

EXHIBIT O

14

We have no answer to your letter
but we send you the 2^d party's name of
the person who has the things

Some only of the facts & differences which I have
from Canada are now here, you have information that
many more are on their way & that the daily return-
for delay passing our business will be what it shall be
perhaps, having witnessed & known the great over-
arrival. It has been said a very slight difference, you
acknowledged some of their past errors.

[illegible]

His Excellency
The President of the United States

(Faint handwritten notes, possibly "The end of the world")

Oliver

足下

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

To all to whom these presents shall come. Greeting:

By virtue of the authority vested in me by Archivist of the United States, I certify on his behalf,
under the seal of the National Archives of the United States, that the attached reproduction(s) is a true and
correct copy of documents in his custody.



SIGNATURE	
NAME	<i>Gary L. Morgan</i>
GARY L. MORGAN	DATE
	<i>10/27/06</i>
TITLE Assistant Branch Chief Archives I Research Support Branch	
NAME AND ADDRESS OF DEPOSITORY National Archives and Records Administration Washington, D.C. 20408	

Exhibit O

Letter from Oliver Wolcott, Arthur Lee, and Richard Butler to the President of Congress, dated Fort Stanwix, Oct. 5th 1784

National Archives, Papers of the Continental Congress, item 56, folios 133-136
(excerpt)

“Tho’ we gave due information to the Governor of this State of the time & place of holding the Treaty, that if he had any business to transact with the Indians he might do it under the patronage of the U.S. yet he chose to hold a treaty with the Six Nations before us, & to make peace with them in the name of this State. We cannot learn that he succeeded in purchasing territory from them; & we thought proper to inform the Indians in our conference, that a treaty with an individual State without the sanction of Congress could be of no validity.”

EXHIBIT P

463
Copy of a letter from the Governor of the Indian
Secretary to the Secretary at War dated

Richmond, July 5th 1828

Sir,

After I had the honor to deliver
you a hasty answer by General Brown, with
the latest intelligence from the Indian
Country. Gen Butler has received a letter
from the person sent to invite the Indians
dated the 14th of June a copy of which I now
enclose.

It is not a little extraordinary
that a meeting which was desired with
so much earnestness by the charges, should
be attended with, with so great delay
on their part, after being consented to by
Congress -- I suspect indeed that Congress
has a little embarrassed them -- they had
probably been led to believe that their
request would not be complied with, and
were determined on delay, and the that
is an event some of the nations, position.

Very respectfully and friend of the

Secretary

Delaware would wish to prevent it is
certainly actually desired by many others;
and I am far from being sanguine in the
hope that the Commissioners will have it

~~in their power to prevent it~~
The Western tribes have

been so successful in their depredations on
the Ohio River - their settlements are so
distant and their country so difficult,
they imagine themselves perfectly safe; and
as by these incursions they gratify at
once their passions of avarice and revenge,
and their desire for spirituous liquors, very
boat carrying more or less of that com-
modity, few of them may be expected
to attend; nor are they to be much depen-
dent on should they attend generally. — at
this time however even a bettered boat,
if better cannot be procured, is very much
to be wished. The confusion that seems
to prevail amongst the different tribes,
might possibly be influenced into a rebellion,
if the United States had proper friends

enough

amongst them, or that any of the nations have much confidence in us, but neither of these is the case, nor do I think it ever will be the case.

Our settlements are depending upon ~~these~~ ^{the} ~~fact~~ ^{fact} ~~as~~ ^{as} ~~the~~ ^{the} ~~entire~~ ^{entire} ~~quantity~~ ^{quantity} ~~which~~ ^{which} ~~they~~ ^{they} can ~~be~~ ^{be} cultivated - Our pretensions to the country they inhabit has been made known to them in so unequivocal a manner, and the consequences are so certain and so dreadful to them, that there is little probability of their ever doing any voluntarily returning us - The law of being ultimately obliged to abandon this country translates in their minds, and our British strongholds at the same time that they deny the expansion of country made by them, suggest them not to forget for a moment the storm that is pending upon us.

Any opportunity that may present itself either to sow the seeds of discord among them, or to cultivate a good understanding with them will be imposed if it can be done without it, commencing the British States - There is

another

another reason why the Senators have been so
tardy and unduly about ~~this~~ ^{their} meeting
which has been suggested by the Government
of New York — It may not be very proper
for ~~us~~ to annul ~~it~~ ^{it} on the ~~grounds~~ ^{grounds} of
that or any Government, but it surely was
very improper to call the Senators to
a meeting in that State, and as there
was understood for state purposes at the same
time they had been called to a different part
of the country for general purposes, and
in which that State as a member of the Union
was equally concerned, and no meeting is
of much consequence without these members.

It has distracted them very much. They
complain of it and say "they are called
here and they are called there — One says
here is the great Council here and to the
you must come — another tells them there
is the great Council here and ~~there~~ they
must go, and ~~that~~ they must go — and
a third tells them it is ~~lighted~~ ^{lighted} up in a

thus

49)
this place (that I understand is the land
company that has been formed in that
state to take care of them) and they know
not what to do, or whom to believe, they
feel themselves like children. Now nothing
from fear to find and unable to be them-
selves any where" and as they are naturally
I had like to have said, not altogether
unjustly, jealous of us. It has at this
time increased that natural jealousy.

It seems however they are
now on their way, and may be captured
in long.

I have had the Americans at
the place appointed for a considerable
time with a small party to take care of
them, and a person to speak with any
parties that might arrive; but these
increase the captures.

Tomorrow I shall set out my-
self but shall not go farther than the
Chickungum settlement under the pre-
text of arms, and shall take every
opportunity to inform you of every
occurrence. But I cannot conclude
this

this without expressing a wish that we
 were better prepared against hostilities
 which it is the general sentiment will
 certainly happen, and which tho' no
 not think them inevitable also but be
 likely to take place

I have the honor to be &c.

In the City of New York

The Account of a Mr. Burrance
 being put to death is contradicted by
 as Mr. Mitchell who was taken the same
 day and has obtained his liberty and
 arrived at this place a few days ago.

Letter from Gov: Western Territory

5 July 1788.

Copy.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

To all to whom these presents shall come. Greeting:

By virtue of the authority vested in me by Archivist of the United States, I certify on his behalf,
under the seal of the National Archives of the United States, that the attached reproduction(s) is a true and
correct copy of documents in his custody.



SIGNATURE	
<i>Gary L. Morgan</i>	
NAME	DATE
GARY L. MORGAN	10/27/06
TITLE Assistant Branch Chief Archives I Research Support Branch	
NAME AND ADDRESS OF DEPOSITORY National Archives and Records Administration Washington, D.C. 20408	

Exhibit P

Letter from Governor of the Western Territory Arthur St. Clair to Secretary at War Henry Knox, July 5, 1788

Papers of the Continental Congress, item 150, vol. 3, folios 489-508

Pittsburgh, July 5th 1788

Sir,

Since I had the honor to drop a hasty line by General Irvine with the latest intelligence then from the Indian Country, General Butler has received a letter from the persons sent to invite the Indians, dated the 14th of June a copy of which I now enclose.

It is not a little extraordinary that a meeting which was desired with so much earnestness by the Savages, should be attended with so great delay on their part, after being consented to by Congress. I suspect indeed that concession has a little embarrassed them. They had probably been led to believe that their request would not be complied with, and were determined on War, and tho that is an event some of the Nations, particularly the Wyandots, and part of the Delawares would wish to prevent, it is certainly ardently desired by many others; and I am far from being sanguine in the hope that the Commissioners will have it in their power to prevent it.

The Western tribes have been so successful in their depredations on the Ohio River—their Settlements are so distant, and their country so difficult, they imagine themselves perfectly safe; and as by these incursions they gratify at once their passions of avarice and revenge, and their desire for spirituous liquors, every boat carrying more or less of that commodity, few of them may be expected to attend; nor are they to be much depended on should they attend generally. At this time however even a hollow peace if better cannot be secured, is very much to be wished. The confusion that seems to prevail amongst the different tribes might possibly be improved into a rupture, if the United States had proper persons amongst them, or that any of the Nations had much confidence in us, but neither of these is the case, nor do I think it ever will be the case. Our settlements are extending themselves so fast on every quarter where they can be extended. Our pretensions to the country they inhabit has been made known to them in so unequivocal a manner, and the consequences are so certain and so dreadful to them that there is little probability of there ever being any cordiality between us. The Idea of being ultimately obliged to abandon their country rankles in their minds and our British Neighbours at the same time that they deny the cession of country made by them, suffer them not to forget for a moment the claim that is founded upon it.

Any opportunity that may present itself either to sow seeds of discord among them or to cultivate a good understanding with them will be embraced, if it can be done without committing the United States. There is another reason why the Indians have been so tardy and undecided about their meeting which has been supplied by the Governor of New York. It may not be proper for me to animadvert on the conduct of that or any Government; but it surely was very improper to call the six nations to a meeting in that State, and as I have understood for State purposes at the very time they had been called to a different part of the country for general purposes, and in which that State as a member of the U.S. was equally concerned, and no meeting is of much consequence without these nations. It has distracted them very much—they complain of

it and say "they are called here and they are called there—One says here is the great Council Fire and to this you must come—another tells them there is the great Council Fire and there they must go, and a third tells them it is lighted up in a third place (that I understand is the land company that has been formed in that State to take leases of them) and they know not which to do, or whom to believe, they feel themselves like drunken men reeling from side to side and unable to fix themselves any where." And as they are naturally, I had like to have said, not altogether unjustly, jealous of us, it has at this time increased that natural jealousy.

It seems however they are now on their way, and may be expected ere long.

I have had the Provisions at the place appointed, for a considerable time with a small party to take care of them, and a person to speak with any parties that might arrive; but these increase the expenses.

Tomorrow I shall set out myself but shall not go farther than the Muskingum settlement until the Six Nations arrive; and shall take every opportunity to inform you of every occurrence. I cannot conclude this without expressing a wish that we were better prepared against hostilities which it is the general sentiment will certainly happen and which tho' I do not think them inevitable, are but too likely to take place.

EXHIBIT Q

Exhibit Q

Excerpt of a speech by Good Peter at the Treaty of Newtown Point, July, 1791

Pickering Papers, vol. 60, folio 46

“You told us (said he) that the UStates were going to take measures to prevent our being cheated—that we might keep the seats we sat on till we should think fit to sell them. You told us that no sale of land without the knowledge of the President would be good. When we owned all this land, we did not think we had too much. Yet now we have but little. But ‘tis the mind of the Six Nations never to sell any more; but to keep it for our warriors for hunting ground forever: but ‘tis not our wish to break our seats and make them smaller. Now the UStates have engaged to make our seats easy, we only desire they would fulfill their engagements. We are willing to do the like. This will make the chain bright on both sides

Pickering’s “Extempore Remarks on Good Peter’s Speech” [excerpt]

“I told them, that the assurances of the good will & kind intentions of the UStates towards them, might be relied on. The United States had seen how much they had been cheated in times past; and therefore had taken measures to secure them against frauds in future; especially in respect to their lands, concerning which, they might depend on the protection of the United States.”

