the Oneidas, & Stockbridge Nations, as that you can't have your Money in your own hands." In answering this Question, we will speak to you like true Friends, and you know we have always acted as such. The Terms on which you receive your Annuity is very different from what the Oneidas and Stockbridge receive theirs. These nations receive their Annuity for Lands which belonged to them, and which they sold to the State, or rendered supposed Services to the United States. Now you leased the Lands which the Oneidas gave you to White People and by this imprudent act got yourselves so involved in trouble and distress that you were almost totally ruined & your whole Nation seemed as if it would be totally destroyed. You then applied to the Government to assist and help you out of your troubles, in such a way as they should think best. The White People to whom you had leased your Lands also applied to the Government and prayed that they might have confirmed to them the Lands they leased from you. Now as both parties applied to the Government, it was thought equitable and fair to appoint commissioners to go on the spot and hear both parties and settle the disputes between you, in such a way as should appear just & reasonable. The Commissioners appointed were honest, Men and very friendly disposed towards you; They found that you had leased your Lands to the White People and you had received payment for the same, but considering that many or most of the White People had taken advantage of your ignorance, the Commissioners were desirous of arranging matters so as that both parties should give up something and directed that the white people should give up all the land they had leased & that you should sell them part of your Lands at a Price to be fixed on by the Commissioners. Thus the Commissioners acted as Arbitrators and settled the dispute between you and the White People. The Government confirmed what the Commissioners done, and as it was intended you should receive the benefit of the Interest arising on the sale of the Lands, the Government very kindly and

76b P49

77a P50

and generously agreed to advance you the full amount of the Interest money, instead of leaving it to be collected every year from each of the Persons to whom the Land was sold. We beg you to reflect on the unhappy situation

78b P50

you would now be in, if the Government had refused to meddle in your concern and how much you ought to be obliged to Government for its kind interference. You must be sensible that what Government done was a great Act of Kindness to you, as they did not reap one Shilling advantage, but on the contrary have had a great deal of trouble, and been at much expence on your account. It was in the power of Government to confirm the Leases you gave, but as they acted a generous part toward you, by securing to you a handsome Annuity, they surely had a right to say in what manner this should be paid you, and seeing that you were so foolish as to lease your Lands they wisely concluded that you would be as foolish in parting with Money if it should be given to you, and therefore thought it would be doing you a real kindness, altho' it would give them more trouble, to appoint some persons in whom you should confide, to lay out this money for you in such a way as should be most to your advantage. Thus you may readily see from what we have

79a P51

said, that as you parted with your Lands, you had no equitable claim on Governments for this Money, and that as Government sees you acted like children, they generally agreed to act the part of Fathers toward you, and we can assure you, if you continue to improve as we hope you have done lately, that as soon as you establish good Bye-Laws among you, and become a sober, industrious and religious People, that Government will readily consent to your proposals, and we may further add that on mentioning to Samual Jones, E. L. Hommediau, and Z. Hitchcock, that you were dissatisfied in receiving your Annuity, in Goods, instead of Money, they expressed a great surprise, and assured us that you individually as well as a Body, repeatedly told them that it was your own desire to have oods instead of Money, and you gave as a reason, that if it was paid you in money, that it would soon be wasted & squandered.

We therefore advise and entreat you, for your own sakes, to encourage each other, to be sober and leave off drinking strong Liquors, and try to become a industrious & religious Nation, and by so doing you will not only serve yourselves, but be a means by your good examples to improve the Oneidas, Stockbridge and Other Nations.

80b P51

You know that we have no views but to serve you and that we want nothing but to see you improve, and do well, and you must be sensible that you have it in your power to make yourselves very comfortable, happy and independant, by taking the advice we now give you, but we must tell you that if you continue in the habit of drinking and idleness, that we must bive up doing any more services for you.

We know that there are several of you that are desirous of being sober and industrious, and we beg of them to continue in their good conduct and strive to improve themselves, and prevail on others to follow their example.

We have decided on the case of Sarah Pendleton and have sent our decision to Lawyer Kirkland who will hand it to you. Inclosed you have an account of the money we received, and an account of the manner of our laying it out: in doing which we have studied to procure such articles for you as we thought would be most useful and have taken much pains to get them as cheap as possible. We understand there is a dispute Scipio (?) & ~~Taki~~ ^{Tubi} about some Boards, next Spring, one or both of us hope to pay you a visit, and then perhaps this dispute may be settled amicably. The Law directs that no Spiritous Liquor shall be sold in Brothertown without a license from the Superindenants under a penalty of Three Pounds for every such offence. We have wrote Lawyer Kirkland to put this Law in force, and we beg the Peace Makers will also assist in prosecuting every such offender. With our best wishes that you may become a sober Religious & Industrious Peoples we are very truly

To the Peacemakers :
Brothertown :

Your Sincere Friends
Edmund Prior
Thomas Eddy

Having no time just now to draw the Accounts, they shall be sent you by next first opportunity.

New York, 11 mo. 10th 1796

Respected Friend

Be pleased to communicate the enclosed decision on the case of Sarah Pendleton to the Peace Makers of the Brothertown Indians. We have engaged in the care of those Indians with no other view but to endeavor to promote their welfare, and have some confidense in thy friendly assistance in joining with us, & as thy situation is so convenient, we hope thous wilt frequently press upon them the a bsolute necessity there is for them to leave off drinking & to take the habits of Industry in improving their famrs. The Acts of Assembly directs that no Spiritous Liquor be sold in Brothertwon without a License from the Superintendants under a Penalty of Three Pounds for every such offence, we particularly desire thou wilt have this part of the Law put in force rigourously eagainst every offender, and press the keepers of the peace to aid and assist thee therein.

Thy Friends,
Edmund Prior
Thomas Eddy

Joseph Kirkland;
Attorney :

Thou wilt find enclosed a Letter from us to the Indians of this date which we have left open for thy perusal in order that thou may be enabled to press on the Indians what we have expressed to them. Thou wilt please deliver it thyself after sealing it.