EXHIBIT R

Monday, Nov. 16, 1784

The Onondaga and Cayuga Chiefs assembled at General Chapin's, consulted the General and Mr. Pickering respecting their evacuations, and finally agreed on the following expression of their minds, addressed to Col. Pickering.

Brother, We have told you that something lay heavy on our minds; and as you were sent forward by General Washington and the District Juries to ease the minds of the Six Nations, we addressed ourselves to you. When we opened our minds to you the other day, you told us you would give your assistance in any thing which would be to the advantage of our nations. We thanked you; and accepted of your promised assistance. Now listen to the minds of the two nations here present.

Brother, It is the situation of our lands, which makes our minds uneasy. We have but two small pieces left, and we are anxious of reaping from them all the benefits which they are capable of yielding. The white people have got almost all our Country, and for a very small thing will not then deny us the liberty of disposing of the little that remains, in such manner as will be most good to our old women and children. We have always a desire to dispose of our land for our own use, and to be paid in money or provisions for same. But we have nothing to leave to our children, and what our land will yield will be little.

when divided among so many families. But it
will at least relieve the poor, if we can obtain the
just value of our land. And for so good a purpose
we think the liberty we request will not be refused.
(Brother, When we desire to dispose of our land in
this manner, we do not mean to take the soil away
from any families of our nations who now live upon
our reservations: so much as shall be proper, we still
desire to have reserved for their use. These matters we
will agree on among ourselves, if the liberty we
request is granted.

(Brother, There is another thing which makes
our minds uneasy. We of each nation are entitled to
receive five hundred dollars a year from the York
people. Hitherto this has been paid in a very unequal
manner: for our nations being each divided, the
greater part who live at the westward, remote from
our reservations, have received no share of the annual
payments: but the whole has been paid to the few
families residing on the reservations. We have several
times complained of this: and desired to have the
payments made to General Chapen who is appointed
by Gen^l Washington to take care of us and the rest of
the Six Nations, and who would make a just dis-
tribution. But our requests have been disregarded.
We now repeat the same request. Do us all justice
and we hope the grievances of which we
complain will be suffered to continue no longer.
(Brother, We desire this business may first be laid
before General Washington and his Council, and
the York people and themselves. Gen^l Washington
is to ask the York people to grant what we desire.

And we desire them to let us know quickly whether
or they will comply with our request. If they do
let them first inform Genl. Chapin of their deter-
mination, and he will inform those at the Westward
as well as those at the Eastward. We shall want
his assistance, if our requests respecting our annual
dances are complied with. We wish the York people
to take this matter into their serious consideration
and we shall expect that they will comply with
our wishes.

Another, "We desire this business may be attended
to as soon as possible."

Monday Nov^r 17. The principal Chiefs calling
to bid me farewell, begged me, importunately, not
to forget their requests respecting their lands.

Copy - Certified by Timothy Pickering
Commissioner to hold in
Conference with the
Six Nations at Commandeur

Exhibit R

Speech of the Onondagas & Cayugas about their reservations. Addressed to T. Pickering Nov. 16 1794

Pickering Papers, vol. 62, folios 104-105v

Sunday, Nov. 16 1794

The Onondaga and Cayuga Chiefs assembled at General Chapins, consulted the General and Col. Pickering respecting their Reservations, and finally agreed on the following expression of their minds addressed to Col. Pickering.

Brother,

We have told you that something was heavy on our minds, and as you were sent forward by General Washington and the Fifteen fires to ease the minds of the Six nations, we address ourselves to you. When we opened our minds to you the other day, you told us you would give your assistance on any thing which would be to the advantage of our nations. We thanked you and accepted of your promised assistance. Now listen to the minds of the two nations here present.

Brother,

It is the situation of our lands which makes our minds uneasy. We have but two small pieces left and we are desirous of reaping from them all the benefits which they are capable of yielding. The York people have got almost all our Country and for a very trifle. They were not [given?] the liberty of disposing the little that remains in such manner as will do most good to our old women and children and children's children. For this reason we desire to dispose of our land for an annual rent to be paid to us and our posterity forever. For we have nothing to leave to our children but what our little pieces of land will produce, and all they will produce will be but a trifle when divided among so many families: but it will at least relieve the poor, if we can obtain the just value of our land. And for so good a purpose we think the liberty we request will not be refused.

Brother,

When we desire to dispose of our lands in this manner, we do not mean to take the seats away from any families of our nations who now live upon our reservations so much as shall be proper, we shall desire to have reserved for their use. These reserves we will agree on among ourselves, if the liberty we request is granted.

Brother,

There is another thing which makes our minds uneasy. We of each nation are entitled to receive five hundred dollars a year from the York people. Hitherto, this has been paid in a very unequal manner, for our nations being each divided, the greater part who live at the westward remote from our reservations, have received no share of the annual payments, but the whole has been paid to the few families residing on the reservations. We have several times complained of this and desired to have the payments made to General Chapin who is appointed by Gen'l. Washington to take care of us and

the rest of the Six nations, and who would make a just distribution, but our requests have been disregarded. We now repeat the same request. To us it is an important matter, and we hope the grievance of which we complain will be suffered to continue no longer.

Brother,

We desire this business may first be laid before General Washington and by him be sent to the York people, and we request Gen'l Washington to ask the York people to grant what we desire. And we desire them to let us know quickly whether they will comply with our request. If they do, let them first inform Gen'l Chapin of their determination, and he will inform those at the Westward as well as those at the Eastward. We shall want his assistance, if our requests respecting our annual dues (?) are complied with. We wish the York people to take this matter into their serious consideration and we shall expect that they will comply with our wishes.

Brother,

We desire this business may be attended to as soon as possible.

Monday, Nov. 17. The principal Chiefs called to bid me farewell, begged me importunately not to forget their requests respecting their lands

Copy—Certified by Timothy Pickering

EXHIBIT S

may remember
~~that~~ ^{that} in my commission from
 our Great Chief, the President of the United States, ~~was~~
 particularly required to communicate to you, in a plain
 and fair manner, the late act of Congress respecting the
 trade & intercourse with the Indian Tribes. Brothers,
 that act, or law, of Congress, is printed on the paper I
 now hold in my hands. Brothers, Open your ears that
 you may hear me read & explain it.

Explanations of an Act of the Congress of the United States of America, entitled "An Act to Regulate Trade & Intercourse with the Indian Tribes."

1. By the first ^{section or part of the Act} ~~paragraph~~ it appears that the Indian Tribes
 within the limits of the United States, are to be arranged
 in certain departments; that for each department there
 is to be a Superintendent of Indian affairs; that no per-
 son is to trade with the Indians without a licence from the
 Superintendent of the department; that before a licence
 can be obtained the person applying for it must give
 bond with one or more sureties, in the sum of one thou-
 sand dollars, to observe such rules as shall be made
 by the President of the United States, to regulate
 trade & intercourse with the Indians; and that no
 licence can be granted for a longer term than two
 years. But that nevertheless the President ~~of the United~~
~~States~~ may permit persons without licence to trade
 with those tribes of Indians which are surrounded in
 their settlements by the citizens of the United States.

2. ^{section} The second ~~paragraph~~ provides a remedy for
 abuses. It will be the duty of each Superintendent to
 licence only good and honest men to trade with the
 Indians; but sometimes he may be deceived by bad
 men who after receiving licences, may

the Indians, and disregard the rules they are bound to observe. In such case, the Superintendent is to take away their licences, and oblige any one found guilty of breaking the rules, to pay the thousand dollars for which he had given bond. If, however, after an examination before the court it shall appear that the Superintendent was mistaken, & that the trader had not broken the rules, then he will be acquitted; and a new licence will be given to him.

3. The third ^{section} ~~paragraph~~ is designed as a further, and effectual guard to the Indians against the frauds & impositions of unlicensed traders. For it is reasonably presumed that every honest trader will be willing to take a licence, & to observe the rules which our Great Chief, ~~the President~~ ^{the President of the United States}, shall make to regulate trade with the Indian Tribes. If therefore any man attempts to carry on such trade, without a licence, it will be because he is unwilling to be bound by good and honest rules - rules which will be made for the benefit and security of the Indians, and to enforce the continuance of peace between them and the United States. Therefore it is declared that every such lawless trader shall forfeit all the goods, or merchandize, which he shall offer for sale to the Indians, or which shall be found in his possession in the Indian country.

4. The fourth ^{section} ~~paragraph~~ is intended for the mutual advantage of the United States and of the Indian Tribes. In times past, some white men have deceived the Indians, falsely pretending they had authority to lease or purchase their lands. And sometimes they have seized on more land than the Indians meant to sell them; again falsely pretending that those lands were comprehended within their purchase. Such fraudulent practices have made our brethren angry; and sometimes occasioned hostilities, wars & bloodshed. Yet Indians will always be exposed to such deception and imposition, while they continue to sign

19

and seal papers which they must read. Now, Brothers,
to prevent these great evils in future, the Congress declare
That no sale of lands made by any Indians, to any per-
son or persons, & even to any state, shall be valid
(or of force) unless the same be made at some public
treaty, held under the authority of the United States. For
at such public treaty wise and good men will be ap-
pointed by the President to attend, to prevent all de-
ception and fraud. Those wise & good men will examine
every deed before it is signed and sealed, and see that
every lease or purchase of the Indians be openly and
fairly made.

5. The fifth ^{section} ~~paragraph~~ declares how those white men,
who hurt friendly Indians in their persons or property,
shall be punished. Brothers, it is proper that I in-
form you, that if an Indian be murdered, or in
any manner injured, within the jurisdiction of any
state, the murderers or trespassers will be liable to the
same punishment as if the person murdered or injured
were a white man. But the United States are
desirous of making further provision for the security
of their Brothers the Indians: And therefore Congress
have declared, That if any inhabitant of the United
States, or of either of the territorial districts of the United
States, shall go into any town, settlement or territory
belonging to any nation or tribe of Indians, & there com-
mit any crime upon, or trespass against, the person
or property of any peaceable and friendly Indian or
Indians, such offender shall be subject to the same
punishment as if the offense had been committed
within the state or district to which he may belong,
against a citizen or white inhabitant thereof.

6. In the sixth ^{section} ~~paragraph~~ Congress direct, that
for any of the crimes or offenses mentioned in this law,
the same manner of proceeding, to bring the offender
to trial and punishment, shall be used, as if the

crimes or offences were committed against the United States.

The 7th ^{Section} ~~Chapter~~, in a few words, limits the duration of the law, and needs no explanation. But it may be proper for me to observe, that if the law should be found useful, it will undoubtedly be continued for a longer term; in a word, ~~for~~ as long as it shall prove beneficial to you and to the United States.

Brothers,

The Act of Congress which I have now read and explained cannot fail to give you satisfaction; for it must convince you of the friendly disposition of the Federal government (which is the government of the United States) towards you, and of its readiness to extend protection and support to you on all needful occasions.

Brothers, let me entreat you to lay this law up in your hearts, & keep it fresh in your memories. The President of the United States will appoint Superintendants, make rules for the government of licensed traders, and do whatever shall be necessary to carry the law into complete execution.

Brothers I now present to you a copy of the law which has just now explained, together with ^{an} ~~an~~ explanation ~~of the same~~ ^{in testimony of the receipt of the same} and this in my opinion their explanation are just & have interest in your minds and have been

given on the twentieth day of
November 1830

for the ^{of} the United States
to you

Exhibit S

“Explanations of an Act of the Congress of the United States of America, entitled ‘An Act to Regulate Trade & Intercourse with the Indian Tribes,’” Speech of Timothy Pickering to the Six Nations at Tioga Point Conference, November 1790
Pickering Papers, vol. 61, folios 78-78A (excerpts)

. . . I am particularly required to communicate to you, in a plain and fair manner, the late act of Congress respecting trade & intercourse with the Indian Tribes. . . .

The fourth section is intended for the mutual advantage of the United States and of the Indian Tribes. In the past, some white men have deceived the Indians, falsely pretending they had authority to lease or purchase their lands: And sometimes they have seized on more lands than the Indians meant to sell them; again falsely pretending that those lands were comprehended within their purchase. Such fraudulent practices have made our brothers angry and sometimes occasioned hostilities, war & bloodshed. Yet Indians will always be exposed to such deception and impositions while they continue to sign and seal papers which they cannot read. Now brothers, to prevent these great evils in the future, the Congress declare that no sale of lands made by any Indians, to any person or persons, or even to any State, shall be valid (or of force) unless the same be made at some public treaty held under the authority of the United States.

. . . lay up this law in your hearts & keep it fresh in your memories.

EXHIBIT T

about it. But before we speak to you concerning this, we must know from you whether you mean to leave us and our children any land to till. Speak plainly to us concerning this great business.

All the lands we have been speaking of belonged to the Six Nations; no part of it ever belonged to the King of England, and he could not give it to you.

The land we live on, our fathers received from God, and they transmitted it to us, for our children, and we cannot part with it.

FATHER: We told you that we would open our hearts to you. Hear us once more.

At fort Stanwix, we agreed to deliver up those of our people who should do you any wrong, that you might try them, and punish them according to your law. We delivered up two men accordingly, but instead of trying them according to your law, the lowest of your people took them from your magistrate, and put them immediately to death. It is just to punish murder with death; but the Senecas will not deliver up their people to men who disregard the treaties of their own nation.

FATHER: Innocent men of our nation are killed one after another, and of our best families; but none of your people who have committed the murder have been punished.

We recollect that you did not promise to punish those who killed our people, and we now ask, was it intended that your people should kill the Senecas, and not only remain unpunished by you, but be protected by you against the revenge of the next of kin?

FATHER: These are to us very great things. We know that you are very strong, and we have heard that you are wise, and we wait to hear your answer to what we have said, that we may know that you are just.

Signed at Philadelphia, the first day of December, 1790.

CORNPLANTER, his x mark.

HALF-TOWN, his x mark.

GREAT-TREE, his x mark.

Present at signing, JOSEPH NICHOLSON, Interpreter.
T. Y. MATLACK.

The reply of the President of the United States to the speech of the Cornplanter, Half-Town, and Great-Tree, Chiefs and Councillors of the Seneca nation of Indians.

I, the President of the United States, by my own mouth, and by a written speech, signed with my own hand, and sealed with the seal of the United States, speak to the Seneca nation, and desire their attention, and that they would keep this speech in remembrance of the friendship of the United States.

I have received your speech with satisfaction, as a proof of your confidence in the justice of the United States, and I have attentively examined the several objects which you have laid before me, whether delivered by your own chiefs at Tioga Point, in the last month, to Colonel Pickering, or laid before me in the present month, by the Cornplanter, and the other Seneca chiefs now in this city.

In the first place, I observe to you, and request, it may sink deeply into your minds, that it is my desire, and the desire of the United States, that all the miseries of the late war should be forgotten, and buried forever. That, in future, the United States and the Six Nations should be truly brothers, promoting each other's prosperity by acts of mutual friendship and justice.

I am not uninformed, that the Six Nations have been led into some difficulties, with respect to the sale of their lands, since the peace. But I must inform you that these evils arose before the present Government of the United States was established, when the separate States, and individuals under their authority, undertook to treat with the Indian tribes respecting the sale of their lands. But the case is now entirely altered; the General Government, only, has the power to treat with the Indian nations, and any treaty formed, and held without its authority, will not be binding.

Here, then, is the security for the remainder of your lands. No State, nor person, can purchase your lands, unless at some public treaty, held under the authority of the United States. The General Government will never consent to your being defrauded, but it will protect you in all your just rights.

Hear well, and let it be heard by every person in your nation, that the President of the United States declares, that the General Government considers itself bound to protect you in all the lands secured to you by the treaty of fort Stanwix, the 22d of October, 1784, excepting such parts as you may since have fairly sold, to persons properly authorized to purchase of you. You complain that John Livingston and Oliver Phelps, assisted by Mr. Street, of Niagara, have obtained your lands, and that they have not complied with their agreement. It appears, upon inquiry of the Governor of New York, that John Livingston was not legally authorized to treat with you, and that every thing that he did with you has been declared null and void, so that you may rest easy on that account. But it does not appear, from any proofs yet in possession of Government, that Oliver Phelps has defrauded you.

If, however, you have any just cause of complaint against him, and can make satisfactory proof thereof, the federal courts will be open to you for redress, as to all other persons. But your great object seems to be, the security of your remaining lands; and I have, therefore, upon this point, meant to be sufficiently strong and clear, that, in future, you cannot be defrauded of your lands; that you possess the right to sell, and the right of refusing to sell, your lands; that, therefore, the sale of your lands, in future, will depend entirely upon yourselves. But that, when you may find it for your interest to sell any part of your lands, the United States must be present, by their agent, and will be your security that you shall not be defrauded in the bargain you may make.

It will, however, be important, that, before you make any further sales of your lands, you should determine among yourselves who are the persons among you, that shall give such conveyances thereof as shall be binding upon your nation, and forever prevent all disputes relative to the validity of the sale.

That, besides the before mentioned security for your land, you will perceive, by the law of Congress for regulating trade and intercourse with the Indian tribes, the fatherly care the United States intend to take of the Indians. For the particular meaning of this law, I refer you to the explanations given thereof by Colonel Timothy Pickering, at Tioga, which, with the law, are herewith delivered to you.

You have said in your speech that the game is going away from among you, and that you thought it the design of the Great Spirit, that you should till the ground; but before you speak upon this subject, you want to know whether the Union mean to leave you any land to till. You now know, that all the lands secured to you, by the treaty of fort Stanwix, excepting such parts as you may since have fairly sold, are yours, and that only your own acts can convey them away. Speak, therefore, your wishes, on the subject of tilling the ground. The United States will be happy in affording you every assistance, in the only business which will add to your numbers and happiness. The murders that have been committed upon some of your people, by the bad white men; I sincerely lament and reprobate; and I earnestly hope, that the real murderers will be secured, and punished as they deserve. This business has been sufficiently explained to you here, by the Governor of Pennsylvania, and by Colonel Pickering, on behalf of the United States, at Tioga. The Senecas may be assured, that the rewards offered for apprehending the murderers, will be continued, until they are secured for trial; and that, when they shall be apprehended, they will be tried and punished as if they had killed white men.

Having answered the most material parts of your speech, I shall inform you that some bad Indians, and the outcasts of several tribes, who reside at the Miami village, have long continued their murders and depredations upon the frontiers lying along the Ohio. That they have not only refused to listen to my voice, inviting them to peace, but that, upon receiving it, they renewed their incursions and murders, with greater violence than ever. I have, therefore, been obliged to strike those bad people, in order to make them sensible of their madness. I sincerely hope they will hearken to reason, and not require to be farther chastised. The United States desire to be the friends of the Indians, upon terms of justice and humanity; but they will not suffer the depredations of the bad Indians to go unpunished. My desire is, that you would caution all the Senecas, and Six Nations, to prevent their

rash young men from joining the Maumee Indians: for the United States cannot distinguish the tribes to which bad Indians belong, and every tribe must take care of their own people. The merits of the Cornplanter, and his friendship for the United States, are well known to me, and shall not be forgotten; and, as a mark of the esteem of the United States, I have directed the Secretary of War to make him a present of ——— dollars, either in money or goods, as the Cornplanter shall like best; and he may depend upon the future care and kindness of the United States; and I have also directed the Secretary of War to make suitable presents to the other chiefs in Philadelphia; and also, that some further tokens of friendship be forwarded to the other chiefs, now in their nation.

Remember my words, Senecas! Continue to be strong in your friendship for the United States, as the only rational ground of your future happiness, and you may rely upon their kindness and protection. An agent shall soon be appointed to reside in some place convenient to the Senecas and Six Nations. He will represent the United States. Apply to him on all occasions. If any man bring you evil reports of the intentions of the United States, mark that man as your enemy: for he will mean to deceive you, and lead you into trouble. The United States will be true and faithful to their engagements.

Given under my hand, and the seal of the United States, at Philadelphia, this twenty-ninth day of [L. s.] December, in the year of our Lord one thousand seven hundred and ninety, and in the fifteenth year of the sovereignty and independence of the United States.

GEO. WASHINGTON.

By the President:

TH: JEFFERSON.

By command of the President of the United States of America:

H. KNOX, *Secretary for the Department of War.*

The speech of the Cornplanter, Half-Town, and the Great-Tree, Chiefs of the Seneca nation, to the President of the United States of America.

FATHER: Your speech, written out the great paper, is to us like the first light of the morning to a sick man, whose pulse beats too strongly in his temples, and prevents him from sleep. He sees it, and rejoices, but he is not cured.

You say that you have spoken plainly on the great point. That you will protect us in the lands secured to us at fort Stanwix, and that we have the right to sell or to refuse to sell it. This is very good. But our nation complain that you compelled us at that treaty to give up too much of our lands. We confess that our nation is bound by what was there done; and, acknowledging your power, we have now appealed to yourselves against that treaty, as made while you were too angry at us, and, therefore, unreasonable and unjust. To this you have given us no answer.

FATHER: That treaty was not made with a single State, it was with the thirteen States. We never would have given all that land to one State. We know it was before you had the great authority, and as you have more wisdom than the commissioners, who forced us into that treaty, we expect that you have also more regard to justice, and will now, at our request, reconsider that treaty, and restore to us a part of that land.

FATHER: The land which lies between the line running south from lake Erie to the boundary of Pennsylvania, as mentioned at the treaty at fort Stanwix, and the eastern boundary of the land which you sold, and the Senecas confirmed to Pennsylvania, is the land on which Half-Town and all his people live, with other chiefs, who always have been, and still are, dissatisfied with the treaty at fort Stanwix. They grew out of this land, and their fathers' fathers grew out of it, and they cannot be persuaded to part with it. We therefore entreat you to restore to us this little piece.