81s P52

82b P52

83a P 53 Joseph Kirkland
Attorney

New York 4 mo. 10th 1797

Respected Friend,

We are favored with thy Letters of 28th & 8th Inst. Thee mentions that Jas Samson one of the Inhabitants of Brotherton wishes to have the Lott which the Commissioners assigned to Anthony Paul and which is not now occupied on account of Paul having been absent more than one year, and not having a Family has by law forfeited his right and Title to the said Lott. Please inform Samson that he has our consent to go on, and that if the Peacemakers will certify that he is considered by them as a proper resident of the Town, That we will send him an order to keep possession of the Lott which may be recorded in the Town Books, We had supposed thy Salary was not due till 1st of August when the annuity is payable, but on further consideration and advice it appears that thou shouldst receive it a Year from the date of thy Commission so that in this way it has been due about two weeks. Thee may draw on Thomas Eddy for the amount of last years Salary at 3 days sight, any of the Merchants at Fort Stanwix or Old Fort Schuyler will give the Cash for thy Bill.

84b P53

We have applied to the Governor to know if we could have money to supply the Indians with provisions which thee states they are in much want of. He told us we could have none till the interest money becomes due, say August. There is no way to obtain supplies but by our borrowing sufficient money to get them some Pork & corn. We will endeavor to do this in a day or two, when we will write again. Last year we advanced ourselves a considerable sum for sometime before their Interest money was paid us and without our changing any Interest, but this year we cannot make such advances. The Governor mentioned to us yesterday that he would recommend to us not to accustom the Indians to have supply before their money becomes due except for provisions and then if they are in real distress. Otherways as the Governor justly observed, they will look for it being done every year.

We are thy Friends
Edmund Prior
Thomas Eddy

85a P54 Attorney Joseph Kirkland

New York 5th mo. 15th 1797

Respected Friend.

Thy letter of 24 Utimo has been received and the Superindendants have concluded to pay Elijah Wampey Jr. Fifty one Dollars which agreeably to the Certificate signed by three of the Peace Makers is due him for keeping a school at Brothertown, Three Months. Thou may draw on me at 3 days sight for said sum. As the Annuity to the Indians will not be due for two Months and a half, we wish to avoid getting them into the practice of receiving it before it is due, however

86b P54

if they are really likely to suffer for want of provisions we would be willing to make them a small advance. If therefore Jacob Taylor and Thyself should be of opinion that they may suffer for want of provisions then within that case, please to purchase some for them perhaps about One Hundred Dollars worth. If it is nor really necessary to give them a (suply) till their annuity is received, we hope they will patiently wait till then. If we

use them to get Money before the proper time they will be wanting it every year. Some of us propose to bring up this summer, when we can have an opportunity, to give them assistance in their affairs better than by letters.

Thy Friend
Thomas Eddy

87a P55 Peace Maker John Tukie. New York 6 mo. 13th 1797

Respected Friend

We have thys letter requesting our assistance to build a saw mill. This matter must be left till some of us see the Indians at Brothertown and if we can then serve the, we shall do it gladly. Until the annuity is due, we cannot make you any advances, we therefore would be glad the Indians would patiently wait till then. We are informed the Indians at Brothertown are getting more sober and industrious, which affors us great pleasure. We have often told you we have nothing in view but your good. We want you to look on yourselves capable of getting a good living without being dependant on your annuity or anything else but your own Sobriety, Industry and the blessing of Providence. You have only to quit drinking and be industrious and you will be a happy people. I have Now no time to add, but am with my best wishes for your welfare.

88b P55

Thy Friend
Thomas Eddy.

New York 6 mo. 4th 1797

Respected Friend,

We have thy Letter of the 22nd stating that David Fowler Jun^r is desirous of recovering payment for his year's salary as Town Clerk in Brothertown, and that it would be proper for us to fix how much ought to be annually allowed him for that Service.

89a P56

T. Eddy expects to be in Brothertown about the 20th Inst and as General Floyd is now at Fort Stanwix, we think it will be best to leave it to them to conclude what allowance shall be made him. As thou represents he is in want of necessaries, thou wilt please to pay him (blank) Dollars and draw on T. Eddy for the same.

We are respectfully,
Thy assured Friends.

Joseph Kirkland
Attorney

To John Jay Esq. Govenor of the State of New York
The Superintendants of the Affairs of the Brother-Town
Indians Respectfully Report

That since our Report dated 10th mo. 15th 1796 the School House at Brother Town has been compleated. A Master was employed to keep the School, but having behaved impropertly, he has been discharged and the School has since then been kept by a sober

young Indian Woman, and the Superintendants are in hopes soon to engage a Master of tolerable good qualifications.

One of our number having visited Brothertown a few weeks since, informs that a number of Indians appear to have made some improvement in Agriculture, Industry and Sobriety, but too many of them are still idle and given to bad habits. We are however encouraged to believe that in another year we shall be ablt to discover greater marks of improvement among them.

They are in want of Live Stock, Farming utencils and a set of Black Smith's Tools.

The account of the expenditures made last year for the Indians is annexed to this report by which it will appear that a (Ballance) of Seventy Six Dollars 58 cents remain in the Hands of the Superintendants. There yet remains to be paid the Salary of their Town Clerk for the last year, and expence on the transportation of some goods to Fort Shuyler, that cannot now be ascertained.

As the Annuity due the Indians is payable the 7th Instant, The Superintendants will undertake to lay it out in such manner as the Governor may be pleased to direct.

New York 9th mo. 1st 1797

Edmund Prior

Thomas Eddy.

91a P57 Superintendants of the Affairs of the Brothertown Indians

1796					
8 mo. 11th	By Cash Received by a	:	500	C(r)	"
	Warrant from the Governor	:			
	On the Treasurer	:			
10 mo. 1 th	By D* Received from the		1660		79
	Govonor				
	Carried Foreward	Dlls	2160		79

92b p57 Account of Moneys Received & expended by the Supt.