FATHER: Look at the land which we gave to you at that treaty, and then turn your eyes upon what we now ask you to restore to us, and you will see that what we ask you to return is a *very little piece*. By giving it back again, you will satisfy the whole of our nation. The chiefs who signed that treaty will be in safety, and peace between your children and our children will continue so long as your land shall join to ours. Every man of our nation will then turn his eyes away from all the other lands which we then gave up to you, and forget that our fathers ever said that they belonged to them.

FATHER: We see that you ought to have the path at the carrying place from lake Erie to Niagara, as it was marked down at fort Stanwix, and we are all willing it should remain to be yours. And if you desire to reserve a passage through the Conewango, and through the Chataugue lake and land, for a path from that lake to lake Erie, take it where you best like. Our nation will rejoice to see it an open path for you and your children while the land and water remain. But let us also pass along the same way, and continue to take the fish of those waters in common with you.

FATHER: You say that you will appoint an agent to take care of us. Let him come and take care of our trade; but we desire he may not have any thing to do with our lands: for the agents which have come amongst us, and pretended to take care of us, have always deceived us whenever we sold lands; both when the King of England and when the States have bargained with us. They have by this means occasioned many wars, and we are therefore unwilling to trust them again.

FATHER: When we return home, we will call a great council, and consider well how lands may be hereafter sold by our nation. And when we have agreed upon it, we will send you notice of it. But we desire that you will not depend on your agent for information concerning lands: for, after the abuses which we have suffered by such men, we will not trust them with any thing which relates to land.

FATHER: We will not hear lies concerning you, and we desire that you will not hear lies concerning us, and then we shall certainly live at peace with you.

FATHER: There are men who go from town to town and beget children, and leave them to perish, or, except better men take care of them, to grow up without instruction. Our nation has looked round for a father, but they found none that would own them for children, until you now tell us that your courts are open to us as to your own people. The joy which we feel at this great news, so mixed with the sorrows that are passed, that we cannot express our gladness, nor conceal the remembrance of our afflictions. We will speak of them at another time.

FATHER: We are ashamed that we have listened to the lies of Livingston, or been influenced by threats of war by Phelps, and would hide that whole transaction from the world, and from ourselves, by quietly receiving what Phelps promised to give us for the lands they cheated us of. But as Phelps will not pay us even according to that fraudulent bargain, we will lay the whole proceedings before your court. When the evidence which we can produce is heard, we think it will appear that the whole bargain was founded on lies, which he placed one upon another; that the goods which he charges to us as part payment were plundered from us; that, if Phelps was not directly concerned in the theft, he knew of it at the time, and concealed it from us; and that the persons we confided in were bribed by him to deceive us in the bargain. And if these facts appear, that your court will not say that such bargains are just, but will set the whole aside.

FATHER: We apprehend that our evidence might be called for, as Phelps was here, and knew what we have said concerning him; and as Ebenezer Allen knew something of the matter, we desired him to continue here. Nicholson, the interpreter, is very sick, and we request that Allen may remain a few days longer, as he speaks our language.

FATHER: The blood which was spilled near Pine creek is covered, and we shall never look where it lies. We know that Pennsylvania will satisfy us for that which we spoke of to them before we spoke to you: The chain of friendship will now, we hope, be made strong as you desire it to be. We will hold it fast; and our end of it shall never rust in our hands.

EXHIBIT U

U 217

At Kanandaigua. 1794.

October. In the beginning of this month, about a dozen of the Oneida Chiefs came to my quarters, accompanied by General Chapin.

They observed, that they had come to this place to meet the rest of the Six Nations, on business with the United States: but the other nations not having arrived, and this being a leisure time, they wished to speak of private affairs, which concerned only their own nation.

Encroachment on the Oneida's Land.

The Chiefs complained that encroachments were making on their land. They said, that in the sale of land to the State of New-York, the line was to run from the south-west corner of their reservation, due north to the Deep Spring; and thence north to Canaseraga Creek: and that according to this agreement the line was originally run. * But that lately they have run a new line, due east from the Deep Spring, which cuts off a large piece of their land. — This they said.

of the were the Surveyor General of New-York, the line was run from the Deep Spring, to Canaseraga Creek.

in Vol. 62. fol. 176.

said, had always been too much the case with Indian lands. Tho' there was a right understanding at first, yet afterwards the white people would come and cut off their land. They added "Now our business is that of Peace. General Chapin, you were appointed to see justice done to the Six Nations. We now apply to you and Col. Pickering for assistance, and to procure us justice."

They also complained of their being wronged in the running of their Eastern line, which, during the negotiation with Governor Clinton & other Commissioners, they earnestly desired might go straight from James Dean's southwest corner to the head of Unadilla: while the Governor insisted on running it due south from Mr. Dean's southwest corner. And that finally, in consideration of 500 dollars more to be paid them, towards building a grist-mill and saw-mill, they consented to have the line run from Mr. Dean's corner straight to a point in the fourth line of their reservation, half way between the head of Unadilla & the point due south from that corner. Notwithstanding which, the line was in fact run due south. But tho' they have been wronged in this, they give it up. But the new encroachment from the Deep Spring, they said was too much, and they

they could not relinquish it.

Answer to the Oneida's Complaint:

To ascertain the facts necessary to be known in order to form a right judgement of their complaint, it seemed proper that some enquiry and examination should be made on the land. I therefore told the Chief that I should return by the way of Oneida, and would then enquire into the subject of their complaint. General Chapin concurring in it as the best means of procuring them satisfaction.

Saturday, October 11. 1794.

Parties in the Oneida Nation.

Having been informed that two parties had for some time existed in the Oneida Nation, and altho' there had been an apparent reconciliation, yet that some heart-burning remained, and that the breach was in danger of increasing. I assembled the Chief and Warriors, with a hope that on a discovery, from both sides, of the cause of their difference, means might be used to remove them, and restore their union. Such a union, at all times desirable, seemed to be particularly important at this time; the

Oneida,

Oncidas forming a respectable portion of the Six Nations; and having been always steadily attached to the United States.

In a short address, after noticing that the great object of the general treaty at this place, was to renew and confirm the friendship which had now for some years subsisted between the Six Nations and the United States, I expressed my wishes to see them united among themselves; and especially that the Onondaga nation, dwelling together on their own land, in our neighbourhood, and having one common interest, might live in harmony and love: observing, that this would be agreeable to the Great Spirit who delighted in the happiness of mankind; but that happiness was attainable only by union, peace, and mutual kindness.

I then desired them calmly to relate the causes of disunion among them; expressing a hope that when known, it might be practicable to remove them, and manifesting my disposition to afford my assistance in my power.

Five Strings of Wampum.

Captain John then spoke a few words to the Indians; and desiring me to keep my seat, they withdrew a little while, to converse among themselves. On their return, Capt. John delivered the following speech, on the

Causes of Disunion in the Onondaga Nation.
Another, before we had heard what you

51
29

you our brother said, that we desired you to make
your seat easy, while the chiefs withdrew to consult
of an answer. Now listen to what we have to say.

[Here he recited the substance of my speech to
them.]

Now, Brother, I desire you to listen. I hope you
will understand what I am going to relate.
You will hear my voice in presence of my
brethren who are ~~here assembled~~.

Brother, We have given to us a sense
to know right from wrong. You said that the Great
Spirit regarded those who loved one another. You
must pity our condition: we are an ignorant peo-
ple. We have not the word of the Great Spirit so
fully explained to us as you the white people. Still
we have our rules of conduct - those of our forefa-
thers, which they handed down, that they might
be preserved and practiced by their children.

Brother, In your speech you desired we
would lay before you the causes of difference a-
mong us. - What I shall do, will be openly.
What I say cannot be hid from the Great Spirit.
In his presence, and before these people, I shall
now relate the cause of our difference.

Brother, We have received requests from
the different nations, time after time, that we
should be united. Now we hear the voice of the
United States, repeating the same request.

Brother, You said if we would be united,
it would be greatly to our advantage; & to the ad-
vantage of the nations at large. Our property and
interests

interest were one: why should we not be united? But I pass over these matters; repeating only a few words of the advice we have received.

Now, Brother, listen; and I will tell the cause of uneasiness among us. I will convey my ideas in as few words as possible. — Our minds are divided on account of our land. Not that we are to blame: — 'Tis you, Brothers of a white skin, who cause our uneasiness. You keep coming to our seats, one after another. You advise us to sell our land. You say it will be to our advantage. This, Brother, is the voice we receive from you.

Brother, We have received the voice of the United States, as our friends. We really believe the Government of the United States are our friends. You have often advised us to keep our land, & told us if we sold them, it would be like throwing a piece of metal into the fire, which would there dissolve.

Brother, I will now enter on a relation of facts, and in a few words; for if I should go into a full detail, it would take up too much time. I will only mention the most material.

Brother, There was a council-fire held at Tioga (on the Mohawk River) requesting land of us. But there was an Albany man there at the same time, who desired we should not sell, as we should injure ourselves, by it.

Brother

Brother, This was the cause of our minds being broken apart: some were for disposing of our lands, and some were against it. Our Head Chief (Good Peter) who died at Buffalo Creek, was against disposing of our lands: but other Chiefs prevailed; so that we disposed of a large country.

Brother, Afterward a Bostonian [meaning John Livingston] came forward and requested we would let him have ^{a tract of} our land. He came as far as Canadawaga, where he kindled his Council-Fire. There we made a bargain, and disposed of a large tract of our land.

Then the Governor [of New York] kindled a Council-Fire at Fort Stanwix. He said to us, "I will break this bargain which you have made; as I have a regard for your welfare. This bargain would be to you as if your land were sunk: Now I will lift it out of the water." — After he had said he would save our lands for us, he added — "You had better sell it to me. I will do you justice." — This made us glad: for we expected to have our land restored.

Now, Brother you may think, and I will know, that we know nothing about the sale of lands. For we consented to let him have a large tract, for which he was to pay us 600 dollars a year, as long as the winter should run. — There you see one of our bargains: only this sum for so large a country as we disposed of!

Then the Governor desiring marks all round what was left of our land, said to us - "Brothers, you see your feet is yet large and comfortable, and that you have room to move round it." Then he desired we would not sell or leave any more of our lands to any body.

Then he gave us a paper, mentioning how large our feet were: still requesting we would not dispose of any of our lands. But, Brother, we since find that we were left, in disposing of so much: tho' it was the voice of all the Chiefs to do it.

Brother, After giving us this writing, and desiring we would keep our lands, he proposed that we should leave four miles wide on the south side of our lands: and said he, "I will attend to it for you; as you are not acquainted with dealing for land."

Brother, These are the heads of the treaty with the Governor, at Fort Stanwix.

Brother, At the same time there was a great man there, a citizen of the United States. He kept a full table for us; treated us well; and after the Governor had completed his business, then he came with his petition, requesting we would let him have a tract of land. This also we granted.

Brother, This is the manner in which we have been imposed on by the white people.

221
9

We are sensible that we were then very much left. After these things had taken place, the difficulty arose in the nation which still subsists: for, as I said, some were for leasing, and some were opposed to leasing.