	F	sd	Dollars	Ct
Cost of the School House				
To carpenter's and Joiner's Work	65	"		
building the chimney and	:			
furnishing the Brick, Time,	22	"		
Iron, Sand & Tender for	:			
the Mason	:			
50 lbs of 10 Penny Nails at 1/6 lb	3.15			
15 lbs of 20 D* D* " 1/4" do.	1	"		
15 lbs of 8 D* D* " 1/8 " do	1	"		
800 shingles at 5	2	"		
To transporting nails		8		
To <u>Glasses</u> for windows	4	"		
To 7000 Shingles at 20/1,000	7	"		
To transporting D*	S	12		
To boards delivered at the ;	34	"		
School House				

To Steeds & Braces	3	10"	
To Cutting & drawing Timber	5	" "	
To laying Foundation for School House	4	" "	
To hinges for Door	2	" "	
To receipting, receiving, & paying out money for the above articles			
To this Sum paid Joseph Kirkland for time, trouble & expences in procuring the above	10	" "	
	<hr/>	1675	418.13

To the following articles supplied by order
of William Floyd and delivered by J. Kirk-
land, as J. Kirkland A/C Viz
3 Blls Port at FGD Bll

Carried forward

27 "

27 " " 418.13

t 27 " " 418.13

93a P58

Brought Forwards

4 yoke oxen with yokes & irons

95 bushels Indian corn

6 cows

50 sheep

3 Setts Harrow Teeth

Log Chains

37 lb Pork a/8

17 lb Hogs Lard

5 Pairs Large Plow Irons

To pasturing, cows & Sheep
after purchased before to be
forwarded

To cash paid John Post for storing
goods sent from New York

To D. J. One of their Peacemakers
to assist in transportation of the
above from John Post to Brothertown

To this sum paid J. Kirkland for
receiving, accepting and paying out money
for the above articles

To this sum Paid Jo Kirkland for
his trouble, time and expences
in purchasing and forwarding
the above articles

£ 350 " " 875 "

94b P58

To the following Goods sent them
in June Last Viz

To 2 Doz Awl 1/9 " 3 6

" 1 Go Awl Blades 6/1 Doz " 9 6

Gimlets () 3/6

2 Packs 4 $\frac{1}{2}$ Pens 23/3 Doz. Spelling Books 3 5 "
 500 Chapel Needles 10/1 Gro. Tea-Spoons 14/ 1 4 "

95a P 59 To 4 doz Cutteaux 56/3 : 3 10 5
 3 Hammers 9/9 $\frac{1}{2}$ Doz Ink :
 Powder 4/6 :

To 3 doz Frying Pans 1/52 lb @ 13 9 17 5
 " 1 blank book 4 Quires : 1 16 "
 14/ 10 6 Quires 22/ :

" 1 Box wafers 1/1 Ream
 paper 24/150 Quils 7/ 6 1 12 6

To 2 Doz. Bibles 104/3 Doz. Testaments: 8 16 "
 72/:

" 1 Doz Scythes 72/ 3 12 "
 " 2 Doz Axes 90/ 9 " "
 To 12 Pieces Tow-Cloth 202 yds @ 2/1 21 " 10
 " 3 Gro. Blue Cups & Saucers 39/ 5 17 "
 " 2 Doz Flowered Tea Pots 20/ 2 12 "
 96 p 59 To 1 Cask for D*D* 4/1D* for hoes: " 14 "
 _____ b/1 Box 4/ :

" 5 Doz Hoes at 60/ 15 " "
 105 lb Tea 3/2 lb 26 10 18 2
 Carting " 2 "

To 2 Pieces Brow Broad 49 $\frac{3}{4}$ _____ : 31 1 10
 at 12/6 :

" 6 D* Flannel Check 118/ $\frac{1}{4}$ yds 2/8 15 5 4
 " 6 D* Coating 131 D* 5/9 37 13 3

" 2 D* 3 Points Blanke 104 y L 10.8 :
 1D* " D* 4.5.6 :
 1 D* " D* 4.14.6 :
 L 19.8 " :
 Advances 28 5.8.8 :
 percent :
 Exchange 24.16.8: 44 3 "

To 2 Hhds 22 Coopering 3/Carting 2/6 1 7 6
 To 1 Bll Fish delivered David Fowler 2 9 7
 L 238 " 8 595 8

12 mo 17th
 1797 To Cash paid Jacob Taylor for : 8 " "
 Cartage of Goods :
 to Fort Schuyler :

6 mo. 1st To D.? P? Jo. Kirkland's : 50 " "
 Dft. favor William G. Tracey
 being for his Salary as Attorney
 to Brothertown Indians from
 26th May 1796 to 26 May 1797 :

Married Forward 58"" 188 21

97a P60 Brought Forward 58" 188 21

98b p60 Joseph Kirkland, Bill favor :
7RW Kirkland being the Sum : 20 8"
 allowed, Elijah Wempey :
 June for teaching School :
 3 months at Brothertown :

L 788 " 196 "

To Balance 2084.21
 76.58

1796
 7 mo. 29th

 2160.79

99a p61 The Governor of the State of New York
 To the Superintendants of the Affairs of
 the Brothertown Indians

In Pursuance of the Act Entitled "An Act for the Relief of the Indians who are entitled to Lands in Brothertown; I do hereby appoint you to receive from the Treasurer of this state the Sum of Eight hundred and Sixty-four Pounds Six Shillings and four Pence, appropriated by the said Act for their Relief. and I do hereby instruct you, after having first said there out the Expencc of maintaining the School in Brother Town for the Education of Indian Children and also the Salary of the Attorney in the said Act mentioned, to lay out the remainder of the said Sum to and for the Benefit of the Indians residing in Brothertown by supplying them in proportion as their respective circumstances may require and render proper, with Farming Utensils, with Live-stock, with a Black-Smith's

100b p61 Shop, and with the common Tools & instruments necessary for that Trade, together with a moderate supply of Iron. And you will make to me a particular Report of your proceedings and Expenditures, in Pursuance of these Instructions.
 Given under my hand, at the City of New York on the 7th August 1797.

John Jay

101a p62 N w York 10 mo. 5th 1797

Esteemed Friends,
 We are desirous of having some cattle purchased for the Brothertown Indians and not knowing who we could get to procure them in whom we could have confidence, we have taken the liberty to request you would please undertake the Business. We know thy desire to serve this People, and altho' it may prove troublesome yet we trust thou will have satisfaction in the undertaking for thy Government. We leave our Letter to the Peace Makers open for thy perusal. Thou'lt observe we prefer having this money lain out in (milch/) Cows supposing that they would be most to their advantage. Thou'lt however please consult with the Peace-Maker and afterwards, if it should appear that they prefer having some Oxen-Sheep-or any other useful articles, thou canst act as they wish,-provided thou shouldst be of opinion it should

be best for the Indians.

We should be glad to hear from thee per Post as soon as conveniente.

Inclosed is Henry Huntington's Bill on G. Huntington of Fort Stannix for One Thousand Dollars, which we doubt no will be punctually paid.

The accounts from Philadelphia are very distressing on account of the sickness, which prevails there, it remains much as it has been for two weeks past, about 18 to 20 persons die every day of the Yellow Fever.

102b p62 Our Friend Sam^e (E?) mlen arrived at Hhilad.(elphia?) from England. The yearly meeting was held at Philad(elphia?) as usual, and tho' small, yet was larger than expected, considering the sickly situation of the town and closed on the fifth day last.

We are respectfully
Thy Friends
Edm. Prior
Thomas Eddy

To Jacob Taylor
or
Johnathan Thomas

New York 10th mo. 5th 1797

Esteemed Friends;

We may inform you that owing to the absence of Edm. Prior from Town, your M^oney from Government was not received til some time after usual time as it required two of us to give a receipt for it,-and since then with other circumstances have prevented our attending to your concern til now.- We are of opinion it would be much to your advantage to have the money earlier in the Spring, amd we propose making application next Winter to the Legislature to ored^er your money paid three or four M^onths earlier.

103a p63 We send you some Iron, Steel and a compleat set of Black Smith's Tools which we expect will be of great use to you. We hope the Indian whom you mentioned as a good Black Smith will be induced to remove from New England and live in Brothertown,-if he ias a sober Man, he will be of great advantage to your Town. We have sent Jacob Taylor One Thousand Dollars and directed him to purchase for you (Milch?) cows, unless you should prefer (to) have some Oxen & Sheep. The money now sent to Jacob Taylor, if laid out for Cows, would, we expect, be sufficient to procure a Cow for each Family which would be a great help to you during the Winter.

We continue to make inquiry after a School Master, but cannot

get one suitable for you. We wish to get a Prudent Man who would answer as School Master, and who would set you a good Example of Sobriety and encourage you to lead a religious and industrious cause of life. We are in hopes of meeting with such a One who may have a sober, industrious Wife which would assist in instructing your Women.

Next year we hope to have a good Mill built for you, and we trust if this was done and you had a good School Master and Black Smith, established amongst you, that you would get more and more into Habits of Sobriety and Industry.

We have already taken much Pains to persuade you to avoid drinking of Spiritous Liquors but if notwithstanding our advice, you will continue in this shameful practice, you have only yourselves to blame, and it is easy to foresee that you'll be left to yourself and in time loose all you have and be exposed to want and misery. That you may be wise and attend to your own welfare by coming to be a religious and Industrious People is what we sincerely wish and are

104b p63

Your Real Friends
Edm. Prior
Tho. Eddy

To the
Peacemakers
in Brother Town.

List of Sundry Articles sent by Albany to the Care of I. Post at old Fort Schuyler to be forwarded to the Indians in Brother Town.

New York 10th Mo. 3rd 1797

(Bo⁺?) of Prior Kirby & Co

1. Vice	23#	1/9	2	0	5
2. Handsaws		13	1	6	"
2. Spike Gimblets		1/3		2	6
3. Screw Augers	16 Gr.	11		14	8
		Carried forward	4	5	5
105a p64 Brought forward			4	3	5
1 Doz Gimblets			"	4	"
1 Doz Handwaw Files			"	5	"
1/2 Doz (?) saw		1/4	"	7	"
2 D* half round	14 in.	3/6	"	7	"
2 flat files		3/	"	6	"
1 rasp			"	2	6
1 Anvill	13o lb	11	5	19	2
1 (?) Iron	22 lb	1/2	1	5	8
1 Scale (?)	17(?)	1/8	1	9	2
2 Hammers	14	14	"	16	8
1 Drawing Knife				3	3
1 Pair Steel Yards			"	15	"
1 Kendish Hammer			"	3	"

		22/	"	11	"
1/2 Doz Socket Chissels			"	12	"
1 Doz Jack knives			"	2	9
1 Rule			1	16	"
2 Weights	51 lb	181	"	11	"
1 Do	28		"	9	"
1 Do	14		"	5	10
1 Do	7		"	3	?
1 Do	4		"	2	6
1 Do	3		"	1	8
1 Do	2		"	"	10
1 Do	1		"	"	6
1 Do	1/2		"	"	4
1 Do	1/4		21	3	7
		()		4	1
		Bought at Solomon Townsend	21	8	1
4-2 Bars of Iron Wt 14"1" 6"	50/	L 35"15"4"	40	19	4
1 Bar English Steel	49-1	49-2" 9"0"			
1/2 Faggot (/)	60	2"15"0"			
		Total amount	L 62	7	5

106b p64

107a p65

Anthony Paul having forfeited his rights & title to Lot No. Ten, the same is hereby assigned to James Sampson 7th mo. 3rd '97

Luke Mowsuck having forfeited his title to Lot number Sixty one, the same is hereby assigned to Solomon Cohegon 7th Mo 3rd 1797.

Lots number Thirty & Thirty One are hereby assigned to Daniel Wauby 7th Mo. 3rd 1797.

Lot number Thirty Four is assigned to Sampson Brushel 7th Mo. 3rd 1797.

Lot Number Forty-four is assigned to Lemuel Brushel 7th Mo. 3rd 1797.

Samuel Scheesuck having forfeited his to lot Number One hundred and Thirty-three the same is assigned to Joseph Johnson 7th Mo. 3rd 1797.

Samuel Scheesuck having forfeited his right to Lot Number One Hundred & Thirty four, the same is assigned to David Adams 7th mo. 3rd 1797.

108b p65 Lot Number One hundred & two is assigned to Abigail Roberts the wife of Thomas Roberts 7th Mo. 3rd '97,

Done at Brothertown	:	Thomas Eddy
this 3rd Day of 7th Mo. 1797	:	Superintendant

109a p66

To John Jay Esquire Govenor of the
State of New YOrk.