Brother, You requested we would lay before you the cause of the division in the nation: this is truly the cause which I have been relating - the letting our land go, from time to time. We acknowledge before you, that herein we have acted very foolishly.

Now, Brother, as I before mentioned, after the Governor had made a bargain with us, he gave us liberty to lease a piece of our land, four miles wide. A man came forward to lease it. The Sachems consented, thinking it would throw an annual payment into the nation. But our Head Warrior rose against it, and was very angry with the Sachems for disposing of the land. However, the bargain took place.

Brother, This lease was given to one Peter Smith. During the time of making the bargain, our Head Warrior was talking against it: but we persevered in leasing the land, contrary to his good advice.

After the lease was given, we sent warriors of one party to attend the surveyors in measuring out this tract of land; which had

liked

liked to have produced a greater difficulty in the nation than what you now see. Our minds were greatly broken apart: we did not know that we should ever again bring them together.*

Brother, you requested that we would lay before you the whole cause of our difference: I repeat, That it is our land. I am tender hearted; and my mind is easily flattered & led away. I am willing to accommodate my brethren of a white skin; and have always listened to their voices. The reason has been, that I thought they would not be pleased if I did not comply with their requests. And we comply because we wish to live in friendship with our brethren the white people.

Brother, I have mentioned the heads; it would be too tedious to mention all the particulars which have caused our difference.

Brother, The United States planted a tree of peace for us, and desired that we would sit under its shade and smoke our pipes, and think of nothing but friendship. The path of peace was opened for us by these United States, and we were desired by our brethren to walk in it. We have kept in this path with our brethren of the U. States; and we have kept it among ourselves, except

[* I have been told that dark parties around.]

122
11

in the case which I have mentioned.

Now, Brother, you have heard what the
Sachems have to say on their part, of the
causes of difference in the nation. Now I hand
your speech to the Chief Warrior, to see if he has
any thing to say, contrary to what I have
spoken.

[He then handed my five strings
to Peter, the Head Warrior.]

Speech of Peter, the Chief Warrior.

Brother, Listen.

Brother, You requested that we would
lay before you the causes of the difficulty in the
Oneida Nation. You have heard the voices of the
Sachems: they mentioned the heads thereof.

Brother, You perfectly recollect, that
at the time you kindled a Council-Fire at
Newtown Point, I then heard your voice, as
did a number of the Chiefs now present. You
gave us advice that we should quit our hunt-
ing, and informed us how the white people
lived, how much better and more comfortable.
Further you recommended that we should learn
the ways of the Great Spirit.

Brother I will just mention the head of
your advice, tho' not necessary for you, as you
must perfectly recollect what you told us at
Newtown. You advised us to keep our lands,
as

as our facts were small. But whenever we should desire to dispose of any part of them, that we should make our minds known to the President, who would appoint a person to see justice done us. This was your advice.

Brother, You advised us in a number of cases; how to live, & what to do. It would be tedious to mention the particulars. You must recollect them.

Brother, You must recollect that we told you at that treaty, that we considered you as our brother, and accepted of your advice, which we thought was good. You pointed out a particular path and rule for us to go by. You just now heard, by the voice of our sachems, how we have since conducted. If you find that we have strayed from the path, and gone contrary to your advice, we desire you to bring us back: perhaps we have gone astray.

Brother, We now return your strings. You desired we would lay our difficulties before you, as it was possible you could remove them.

[He then returned the strings.]

Hearing heard these speeches, I told them the subject was important - that I would well consider it; and on Monday give them my advice.

Monday, October 13th 1794.

Answer to the two foregoing speeches.

Brothers. When I had heard your speeches respecting the causes of trouble and dissention among you, I told you the subject was important - that I would think of it - and when ready, again meet you in Council, and give you my opinion and advice.

Brothers. I have thought a great deal of the condition of the natives of this land, who as it were grew out of it and once possessed it all. I have earnestly wished that some new path might be discovered in which they might walk with more safety, and in following which they might find all the good things which mankind can enjoy.

Brothers. Some of you have heard the sentiments I formerly expressed on this subject; your War Chief has reminded me of them. One thing,

Brothers, is known to all men of understanding, who look round among their brethren; that it is our own conduct which makes us happy or wretched. I can speak with certainty of people of my colour. Among them those who are industrious, prudent and temperate, get a plenty of good things, and are happy. Those who are lazy, imprudent and intemperate, become poor & miserable. Among all people, as well those of a white as

of a dark skin, some are good, honest and friendly; and some are bad, dishonest & unkind. Among the whites, bad men often hunt the good; and they would hunt them much more, did not the laws restrain and punish them. Among the whites, the poor, the ignorant and the young, who cannot take care of themselves, are under the guardianship of the laws. Those laws mark out the path in which such helpless people are to walk; and persons are appointed as guides to keep them from losing the path, & to prevent people more knowing, but having bad hearts, from leading them astray.

now, Brothers, you the natives of this land - you whose forefathers grew out of it, are in the condition of the helpless people just described, and need the guardianship of our laws, in respect to many things, but especially in the management of your lands. And you have acknowledged candidly, that you know nothing about the sale of lands. You told me that you had a sense of right and wrong. tho' you had not the advantages of knowledge like the white people. You have indeed, brothers, a sense of right and wrong among men you are of excellent understandings. The Great Spirit who made those of a white skin, made you also: and the original powers of your minds are equal to ours. And yet even your wise men suffer imposition from bad white people of not

half their understanding. "What then gives the whites this superiority over you?" 'Tis the knowledge they obtain from books and from the many useful customs and employments practised by the white people, but a very few of which have even ^{been} seen by you. How then Brothers can you become equal to the whites? Only by adopting their ways - such of them as are good and useful. For, Brothers, we have some bad ways as well as many good ones: and unfortunately, Indians have been ready enough to learn the bad, while they have refused the good. Hence it is that you have suffered so many impositions from white people. For bad people among the whites, knowing that you are incapable of computing the value of your lands, take advantage of your ignorance, & deceive you: and knowing also your principal failing, they pretend to a great deal of generosity, and provide a plenty of liquor; and when your hearts become cheerful, and your heads grow giddy, then they make their bargains with you, and get your Chiefs to sign their papers. But as soon as you are sober, you find, to your sorrow, that your beds have slipped from under you. Another misfortune, Brothers, attends these bargains, that true interpretations are not always givers of the papers you sign. Perhaps sometimes the interpreters purposely deceive you: but at other times the interpretations are not exact because ~~we have no words in our language by which~~

the meaning of the English words can be expressed. Now even if the white people understand all those words: and they are not necessary to be introduced into papers which convey your lands. They ought not to be introduced: and you ought never to set your hands to a paper unless the interpreters first say, in the presence of the Great Spirit, that they have faithfully interpreted every word. If this were done, brothers, such papers would contain but a few words; and the fewer the words the less the danger of your being deceived. ^{But} I must not enlarge on these matters.

Brothers, The principal object I have in view, is to heal the wounds which have been given by the disposing of your lands, and to point out a way in which you may avoid future strife.

Brothers, At Newtown Point, I explained to a number of your Chiefs a Law of the United States intended to guard the Indians from the imposition of White People. The most important article in this Law respects your lands. This article declared, that no sale of Indian lands should be valid, unless made at a public treaty held under the authority of the United States.

Now Brothers, it is my opinion that the lease of your lands to Peter Smith, is by this law made void. This lease you say was the first cause of heart-burning among you, and will might bring you to the shedding of each others blood.

This lease, I am told, was a sale of your land¹⁷ for twenty one years: and that altho' the land leased contained near one hundred square miles, yet he is to pay you a rent of only two hundred dollars a year!

Brothers, I have already observed, that advantages are taken of you, because you cannot calculate the quantity & value of your lands. I will give you some Idea of that large piece which you leased to Peter Smith.

As it amounts to near one hundred square miles, it contains land enough for three hundred good farms. These 300 farms would support 300 families upon them with good houses, and barns, horses, oxen, cows, sheep, hogs, wheat, corn, cloathing and all the necessaries and comforts of life, in great plenty. I will just observe further, Brothers, that these 300 families would probably contain between two or three thousand people, or perhaps three or four times as many as the whole Oneida nation; and all might be so abundantly supported only by the strip of four miles wide on the south side of your reservation. How rich then, Brothers, you still are, notwithstanding all your losses! and rich may you remain, provided you no more throw away your land in foolish bargains. Let the knowledge of this make your mind easy. Let the minds of the Warriors be easy, even if what has already

been leased, should not be restored.

Brothers, I have now given you some idea of the value of this one piece of your land. But what are you to get for it. Why truly, for every such farm, which would support a large family, in plenty of all good things, a whole year, you are to receive two thirds of a dollar; or what will every year buy you a quart of rum! So ~~that~~ you see ^{that} for a quart of rum you give away a farm!

Brothers, you appear struck with this representation. I hope you will remember it; and never again barter away a valuable farm for a drum.

Brothers, There is, I have heard, a fresh cause of uneasiness among you, which I suppose you forgot to mention; I mean the sale of six miles square of your land to Mr. Van Ops, for six hundred and fifty dollars a year. This was lately agreed on; and tho' a better bargain than the former, is nevertheless an unwise ^{one}. I am well informed that good men stand ready to give you twice that sum, for a smaller piece of land.

Besides, like the former, the sale was made in the bushes; and not at a council fire kindled by the United States; and is therefore of no strength; and can no more bind you than a thread of rotten bark. And, Brothers, not only the sale is void, but the person negotiating it is liable to forfeit one thousand Dollars, and to be imprisoned.

imprisoned twelve months. — — —

Brothers, I hold in my hand, & now give you, that article of the law of the U. States which was made to protect your land: keep it, and show it to every one who shall tempt you to part with them. I have explained to you what I take to be the true meaning of the law: and I believe I am not mistaken. Perhaps some may tell you that the President and Great Council of the U. States have no right to meddle with your lands, not even to keep you from being cheated out of them: But pay no regard to such men. Consider them as deceivers, who want to take your lands from under you. The makers of the law were wise & good men, who would not do what they had no right to do. Keep fast of ^{hold} your lands, therefore, and do not give up even those you have leased, until ~~some~~ wise men, who understand all our laws, have examined into the matter and found who is right.

Brothers, Perhaps you will now ask, how shall we make our lands useful to us, as we cultivate but a very small part of them our selves? Brothers I will tell you; listen to my advice.

1. When any of you think it would be for your good to lease or sell any part of your lands, either for a number of years or forever, let all your Sachems assemble, and let runners call the Chiefs and Warriors to meet with them.

In that assembly consider the subject well, and let every one speak his mind. When you have heard all the reasons for and against it, count all ~~with~~ the Sachems, Chiefs and Warriors, and then, if as many as two thirds of the Sachems, two thirds of the Chiefs, and two thirds of the Warriors put their minds together, to lease or sell the land, let it be leased or sold. When the determination is thus made, any who are of another mind ought to submit to the strong voice of their brethren, and be easy.