The Superintendants of the affairs of the Brothertown Indians.
R^tspectfully Report.

That in persuance of the instructions given them dated 7th August 1797, they have supplied the Brothertown Indians with Farming utensils, with Live Stock, with tools & Instruments necessary for a Blacksmith shop and with a moderate supply of iron. An account of the cost of those articles _____ is annexed. One of our number proposed to visit the Indians in the course of last fall but the afflicting disorder which prevailed in our city and with which one os was attacked, prevented the intended visit, and the same Cause by which our Books and papers were left in the City during the sickness and consequent disarrangement following such a calamity preventing our forwarding the accounts and making a Report at an earlier period than the present.

110b p66

It has been a long time a desirable object for us to secure a suitable person to reside at Brothertown as a Schoolmaster. And we conceived it essentially necessary in promoting the welfare of the Indians, to procure such a person as would also afford some instruction as a Farmer and who should be a sober, steady and exemply Man. And we supposed a married Mane would be most suitable as his wife might be useful in instructing the Indian Women in domestic affairs. We were led to this view of the subject from hearing of the reproachful conduct of _____ who had been sent among the Indians for their instruction and to promote their civilization but too often soon discovered Principals as sordid as they were corrupt, and in some instances disgracefull, even in the Eyes of an Indian, to the professions of Christianity. We are of opinion that John Dean and his wife may be willing to undertake this Business. He has taught

111a p67

a School., Reported to be a good Farmer, and known to us to be a Man much respected and esteemed,; of a religious steady sober conduct, and a humane good sidposition, his wife a valuable woman and in good repute for her industry and good management and we think would be an acquisition to the Settlement.

We are induced to make this Proposition from a belief great usefulness would result to the Indians by a qualified Person residing with them in assisting to adjust their disputes and in providing such supplies as their circumstances will admit of and their wants require. At present we have to pay our Attorney a commission on all the Stock Etc he purchases. We request the Govenor will be pleased to state what salary he thinks would be proper to allow for a Schoolmaster, and we beg leave to mention that the remote situation of Brothertown renders it difficult to procure a suitable person to be willing to undertake the Business unless with a tolerable comfortable salary. Dean and his wife might possibly be procured at 300 Dollars pr annum, to be provided with a convenient H^ouse and a Lot for a

112b p67

garden and pasture. At any rate we submit to the Governor the propriety of erecting a House nearly adjoining the Schoolhouse for the use of the Schoolmaster who may be appointed to reside there.

The Indians have expressed a desire to have a Grist Mill Built for them and Live Stock might probably be supplied cheap this winter according to their wants. Some of them are for having Live Stock instead of a grist mill. Perhaps the Governor would think proper to leave it with us to do either after consulting the Indians. A greater supply of Live Stock would have been afforded them but considering them as improvident people it was supposed best to have it in our Power to hand something to them this winter, Should it prove severe and their wants require further assistance.

113a P68

There is a prospect of a person going shortly to Brothertown who might take charge of supplies for the Indians and we expect to hear from a Friend residing at Oneida of what Articles they may stand in immediate want of. Some further moneys have been advanced not included in this Account which we cannot now conveniently bring forward, and some yet remains due for keeping the School and to their Town Clerke, the acc 7 of these have not been exhibited to us.

Signed

Edmund Prior
Thomas Eddy

New York 11 mo. 24th 1798

DR. Brotherton Indians in Acc. Current with the Superintendants 1796

6 M To cash paid Sundry Indians as follows & not included in Lst Account 2 V13

Christopher Harvey 8. 0
David Fowler Jun. 20 "
Crosley & Pendleton 10. 20
Nyles 10 " " 48.20

Charged in Goods sent in 10 mo. 1790 not obtained in time to include in last Acct.
Freight paid by T. Spencer to Cap Lands 1' 10'00
Transportation to Fort Schuyler 8'0'0
T. Spencer's charges in forwarding " 7.4

1797
10M 3 Sundry Smith tool 21"8"1
Bar Iron & Steel 40..9.0 155.93
10 Jacob Taylor for Stock he purchased 997.91

1797
By Balance from last year 70.58
1798
9 mo. By cash received from The treasurer 2160.79

* Balance 584.35
Add the aboe sums not allowed by the Comptroller 48.20
" 2
Treas. Balance 032.57
agreeing with the comptrollers Acc.

31-J. Kirklands Order for
 painting and finishing Sch.house 193.31
 11 mo 10
 Hanna Fowler for school
 keeping 25
 David Fowler Jun. 15.

1798
 6 mo. 6- 125.
 J. Kirkland's Salary
 25-
 Wm. Floyd's 4? to D. Fowlers 08.

Balance 384.35

Dollars 2237.37

Dollars 2237.37

115a p69 To John Jay Esquire Governor of the State of New York

The Superintendants of the Brothertown Indians. Respectfully
 Report

That they have received the Governor's Letter dated 1st ins.
 aclmpw;edgong tje receo¹/₂t pf tje re¹/₂p¹/₂rt ,ade bu tje, pm tje
 24th of last month.

The superintendants are fully convinced of the propriety of
 forwarding a report and their accounts about the time that
 the Annuity to the Indians become due and that they ought then
 be prepared to recommend and specify the manner in which the
 money might be laid out most beneficial to the Indians.

Impressed with a solicitude to promote the humane designs
 of the Legislature, the superintendants hope in future to pay
 frequent

116b p 69

and earnest attention to their duties yet sich have been the
 circumstances in the late Season as have prevented or indeed
 put it out of their power to comply with their duty in such
 a manner as it required and was their earnest wish to do,
 but they were in part prevented by such circumstances as was
 not in their Power to command. They however would probably
 have made a report at the time the annuity became due but owing
 to the intention of one of them to visit the Indians about
 that season who was prevented by indisposition and very soon
 afterwards the general sickness in the City took place which
 occasioned such general derangement as put i wholly out of
 their power. The Superintendants in their last Report mentioned
 things in more general terms with a view of spreading the
 several subjects before

117a p70

the Governor and having now received his answer will be more
 particular relative to the wants of the Indians and the
 supplies necessary to procure for them.'

By late information every individual had still by him the
 proportion of Live Stock he had received except one or two
 who had lost their cows by accident. This supply gave to each
 family a Milch Cow which was af great service to them. The Indians

have requested a further supply of Live Stock and we are of Opinion it would be of great use to furnish it to them.'

There is no Grist Mill in Brother Town and altho there are Mills about five Miles from the heart of the Settlement yet they suffer an inconvenience by going to those Mills and are often subject to great imposition by being obliged to wait til the white inhabitants are serviced and by this means detained a Long time from their family and business and also suffer an injurious exposure.

There is a fine situation for a Mill in the middle of the settlement and a judicious person near there has given us an estimate of the cost which is stated at about 500 Dollars.

We are of opinion it would be very usefull to build a mill for them but we think it would be more advantageus first to Build a House for a Schoolmaster near the School House which will probably cost about 400 Dollars.

The monies coming to the Indians the present year will be better than 2100 Dollars beside the Balance in hand which with the approbation of the Govenor might in the opinion of the Superintendants be applied

most beneficially to them as follows

For a Mill <u>7 say</u>	600.. ..
For a HOUse to accomodate a Schoolmaster and his family	400.. ..
Salary to Schoolmaster	300.. ..
Ditto to Attorney	125.. ..
Ditto to Town Clerk	75.. ..
Farming Utensils	100.. ..
Live Stock	200.. ..
Including books and Stationary for the use of the School & Town	250.. ..
	<hr/> 2050.. ..

Leaving a surplus for extra Supplies that may be necessary. All which is respectfully submitted to the Govenor by the Superintendants.

Edmund Prior
Thomas Eddy

New York 12th mo. 12th 1798

120b p71

Respected Friend
Samuel Jones Esqr.

New York 12th mo. 17th 1798

The Brother Town Indians have got into a difficulty and have sent down to the Superintendants for advice. They inform me that they have communicated their situation to thee and I have wrote a letter to J. Kirkland which I have directed them to show thee. They say it is necessary for them to prove that Lewis had no

right to place Pendleton on the Lot. They add that Kirkland tells them that Lewis had such a right. This opinion appears to me extraordinary as the Commissioners ordered Lewis to remove and assigned the Lot to Roger Wably. I have given them a certificate that the Commissioners on the 16th September 1795 assigned Lot No. 3 to Roger Wably. Perhaps thee may approve of thy confirming this certificate and giving them some further advice.

T. Eddy.

121a P72

New York 12th Month 17th 1798

Respected Friend,

Isaac Wauby and David Fowler Jun. has presented me a Certificate signed by three of the Peacemakers of Brothertown dated ? th December 1798 which gives them authority to treat on some business on behalf of the Town. They have represented to me that on February 1796 Nathan Pendleton was in Possession of a Lot in Brothertown which had been occupied by Ezechial Lewis a white man. That in consequences of orders from the Commissioners appointed by a Law in 1795 the said Lewis left the Lot and on going away he took the liberty to ? Pendleton in possession. The Indians at a Town meeting ? Wably and Fowler now inform me agreed that as Pendleton's Father was a Black man, he ? Pendleton had no rights according to a Law of the Town dated October 16th 1795 to remain or have any settlement in Brothertown and therefore the said Town Meeting as Wably & Fowler now inform me ordered 14 or their number to remove said Pendleton out or the Limits of Brothertown which was accordingly done.

122b p72

On this Pendleton commenced an action against the said 14 Indians for assault & Battery ? etc which suit is expected to be tried next month. Such is Wably and Fowler's relation to me of this business I suspect the ? was not warranted by any existing Laws of this state to remove Pendleton. They should have applied first for Law advice or have made application to the Governor for his advice or instructions. It is therefore very possible that Pendleton will obtain a judgement against them and damages. I should suppose the damages will not be very great but whatever damages may be awarded should be paid by the Town as the 14 persons acted under the order of the Public Town meeting. If the suit should be gained by Pendleton, I have directed Wauby and Fowler to procure a Statement of the Business from ? and also to get an extract from the minutes of the Town Meeting which directed the removal of Pendleton in order that both may be sent to the Superintendants who will then conclude on the propriety of paying the damages if any should be awarded out of their annuity.

It is impossible for me to give any particular directions about this business further than for thee to take every care by appearing for them, that they should have all the advantages the Law will allow them.

123a p73 And in the case of damages being given in favor of Pendleton, to do all thee can to have them fixed as low as possible. It is very evident and clear to me that Lewis had no Lwgal right to place Pendleton on the Lot. How far the Indians can be justified in removing them is a Law question that I am not able to answer. If these Indians are to be considered in Febry 1795 as an independant Peoples and that they were not accountable by our Laws for proceedings amongst themselves, then Pendleton cannot maintain his action.

I should be much obliged if thee would send me by first Post a Statement of the Account of money paid by thee in 1797 &98 to David Fowler Jun.

I am Respectfully
Thy ? Friend
Thomas Eddy

S. Kirkland Esqr.
Whites Town

124b p73 In continuation to the above, Edmun Prior being absent I cannot advise with him.

The Indians inform me that Hiram Robins, Samuel Reed and Arnar Clap have settled on the Brother Town Tract, as these people have no right to a settlement, I request measures may be taken by thee to have them removed, and if any whit Inhabitants or intruders of any description attempt to make a settlement in the Town, they ought to be immediately prosecuted. It would be well to ~~write~~ ^{the} Peace Makers to give thee information in ~~writing~~ ^{writing} if any Persons improperly attempt to make a settlement.

desire

125a p74

T.E.
New Y^Urk 12th mo. 31st 1798

Wsteemed Friends,

I expect this will be handed you by our friend, John Dean, who goes to reside with you as a Schoolmaster. I believe he will be of great use to you, and to your children and I trust you will esteem his coming among you as a fresh proof of that true Friendship your Superintendants have allways manifested towards you. The Govenor agrees in Opinion with us, that it will be exceedingly necessary to provide a suitable House for the Schoolmaster, as we cannot get any respectable and suitable person to go to Brothertown unless we had proper accomodations provided for him and Family. And the Govenor also joins us in sentiment that a young unmarried man would not answer the Purpose, we think he should be an elderly man

126b p 74

with a discreet prudent wife who might set a good example to your women. If we were situated as you are, we should prefer a sober man and his wife, because we are confident it would be most pleasing to our women. Thus you see we endeavour to do the same for you, that we should be glad might be done for ourselves if we were in your situation. I hope you will do all in your power to make things comfortable and agreeable to him and I have no doubt but he will, with his wife, do all they can to promote Love & Harmony amongst you and set you good examples.