2. When you have thus agreed, inform the Superintendent, appointed by the United States to watch over your interest, and desire him to write to the President, and request that he would appoint one or two faithful men to be present when you make the bargain, to prevent your being cheated in the price of your lands, and to draw up the treaty or agreement by which you convey it. And Brothers let the price be paid you every year, and not all at once; for you know if all be paid at once, it will soon take wings and fly away. But if paid every year, then there will be something to comfort and support you and your children after you.

3. When the business shall be ^{far} accomplished, the faithful man or men whom the President ~~shall~~ appoints, will carry the written treaty to him, and he will lay it before his Council of

21 227

old ~~and~~ wise men, and with them consider whether the treaty is fair and honest, & for the advantage of your nation: and if they find it so, then it will be made strong; the President ^{will put} his name to it, and the Great Eagle of the United States will be annexed. Brothers, without this examination & approbation of the President and his wise Council, no treaty or agreement for the disposing of any of your lands, will have any strength. And this is a new and important security against your being cheated; and shows the faithful care which the U. States now mean to take for the protection of your lands.

4. Brothers, As the bargain you made with Peter Smith for 21 years, was not conducted according to the law of the United States, the land you leased to him ought to be restored to you; and I would advise you to send a petition to the President, praying that he would cause it to be restored. And if ^{it} should be restored, then I would advise you to lease it for 21 years; doing it in the way which I have already pointed out. But, Brothers, before you make any bargain, get the Superintendant to give notice of your intention, in the printed papers, which our runners carry all over the country, from Boston to Philadelphia. Let this notice be given six months before the day appointed to make the bargain. Then a great many people will know it, and will come, to get the land; and when so many lovers of land appear, you will get a good price for it.

5. In making the treaty, care should be taken that the land should not be spoiled in using it for 21 years. You know that among white people a great deal of timber is necessary, for houses, barns and fences, and for fires to cook with and keep the houses warm in winter. You know also that the same land planted with corn for a great many years, grows poor, and will bring but small crops, hardly worth the hoing. Now, Brothers, the treaty should provide for keeping a sufficient quantity of timber on every farm, and for preventing the making of the land poor. Good farmers, brothers, can always do this. And if the farms are kept in good condition, then at the end of 21 years, you or your children can lease them for a great sum of money.

6. Brothers, I have spoken fully of that part of your land which Peter Smith has got hold of. That was all you had a right to dispose of, without the consent of the State of New York. For in the great paper signed by your chiefs - which ~~which~~ conveyed your County to the State, all the other land in your reservation was to be held by you and your children after you found, only for your & their own use and cultivation; but not be sold, leased, or in any manner disposed of to others. This I presume you well know; and this being your agreement, you ought to make no bargain about the remainder of your lands, with any persons, unless appointed by the State for that purpose.

7. But, Brothers, on this important subject listen to my advice: It will be good for you, and I am authorised to give it by the law of the United States. My advice may offend some white people; but that I regard not. I am seeking the good of your Nation, and the peace of the United States.

Brothers, I have just told you that by your own agreement you cannot sell or lease the remainder of your land, except to persons appointed by the State of New York. But I now tell you further, that the State itself cannot buy it, unless the agents appear at a Council Fire kindled by the United States, and in the presence, & with the approbation of the Commissioners appointed by the President, agree on the price. And after this, the paper containing the articles of the treaty signed by the chiefs, must be laid before the President & his Council of wise men, and be approved by them, before it can have any strength.

Brothers, I desire you to remember my words. I know you will be told the State has all the power over your lands, and that the President and his Council have nothing to do with them. But, Brothers stop your ears when any men come to you with such talks, and do not believe them. The Great Council of all the United States have declared, and their words are strong, that your land shall not be taken from you, unless by a treaty of which the President & his wise men shall approve. But, Brothers, even if the right of the

United States to interfere were doubtful, your own right is certain. The land is yours; and the State cannot take it from you without your own consent. And if any agents come to you to buy it, tell them plainly, that you will make no bargain but in the presence of the faithful men whom the President shall appoint; and that when the bargain shall be made it shall not have any strength untill the President and his Council approve it. Speak ^{strongly} and be not afraid. Follow this advice, and nobody can hurt you; for the United States will protect you.

S. Brothers, I could say a great deal more on this subject: but I have said as much as ~~much~~ you can remember, and enough to preserve your lands, if you will follow my advice.

If you had kept in the path I marked out for you at Newtown Point, disputes would not have arisen among yourselves, and you would still have kept hold of your land; or if you had parted with it, you would have received a good price for it. Brothers, let me again entrust you to remember the advice I have now given to you, & to walk in the plain & straight path I have made for you. For if when good advice is given, you forget it, or despise it, and turn aside into crooked paths, then those men who are your friends will forsake you, and all your beds will be taken from under you.

Answer of the Sachems

[When I had delivered the foregoing Speech, the Chiefs desired to consult together about an answer, and I, with the Friends and other Spectators, withdrew. After a little while they gave notice that they were ready, & desired us to meet them —

[Captain John spoke in substance as follows.]

Brother, When you had withdrawn, we desired the Chief Warrior to speak his mind on the subject of your advice. He answered that he approved of it; but had nothing to say upon it. And then he ^{away} and the warriors went. We were very sorry for this; because it looked as if ^{he} was still dissatisfied. Those whom you see remaining here, are Sachems and Counsellors —

Brother, After we related to you the other day the causes of the disputes and uneasiness ~~in~~ in our nation, we expected that you would have told us who was to blame — whether we or the Chief-Warrior and his party. If you had spoken plainly on this point, you would not have offended us. For my own part, I confess with shame, that I have acted imprudently in the disposing of our lands. We recollect your advice at Newtown Point; and if we had attended to it, we should have escaped much trouble.

Brother, All nations have a head, or officers to manage their business. The Indians have this. Among us, the affairs of peace are conducted by the Sachems and Counsellors; But to speak the —

tain truth, our Head Warrior wants to interfere & control them.

Brother, Your Speech was long, and tho' I perfectly understood it, yet I cannot pretend to repeat it. But, among other things, you told us, that tho' we had Chiefs who were men of good sense, yet they were often overreached by white men of not half their natural understanding. This, Brother, is too true. The fact is, that these whites come to us with smooth voices, desiring to buy our land; We are averse to it; but they bring a bottle with them, and pour out a glass. We drink - and we drink, again. By and by our hearts grow light, and we do not well know what we say. - But we part for that time. The next day we meet again. The white man tells us that we agree on such and such things. We don't remember it; but he says tis true, and insists upon the bargain. We are unwilling to be thought liars; and we perform what he says we promised; and then our land is gone.

Brother, The advice you have given us is good; and as it was very long, we are glad that you have told us that you will repeat it to us when we meet at Oneida. We are determined to follow it; and when we sell any more land, we will inform the Superintendent, that he may give six months notice of it, thro' the country from Boston to Philadelphia.

2X
Brother, We are glad to hear that there is a prospect of getting our lands restored. We request your assistance herein. The restoration of our lands would restore peace to our nation. The want of harmony among ourselves, afflicts us more than the loss of our land. —

Having heard their answer, I assured them that I would give them the assistance they requested. I desired them to make their minds easy: for altho' they had lost much of their country, yet they had land enough, if properly managed, to make the whole nation comfortable and happy: that we would talk more on the subject when we should meet at Oneida: and that in the mean time I would take occasion to converse with their Chief-Warrior, and endeavour to effect a reconciliation. —

Exhibit U

Consultation between Timothy Pickering and an Oneida Delegation, Canandaigua, New York, October 1794

Pickering Papers, vol. 62, folios 217-230

At Kanandaigua 1794
October.

In the beginning of this month about a dozen of the Oneida Chiefs came to my quarters, accompanied by General Chapin. They observed, that they had come to this place to meet the rest of the Six Nations, on business with the United State, but the other nations not having arrived, and this being a leisure time, they wished to speak of private affairs, which concerned only their own nation.

Encroachment on the Oneida's Lands

The Chiefs complained that encroachments were making on their lands. They said, that in the sale of land to the State of New-York, the line was to run from the Southwest corner of their reservation, due north to the Deep Spring, and thence north to Canaseraga Creek: and that according to this agreement the line was originally run.* But that lately they have run a new line, due East from the Deep Spring, which cuts off a large piece of their land. This they said, had always been too much the case with Indian Lands. Tho' there was a right understanding at first, yet afterwards the white people would come and cut off their land. They added "Now our business is that of Peace. General Chapin, you were appointed to see justice done to the Six Nations. We now apply to you and Col. Pickering for assistance, and to procure us justice."

They also complained of their being wronged in the running of the Eastern line, which, during the negotiation with Governor Clinton & other Commissioners, they earnestly desired might go straight from James Dean's southwest corner to the head of Unadilla, while the Governor insisted on running it due south from Mr. Dean's southwest corner. And that finally on consideration of 500 dollars more to be paid them, towards building a grist mill and saw-mill, they consented to have the line run from Mr. Dean's corner straight to a point in the south line of their reservation, half way between the head of Unadilla & the point due south from that corner. Notwithstanding which, the line was in fact run due south. But tho' they have been wronged in this, they give it up. But the new encroachment from the Deep Spring, they said was too much; and they could not relinquish it.

Answer to the Oneidas' Complaint

To ascertain the facts necessary to be known in order to form a right judgment of this complaint, it seemed proper that some enquiry and examination should be made on

* On the map of Mr. DeWitt, the Surveyor General of New-York, the line is drawn north from the Deep Spring, to a Creek called by him Chittenanga.

the land. I therefore told the Chiefs that I should return by the way of Oneida, and would then enquire into the Subject of their complaint: General Chapin concurring in it as the best means of procuring them Satisfaction.

Saturday, October 11, 1794

Parties in the Oneida Nation

Having been informed that two parties had for some time existed in the Oneida Nation, and altho' there had been an apparent reconciliation, yet that some heartburning remained, and that the breach was in danger of encreasing: I assembled the Chiefs and Warriors, with a hope that on a discovery, from both sides, of the causes of their difference, means might be used to remove them, and restore their union. Such a union, at all times desirable, seemed to be particularly important at this time; the Oneidas forming a respectable portion of the Six Nations; and having been always steadily attached to the United States.

In a short address, after noticing that the great object of the general treaty at this place, was to renew and confirm the friendship which had now for some years subsisted between the Six Nations and the United States, I expressed my wishes to see them united among themselves; and especially that the Oneida nation, dwelling together on their own land, in our neighborhood, and having one common interest, might live in harmony and love: observing, that this would be agreeable to the Great Spirit who delighted in the happiness of mankind, but that happiness was attainable only by union, peace and mutual kindness.

I then desired them calmly to relate the causes of disunion among them; expressing a hope that when known, it might be practicable to remove them, and manifesting my disposition to afford any assistance in my power.

Five Strings of Wampum

Captain John then spoke a few words to the Indians, and desiring me to keep my seat, they withdrew a little while, to converse among themselves. On their return, Capt. John delivered the following speech, on the

Causes of Dissention in the Oneida Nation

Brother, You recollect, after we had heard what you our brothers said, that we desired you to make your seat easy, while the Chiefs withdrew to consult of an answer. Now listen to what we have to say. [Here he recited the substance of my Speech to them.] Now, Brother, I desire you to listen. I hope you will understand what I am going to relate. You will hear my voice in the presence of my brethren who are here assembled.

Brother, We have given to us a sense to know right from wrong. You said that the Great-Spirit regarded those who loved one another. You must pity our condition: we are an ignorant people. We have not the word of the Great Spirit so fully explained to us

as you the white people. Still we have our rules of conduct—those of our forefathers, which they handed down, that they might be preserved and practiced by their children.

Brother, In you[r] speech you desired we would lay before you the causes of difference among us. What I shall do, will be openly. What I say cannot be hid from the Great Spirit. In his presence and before these people, I shall now relate the cause of our difference.

Brother, We have received requests from the different nations, time after time, that we should be united. Now we hear the voice of the United States repeating the same request. Brother, you said if we would be united, it would be greatly to our advantage, & to the advantage of the nations at large. Our property and interest were one: why should we not be united. But I pass over these matters, repeating only a few words of the advice we have received.

Now, Brother, listen; and I will tell the cause of uneasiness among us. I will convey my ideas in as few words as possible. Our minds are divided on account of our land. Not that we are to blame:--‘Tis you, Brother of a white skin, who cause our uneasiness. You keep coming to our seats, one after another. You advise us to sell our lands. You say it will be to our advantage. This, Brother, is the voice we receive from you.

Brother, We have received the voice of the United States, as our friends. We really believe the Government of the United States are our friends. You have often advised us to keep our lands, & told us if we sold them, it would be like throwing a piece of metal into the fire, which would there dissolve.

Brother, I will now enter on a relation of facts, and in a few words; for if I should go into a full detail, it would take up too much time. I will only mention the most material.

Brother, There was a council-fire kindled at Tioga (on the Mohawk River) requesting land of us. But there was an Albany man there at the same time, who desired we would not sell, as we should injure ourselves by it.

Brother, This was the cause of our minds being broken apart: some were for disposing of our lands, and some were against it. Our Head-Chief (Good Peter) who died at Buffaloe Creek, was against disposing of our lands: but other Chiefs prevailed, so that we disposed of a large country.

Brother, Afterwards a Bostonian [meaning John Livingston] came forward and requested we would let him have a tract of our land. He came as far as Canadesaga, where he kindled his Council-Fire. There we made a bargain, and disposed of a large tract of our land.

Then the Governor [of New York] kindled a Council-Fire at Fort Stanwix. He said to us, "I will break this bargain which you have made, as I have a regard for your welfare. This bargain would be to you as if your land were sunk. Now I will lift it out of the water." After he had said he would save our lands for us, he added, "You had better sell it to me. I will do you justice." This made us glad, for we expected to have our land restored.

Now, Brother, you may think, and I well know, that we know nothing about the sale of lands. For we consented to let him have a large tract, for which he was to pay us 600 dollars a years, as long as the water should run. There you see one of our bargains: only this sum for so large a country as we disposed of!

Then the Governor drawing marks all round what was left of our land, said to us—"Brothers, you see your seat is yet large and comfortable, and that you have room to move round it." Then he desired we would not sell or lease any more of our lands to any body.

Then he gave us a paper, mentioning how large our seats were: still requesting we would not dispose of any of our lands. But, Brother, we since find that we were lost, in disposing of so much: tho' it was the voice of all the Chiefs to do it.

Brother, After giving us this writing, and desiring we would keep our lands, he proposed that we should lease four miles wide on the south side of our lands: and, said he, "I will attend to it for you; as you are not acquainted with dealing for land."

Brother, These are the heads of the treaty with the Governor, at Fort Stanwix.

Brother, At the same time there was a great man there, a citizen of the United States. He kept a full table for us, treated us well, and after the Governor had completed his business, then he came with his petition, requesting we would let him have a tract of land. This also we granted.

Brother, This is the manner in which we have been imposed on by the white people. We are sensible that we were then very much lost. After these things had taken place, the difficulty arose in the nation which still subsists: for, as I said, some were for leasing, and some were opposed to leasing.

Brother, You requested we would lay before you the cause of the division in the nation: this is truly the cause which I have been relating—the letting our land go, from time to time. We acknowledge before you, that herein we have acted very foolishly.

Now, Brother, as I before mentioned, after the Governor had made a bargain with us, he gave us liberty to lease a piece of our land, four miles wide. A man came forward to lease it. The Sachems consented, thinking it would throw an annual payment into the nation. But our Head Warrior rose against it, and was very angry with the Sachems for disposing of the land. However, the bargain took place.

Brother, This lease was given to one Peter Smith. During the time of making the bargain, our Head Warrior was talking against it, but we persevered in leasing the land, contrary to his good advice.

After the lease was given, we sent warriors of one party to attend the surveyors in running our this tract of land, which had liked to have produced a greater difficulty in the nation than what you now see. Our minds were greatly broken apart: we did not know that we should ever again bring them together.*

Brother, you requested that we would lay before you the whole cause of our differences: I repeat, That it is our land. I am tender hearted, and my mind is easily flattered & led away. I am willing to accommodate my brothers of a white skin, and have always listened to their voices. The reason has been that I thought they would not be pleased if I did not comply with their requests. And we wish to live in friendship with our brothers the white people

Brother, I have mentioned the heads; it would be too tedious to mention all the particulars which have caused our differences.

Brother, The United States planted a tree of peace for us, and desired that we would sit under its shade and smoke our pipes, and think of nothing but friendship. The path of peace was opened for us by the United States, and we were desired by our brothers to walk in it. We have kept in this path with our brethren of the UStates, and we have kept in it among ourselves, except in the case which I have mentioned.

Now, Brothers, you have heard what the Sachems have to say on their part, of the causes of differences in the nation. Now I hand your Speech to the Chief Warrior, to see if he has any thing to say, contrary to what I have spoken.

[He then handed my five Strings to Peter, the Head Warrior.]

Speech of Peter, the Chief Warrior

Brother, Listen

Brother, You requested that we would lay before you the causes of the difficulty in the Oneida Nation. You have heard the voices of the Sachems: they mentioned the heads thereof.

Brother, You perfectly recollect, that at the time you kindled a Council-Fire at Newtown Point, I heard your voice, as did a number of the Chiefs now present. You gave us advice that we should quit our hunting, and informed us how the white people lived, how much better and more comfortable. Further you recommended that we should learn the ways of the Great Spirit.

* [I have been told that both parties armed.]

Brother, I will just mention the heads of your advice, tho' not necessary for you, as you must perfectly recollect what you told us at Newtown. You advised us to keep our lands, as our seats were small. But whenever we should desire to dispose of any part of them, that we should make our minds known to the President, who would appoint a person to see justice done us. This was your advice.

Brother, You advised us in a number of cases; how to live, & what to do. It would be tedious to mention the particulars. You must recollect them.

Brother, You must recollect that we told you at that treaty, that we considered you as our brother, and accepted of your advice, which we thought was good. You pointed out a particular path and rule for us to go by. You just now heard, by the voice of our Sachems, how we have since conducted. If you find that we have strayed from the path, and gone contrary to your advice, we desire you to bring us back: perhaps we have gone astray.

Brother, We now return your Strings. You desired we would lay our difficulties before you, as it was possible you could remove them.

[He then returned the Strings.]

Having heard these Speeches, I told them that the subject was important—that I would well consider it; and on Monday give them my advice.

Monday, October 13th 1794

Answer to the two foregoing Speeches

Brothers,

When I had heard your speeches reciting the causes of trouble and dissention among you, I told you the subject was important—that I would think of it—and when ready, again meet you in Council, and give you my opinion and advice.

Brothers,

I have thought a great deal of the condition of the natives of this land whose fathers grew out of it and once possessed it all. I have earnestly wished that some new path might be discovered in which they might walk with more safety, and in following which they might find all the good things which mankind can enjoy.

Brothers,

Some of you have heard the sentiments I formerly expressed on this subject: your War Chief has reminded me of them. One thing, Brothers, is known to all men of understanding who look round among their brethren, that it is our own conduct which makes us happy or wretched. I can speak with certainty of people of my colour. Among them those who are industrious, prudent and temperate, get a plenty of good things, and

are happy. Those who are lazy, imprudent and intemperate, become poor & miserable. Among all people, as well those of a white as of a dark skin, some are good, honest and friendly; and some are bad, dishonest and unkind. Among the whites, bad men often hurt the good; and they would hurt them much more, did not the laws restrain and punish them. Among the whites, the poor, the ignorant and the young who cannot take care of themselves, are under the guardianship of the laws. Those laws mark out the path in which such helpless people are to walk; and persons are appointed as guides to keep them from losing the path & to prevent people more knowing, but having bad hearts, from leading them astray.

Now, Brothers, you the natives of this land—you whose forefathers grew out of it, are in the condition of the helpless people just described; and need the guardianship of our laws, in respect to many things, but especially in the management of your lands. And you have acknowledged candidly, that you know nothing about the sale of lands. You told me that you had a sense of right and wrong, tho' you had not the advantages of knowledge like the white people. You have indeed, brothers, a sense of right and wrong: among you are men of excellent understandings. The Great Spirit who made those of a white skin, made you also: and the original powers of your minds are equal to ours. And yet even your wise men suffer imposition from bad white people of not half their understanding. What then gives the whites this superiority over you? 'Tis the knowledge they obtain from books and from the many useful customs and employments practiced by the white people, but a very few of which have even been seen by you. How then, Brothers, can you become equal to the whites? Only by adopting their ways—such of them as are good and useful. For, Brothers, we have some bad ways as well as many good ones: and unfortunately, Indians have been ready enough to learn the bad, while they have refused the good. Hence it is that you have suffered so many impositions from white people. For bad people among the white, knowing that you are incapable of computing the value of your lands, take advantage of your ignorance & deceive you: and knowing also your principal failing, they pretend to a great deal of generosity and provide a plenty of liquor: and when your hearts become cheerful, and your heads grow giddy, then they make their bargains with you, and get your Chiefs to sign their papers. But as soon as you are sober, you find, to you sorrow, that your beds have slipped from under you. Another misfortune, Brothers, attends these bargains, that true interpretations are not always given of the papers you sign. Perhaps sometimes the interpreters purposely deceive you: but at other times the interpretations are not exact because you have no words in your language by which the meaning of the English words can be expressed. Few even of the white people understand all those words: and they are not necessary to be introduced into papers which convey your lands. They ought not to be introduced: and you ought never to set your hands to a paper unless the interpreters first say, in the presence of the Great Spirit, that they have faithfully interpreted every word. If this were done, brothers, such papers would contain but a few words: and the fewer the words, the less the danger of your being deceived. But I must not enlarge on these matters.

Brothers,

The principal object I have in view is to heal the wounds which have been given by the disposing of your lands, and to point out a way in which you may avoid future strife.