I hope the Blacksmith will be with you in the Spring as he will be much wanted at the time the House and Mill is building. John Dean will inform you of such things as I have not now time to mention. The Schoolmasters House should be near the School House and Ten acres of land set off for his use.

127a p 75 This Land, and House will allways remain as public property belonging to the town and the present proprietor of the Land should give a Deed to the Town of the 10 acres. This deed should be recorded in you Town Books and the owner must be paid a reasonable price for the Ten Acres of Land.

I am with much regard your assured friend. (signed) Thomas Eddy
Addressed to David
Fowler & the other Peacemakers. Brothertown

New York 12 mo. 25th 1798

Respected Friends,

Your Superintendants fully expected to have received from you a list of such articles and provisions as you may want or even likely to want

128b p 75 the present & approaching season. They were led to this expectation from their having repeatedly urged you to furnish them with a list of such supplies as you required and within the reach of your annuity to give as early in the Spring & Fall as you could possibly estimate your want. This request was founded upon a desire they had to serve you on the best possible terms in their power, and to have time to procure articles of the best and cheapest kinds and most adapted to your use. Had you done so this season it would have saved you the heavy expence attending sending two of your numbers so far to procure the articles you wanted, and at the same time it's probable they might have been procured on much easier terms. This difficulty, it is hoped, you will in future carefully guard against, that we may have it in our power to make the most of your income to your own benefit. There have been

129a p76 advances made to some of your people when in New York on their way to visit some of their friends, a list of whom with the sums advanced to each is given to D. Fowler & J. Waubly. Those advances were made on the express condition of its being deducted out of the amount of their part of the supplies, furnished your people by your annuity. On presenting our acct. to the Govenor and Comproller they refused to pass it as we had no certificates from you confirming the transaction. You will therefore please to furnish us with a certificate that the money so advanced has been for the use of those people and that in consequence of such advances they have had a share in the general distribution of your incomes as much as the sum advanced them amounted to and in future should any of your people come to N. York, and

130b p76 require any supplies for ^{you} ? expences or otherways it will be necessary that they have an order from you for it, otherways we

shall not be able to furnish them with any assistance.

We are also informed that you are desirous of building a Grist-mill, which we are equally desirous of, as soon as your Funds will permit, and therefore request you immediately to take the opinion of your people on the subject, and if you agree to go forward with the building, that you send us your request in writing with an estimate of the cost. Jacob Taylor will, no doubt readily furnish you with an estimate of the expence.

We are & have been for some time engaged in seeking for a suitable person to teach your school and if profitable to furnish you with such further assistance as your present circumstances may require, but we have not yet been

131a p77

able to meet with one qualified in every respect, to answer all purposes in view; when we do we shall advise you of it, and getting up as soon as possible.

While you have under consideration the building, the Mill ^{proposed} it will be well to consult amongst yourselves which would be most to your interest, to have toll taken for grinding your grain or to hire a man to take the sole charge of the Mill at a fixed salary free from any toll; we are fearfull that grinding for Toll may have a tendency to subject you to imposition, greater than the Salary by far, should a designing man or a dishonest man get the charge of it.

These things you will weigh in your own mind, and give us your sentiments thereon.

E. Prior

To the Peacemakers of the Brotherton Indians

New York 4th mo. 16th 1799

132b p77s Esteemed Friends;

We find by letter from Joseph Kirkland that in the case of Pendleton against David Fowler Jun. & thirteen others, Inhabitants of Brothertown, the Court & Jury had awarded for Cost and Damages, One hundred & seventeen Dollars & sixty two cents and there is also a further charge paid David Fowler Senior for expence of Witness of Eleven Dollars & twenty five cents as this has risen in consequence of measures adopted by a majority of you in your Town Meetings, it is consitent with Law and right reason that the whole Town should bear the Expence and we have therefore agreed to pay and charge it to your annuity.

You send us Certificates of services rendered by some of your People, one of which (?) has no date and the other does not mention the day when those services began and when they end--in order that you may know how to draw proper certificates we send you a form that you may now draw proper ones and send us, then we will order the money to be immediately paid you.

133a p77a David Fowler in a letter he wrote us some time in September last, mentions that you had agreed to try John Dean as a School Master, and this Spring you send a petition to the Bovenor in which you say as you live in a Land of Liberty you would not wish to be made Proselites by any people. But wish to have the liberty of acting according to the dictates of your own consciences, both in Religion & in Teaching your children, and ask for libery of choosing your own School Master.

NEW DOCUMENT--NOT TITLED PAGES: TORN ORIGINAL--NOT COMPLETE

The office we hold as your Superintendants (several words missing) a good deal of trouble and would not continu(e) _____? but that we have a sincere desire to help and ap_____? (word/words missing) towards (word/words missing) in improving your town (word/words missing) annually to promote your good; if however (word/words missing) and you continue to be jealous & foolishly suspic(ious?) (word/words missing) that we are actuated by motives of interest or (word/words missing) improper influence over you we shall be glad (word/words missing) sign and leave it with the Govenor to appoint other persons in our room.

We are sorry to discover in you a disposition so weak & jealous, a number of you know the sollicitude we have felt and the care & industry we have used to procure for you a suitable sober person to teach your children, to instruct you furth3r in the necessary branches of husbandry, to become your assistant in procuring the necessary supplies for you, thereby saving you a very considerable expence of commission and _____? capable of overseeing the building a Mill or any other useful Building and procuring Timber, Boards, Nails & a person in whom we place full confidence to set you an example of Sobriety and act for you as if one of ourselves were on the spot.

It is absolutely necessary for such a person to reside amongst you, as we live a great distance, and you then might have him to advise with on all occasions--if such a person had been with you, the Business with Pendleton might have been settled without going to Law, and subjecting you to pay above One Hundred & Twenty Dollars cost.