Brothers,

At Newtown Point, I explained to a number of your Chiefs a Law of the United States intended to guard the Indians from the imposition of the White People. The most important article in this Law respects your lands. This article declared, that no sale of Indian lands should be valid, unless made at a public treaty held under the authority of the United States.

Now, Brothers, it is my opinion that the lease of your lands to Peter Smith, is by this law made void. This lease you say was the first cause of heart-burning among you, and well nigh brought you to the shedding of each others blood. This lease, I am told, was a sale of your land for twenty-one years: and that although the land leased contained near one hundred square miles, yet he is to pay you a rent of only two hundred dollars a year!

Brothers,

I have already observed, that advantages are taken of you, because you cannot calculate the quantity & value of your lands. I will give you some Idea of that large piece which you leased to Peter Smith. As it amounts to near one hundred square miles, it contains land enough for three hundred good farms. These 300 farms would support 300 families upon them with good houses, and barns, horses, cows, sheep, hogs, wheat, corn, cloathing and all the necessaries and comforts of life in great plenty. I will just observe further, Brothers, that these 300 families would probably contain between two & three thousand people, or perhaps three or four times as many as the whole Oneida nation: and all might be so abundantly supported only by the strip of four miles wide on the south side of you reservation. How rich then, Brothers, you still are notwithstanding all your losses! And rich may you remain, provided you no more throw away your land in foolish bargains. Let the knowledge of this make your minds easy. Let the minds of the Warriors be easy, even if what has already been leased should not be restored.

Brothers,

I have now given you some idea of the value of this one piece of your land. But what are you to get for it. Why truly, for every such farm, which would support a large family, in plenty of all good things, a whole you, you are to receive two thirds of a dollar; or what will every year buy you a quart of rum! So you see that for a quart of sum you give away a farm!

Brothers,

You appear struck with this representation. I hope you will remember it; and never again barter away a valuable farm for a dram.

Brothers,

There is, I have heard, a fresh cause of uneasiness among you, which I suppose you forgot to mention; I mean the sale of six miles square of your land to Mr. Van Aps, for six hundred and fifty dollars a year. This was lately agreed on: and tho' a better bargain than the former, is nevertheless an unwise one. I am well informed that good men stand ready to give you twice that sum, for a smaller piece of land. Besides, like the former, the sale was made in the bushes; and not at a council fire kindled by the United States; and is therefore of no strength; and can no more bind you than a thread of rotten bark. And, Brothers, not only the sale is void, but the person negotiating it is liable to forfeit one thousand dollars, and to be imprisoned twelve months.

Brothers,

I hold in my hand, & now give you, that article of the law of the U. States which was made to protect your land: keep it, and show it to every one who shall tempt you to part with them. I have explained to you what I take to be the true meaning of the law: and I believe I am not mistaken. Perhaps some may tell you that the President and Great Council of the U. States have no right to meddle with your lands, and even to keep you from being cheated out of them: But pay no regard to such men: Consider them as deceivers, who want to take your lands from under you. The makers of the law were wise & good men, who would not do what they had no right to do. Keep fast hold of your lands, therefore, and do not give up even those you have leased until our wise men, who understand all our laws, have examined into the matter, and found who is right.

Brothers,

Perhaps you will now ask, how shall we make our lands useful to us, as we cultivate but a very small part of them ourselves? Brothers, I will tell you; listen to my advice.

1. When any of you think it would be for your good to lease or sell any part of your lands, either for a number of years or forever, let all your Sachems assemble, and let runners call the Chiefs and Warriors to meet with them. In that assembly, consider the subject well, and let every one speak his mind. When you have heard all the reason for and against it, count all the Sachems, Chiefs and Warriors; and then, if as many as two thirds of the Sachems, two thirds of the Chiefs, and two thirds of the Warriors put their minds together, to lease or sell the land, let it be leased or sold. When the determination is thus made, any who are of another mind ought to submit to the strong voice of their brethren and be easy.

2. When you have thus agreed, inform the Superindendant, appointed by the United States to watch over your interest, and desire him to write to the President, and request that he would appoint one or two faithful men to be present when you make the bargain, to prevent your being cheated in the price of your lands, and to draw up the treaty or agreement by which you convey it. And Brothers, let the price be paid you every year, and not all at once: for you know if all be paid at once, it will soon take wings and fly away. But if paid every year, then there will be something to comfort and support you and your children after you.

3. When the business shall be so far accomplished, the faithful man or men whom the President appoints, will carry the written treaty to him; and will lay it before his Council of old and wise men, and with them consider whether the treaty is fair and honest, & for the advantage of your nation and if they find it so, then it will be made strong: the President will put his name to it, and the Great Eagle of the United States will be annexed. Brothers, without this examination & approbation of the President and his wise Council, no treaty or agreement for the disposing of any of your lands will have any strength. And this is a new and important security against your being cheated; and shows the faithful care which the U. States now mean to take for the protection of your lands.

4. Brothers, as the bargain you made with Peter Smith for 21 years was not conducted according to the law of the United States, the land you leased to him ought to be restored to you; and I would advise you to send a petition to the President, praying that he would cause it to be restored. And if it should be restored, then I would advise you to lease it for 21 years; doing it in the way that I have already pointed out. But, Brothers, before you make any bargain, get the Superintendant to give you notice of your intention, in the printed papers, which our runners carry all over the country, from Boston to Philadelphia. Let this notice be given six months before the day appointed to make the bargain. Then a great many people will know it, and will come to get the land; and when so many lovers of land appear, you will get a good price for it.

5. In making the treaty, care should be taken that the land should not be spoilt in using it for 21 years. You know that among white people a great deal of timber is necessary, for houses, barns and fences, and for fires to cook with and keep the houses warm in winter. You know also that the same land planted with corn for a great many years, grows poor, and will bring but small crops, hardly worth the hoing. Now, Brothers, the treaty should provide for keeping a sufficient quantity of timber on every farm, and for preventing the making of the land poor. Good farmers, brothers, can always do this. And if the farms are kept in good condition, then at the end of 21 years, you or your children can lease them for a great sum of money.

6. Brothers, I have spoken fully of that part of your land which Peter Smith has got hold of. That was all you had a right to dispose of, without the consent of the State of New York. For in the great paper signed by your chiefs, which conveyed your Country to the State, all the other land in your reservation was to be held by you and your children after you forever, only for your & their use and cultivation; but not be sold, leased, or in any manner disposed of to others. This, I presume, you well know: and this being your agreement, you ought to make no bargain about the remainder of your lands, with any person, unless appointed by the State for that purpose.

7. But, Brothers, on this important subject, listen to my advice: It will be good for you, and I am authorized to give it by the law of the United States. My advice may offend some white people; but that I regard not. I am seeking the good of your Nation, and the peace of the United States.

Brothers, I have just told you that by your own agreement you cannot sell or lease the remainder of your land, except to persons appointed by the State of New York. But I now tell you further, that the State itself cannot buy it, unless the agents appear at a Council Fire kindled by the United States, and in the presence, & with the approbation of the Commissioners appointed by the President, agree on the price. And after this, the paper containing the articles of the treaty signed by the Chiefs, must be laid before the President & his Council of wise men, and be approved by them, before it can have any strength.

Brothers, I desire you to remember my words. I know you will be told the State has all the power over your lands, and that the President and his Council have nothing to do with them. But, Brothers, stop your ears, and do not believe them. The Great Council of all the United States have declared, and their words are strong, that your lands shall not be taken from you, unless by a treaty of which the President & his wise men shall approve. But, Brothers, even if the right of the United States to interfere were doubtful, your own right is certain. The land is yours; and the State cannot take it from you without your own consent. And if any agent come to you to buy it, tell them plainly, that you will make no bargain, but it in the presence of the faithful men whom the President shall appoint; and that when the bargain shall be made it shall not have any strength until the President and his Council approve it. Speak strong and be not afraid. Follow this advice, and nobody can hurt you: for the United States will protect you.

8. Brothers, I could say a great deal more on this subject: but I have said as much as you can remember, and enough to preserve your lands, if you will follow my advice. If you had kept in the path I marked out for you at Newtown Point, disputes would not have arisen among yourselves, and you would still have kept hold of you land: or if you had parted with it, you would have received a good price for it. Brothers, let me again entreat you to remember the advice I have now given you, & to walk in the plain & straight path I have made for you: for if when good advice is given, you forget it, or despise it, and turn aside into crooked paths, then those men who are your friends will forsake you, and all your beds will be taken from under you.

Answer of the Sachems

[When I had delivered the foregoing Speech, the Chiefs desired to consult together about an answer, and I, with the Friends and other Spectators, withdrew. After a little while they gave notice that they were ready & desired us to meet them.

Captain John spoke in substance as follows.]

Brother,

When you had withdrawn, we desired the Chief Warrior to speak his mind on the subject of your advice. He answered that he approved it: but had nothing to say upon it. And then he and the warriors went away. We were very sorry for this; because it looked as if he was still dissatisfied. Those whom you see remaining here, are Sachems and Counsellors.

Brother,

After we related to you the other day the causes of the disputes and uneasiness in our nation, we expected that you would have told us who was to blame—whether we or the Chief-Warrior and his party. If you had spoken plainly on this point, you would not have offended us. For my own part, I confess with shame, that I have acted imprudently in the disposing of our lands. We recollect your advice at Newtown Point, and if we had attended to it, we should have escaped much trouble.

Brother,

All nations have a head, or officers to manage their business. The Indians have theirs. Among us, the affairs of peace are conducted by the Sachems and Counsellors: But to speak the plain truth, our Head Warrior wants to interfere & control them.

Brother,

Your Speech was long, and tho' I perfectly understood it, yet I cannot pretend to repeat it. But, among other things, you told us that tho' we had Chiefs who were men of good sense, yet they were often overreached by white men of not half their natural understanding. This, Brother, is too true. The fact is, that these whites come to us with smooth voice, desiring to buy our land; we are averse to it, but they bring a bottle with them, and pour out a glass. We drink—and we drink again. By and by our heads grow light, and we do not well know what we say. But we part for that time. The next day we meet again. The white man tells us that we agree on such and such things. We don't remember it; but he says 'tis true, and insists upon the bargain. We are unwilling to be thought liars, and we perform what he says we promised, and then our land is gone.

Brother,

The advice you have given us is good; and as it is very long, we are glad that you have told us that you will repeat it to us when we meet at Oneida. We are determined to follow it; and when we sell any more land we will inform the Superintendent, that he may give six months notice of it, thro' the Country, from Boston to Philadelphia.

Brother,

We are glad to hear that there is a prospect of getting our lands restored to us. We request your assistance herein. The restoration of our lands would restore peace to our nation. The want of harmony among ourselves afflicts us more than the loss of our land.

Having heard their answer, I assured them that I would give them the assistance they requested. I desired them to make their minds easy: for altho' they had lost much of their Country, yet they had land enough, if properly managed, to make the whole nation comfortable and happy: that we would talk more on the subject when we should meet at Oneida: and that in the mean time I would take occasion to converse with their Chief-Warrior and endeavour to effect a reconciliation.