In looking for such a person--our views were far from being confined to a person of our own

135a p76b Religious Persuasion. We also took great pains to inquire among those of other Religious Denominations without the least anxiety about what Religion the man professed, _____? indeed is of the least consequences provided he was a pious good man, and we know there are such among all kinds of people, whether Presbiterian, Baptists, Church or tohers. We have sent some of our Children to Schoo Masters who were Presbiterians or other Religious Denominations and such foolish jealousys as you take up never come into our mind

REMAINDER OF PAGE NOT COMPLETE;TORN AT SIDE

_____? advised with the Governor and he much approved of what we have mentioned--he observed that by having such a Man as John Dean, there would be much trouble saved to yourselves as well as to us for the _____? instead of writing down for money or advice or sending to _____? he would be able to act for the Superintendant _____? and be always ready to pay such Moneys as may _____? for _____?. No persons would _____? Clerks Salary or otherwise laid out amongst you. --Give stronger proofs of disinterested Friends than we have in hope that we might _____?.

135a p76c As to your choosing your own schoolmaster, we would wish to remind (this page seems to be similar to the previous torn page) you, that you have done it in two instances, and as soon as thous schoolmasters of your own choosing got their money for to be their services, they got Drunk, became idle, and set very bad examples to your other young men.

John Dean is the only person we have been able to prevail on to reside amongst you that we thought a suitable character and the Governor is of opinion with us that he may be of great use to you and act in assisting you with advice and in managing your concerns the same as if he was one of your Superintendants. The Governor observed that by having such a man as John Dean among you there would be much trouble saved to yourselves as well as us, for then instead of writing down or sending to us for money or advice he would be able to act as if he was a Superintendant.

136b p76c Always be ready to pay such moneys as may be due for Town Clerks salary or otherways laid out amongst you. No persons could give stronger proofs of disinterested Friendship than we have without desiring any reward except the satisfaction of seeing you do well and become a sober religious & industrious people, we are sorry to say you have acted often in such a way as to discourage us in

137a p76d our hopes & expectations and yet we are well satisfied if you would lay aside all foolish suspicions & jealousys and every man sit down to mind his own business and sutdy to be _____?, you would soon find John Dean fully equal to all the purposes we have in view and as he kept a school with good reputation in his own Town you will find your children would be well instructed in school learning & sobriety, which with suitable industry on your part would soon render your Town a flourishing & happy settlement. How many poor people are there who went into the Wilderness without any property, had their Lands to but and pay for, and by their own Labour & Industry have now got in easy circumstances & live with Reputation & Comfort. It would make us exceedingly sorry should you continue in poverty & want notwithstanding all the advantages you possess. Of aving such fine Land that cost you nothing and also a very handsome yearly income, but without care &

138b p76d industry all the advantages you have and all the pains we take to promote your interest & welfare will be of no account.

When we see foolish jealousys & disorderly conduct amongst you,

instead of improving in religious sober & industrious lives, we wish to be clear of having the Superintendance of your affairs and have it for some other persons to act who possible might be more successful.

As soon as your ? Town Clerk & School Keeping come properly stated they shall be ordered to
PAGE ENDS ABRUPTLY: NEW LETTER STARTS ON 140b p 77

138b p76d

Respected Friends; New York 8 mo. 12 1799
John Dean

140b p77

We are exceedingly at a loss to account for not hearing of or from thee, as it was strictly enjoined on thee to write us immediately on thy getting to Brothertwon and afterwards once at least every month. We are treated badly and thy neglect has caused the supplies not going on to the Indians, which has made them complain of us very much. We told thee always to write us by post, and not by a private hand. There is a post office at Whitestown & another at old Fort Schuyler, we can give no directions till we hear from thee how things are going on, and what is wanted, we can only add that we request thous wilt write us by the very first post.

141b p789

Not knowing if thee art at Brothertown, we have been obliged to send to ? Kirkland 200 dlr. to purchase livestock for the Indians. This and orders to buidl the mill would have been given long since if we could have been informed by thee of thy being at Brothertown.

I am /for self & E.P.
Thomas Eddy

To John Dean
at Brothertown
(For letter to Jurjkabd 8 ni, k2 see page 81)
THE ABOVE IS PART OF THE LETTER

New York 8 mo. 25th 1799

Respected Friends
Mr. Dean

142b p78

We wrote thee on the 12 ? & have now thy favor of the 9th which is the only account of thee since the 5 month. We most exceedingly lament thy not writing long ago, so as we might have been prepared early in the season to have had things more to the rates ? of the Indians.

The Letter now received is very short of that information we expected. Thee should have mentioned if thee had began thy school, how many scholars attend, if the Indians appear satisfied & if they received thee kindly and a list of such articles as the peacemakers may suppose will be most wanted for their immediate use & winter supply & which may meet thy approbation or thee thinks will be most necessary to promote their general welfare with a variety of other information respecting the state of things amongst them and we now earnestly request thou

143a p79 would immediately write us on those subjects, so essentially necessary for us to be acquainted with, in order for us to communicate to the Governor which we cannot do unless thee writes us. Thee says thee wrote soon after thee got us but we expect it was by some private opportunity as no letter has reached us, but the one dated the 9th ?. This shows the necessity of attending to what we requested of thee when hired not to write us by private opportunities but always by post, we again request that this may be the case in future. Our letters will always be directed to be left at old Fort Schuyler to the care of John Post. Such money as may be wanted thee may obtain by applying to Geo. Huntington.

144b p79 We have given D^{avid} Fowler Jun. orders to receive from thee 75 dls on account of his services as Town Clerk, & have agreed that his salary be fixed at L 25 p year, this money thou art to pay him as soon as it is convenient for thee to go to Fort Stanwix to receive it, and such other money as thee may want from Geo. Huntington.

We request thou would send a list of such persons as want Lotts assigned them and the numbers of the Lotts they want. This must be signed by the peacemakers expressing their approbation of those persons settling on the Lotts. Be very particular to have the right numbers of the Lotts mentioned so that no mistake may be made.

We are at a loss to know what to say about building a mill this year, as it is so far advanced. Please to write us the minds of the Indians on this subject.

We must conclude by again repeating that is is our earnest request that thou write us often (and alwys by Post) mentioning very particularly the state of things amongst the Indians as well as those matters