

INDIAN OFFICE

FILES

CAUTION!

Positively no papers to be added to or taken from this file, except by an employee of the Mails and Files Division.

By order of

E. B. MERITT,
Asst. Commissioner.

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NEW YORK
File No. 053

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Mr. John C. Brown,
Attorney at Law,
513 Independent Life Building,
Nashville, Tennessee.

DEC 31 1924

My dear Mr. Brown:

This refers to your letter of December 3, 1924, requesting the names of the tribes of Indians included in what is known as the "Six Nations of New York", how long they have been included, and the names of former tribes composing the Six Nations.

Originally there were five tribes in the Federation, namely, Senecas, Cattaraugus, Onondaga, Oneidas, and Mohawks. They were designated and known by the whites as the Iroquois. About the year 1710 the Tuscarora tribe, then living in North Carolina, having been defeated in battle, migrated to New York, and were formally united with the Five Tribes just mentioned, thus making the Six Nations of New York.

With the exception of the Oneidas, and a number of the Tuscaroras, these Indians fought with England during the Revolutionary War, and having been defeated, the Mohawks thereafter removed to Canada where they were provided with lands by the British Government. The Mohawks ceded to the State of New York such title as they had to any lands in the State, and subsequently the St. Regis Indians were forcibly adopted by the Six Nations in place of the Mohawks.

INITIALING COPY - FOR FILE, FRANK

The Cayugas also sold their land to the State and gradually migrated westward, and finally removed to the Indian Territory where they have been affiliated with other tribes. A few Cayugas still remain in New York, living principally with the Senecas and Onondagas. The Onaidas also, by various treaties, sold all their land except about 360 acres, to the State of New York, and removed to the reservation in Wisconsin procured from the Menominees by treaty with the Federal Government. The 360 acres of land in New York retained by the Onaidas has long been divided in severalty under State laws, and as a tribe these Indians are no longer known in that State.

The six tribes, therefore, regarded as of any importance in the State of New York at this time are the Senecas, Onondagas, Cayugas, Oneidas and Munsies. The latter tribe, however, has never formed a unit in the Six Nations Confederation, although at one time they did pay tribute to the Mohawks.

Very truly yours,

(Signed) E. B. Merrill
Assistant Commissioner.

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Mr. H. A. Davidson,
Hiwasse, Arkansas.

My dear Mr. Davidson:

Receipt is acknowledged of your letter of October 14, 1933 regarding the collection of money by Mrs. Kellogg to defray the expenses of a contemplated suit by the Six Nations Confederacy of New York against the State of New York to recover title to a large area of land which the Indians claim was illegally conveyed by the tribe to the State.

The solicitation of funds by a number of persons, including Mr. and Mrs. Kellogg has been reported to this Office on a number of occasions and Indians residing in Wisconsin, Canada, and elsewhere have written requesting information as to whether or not it was necessary for them to contribute toward the expenses of the suit. There is enclosed herewith a copy of a press notice issued November 21, 1934 in regard to the collection of moneys for this purpose.

These Indians claim to have entered into a contract with the law firm of Messrs. Wise, Whitney and Parker of New York City but the contract was not approved by this Department for

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Mr. Sampson J. Cornelius,

Cecil, Wisconsin.

My dear Mr. Cornelius:

This will acknowledge the receipt of your letter of January 22, 1925, relative to Oneida Indian matters, particularly the cession of their lands in New York and the compensation received therefor.

The Oneidas of New York sold their lands to the State by various treaties with the State except about 350 acres. The 250 acres have long ago been divided among the Indians in severalty under State laws. As the lands of these Indians were sold to the State under so-called treaties or agreements with officials of the State the records of this Office do not show what compensation the Indians were paid for the lands.

As to any salt mines or mineral springs in the lands, all right and title in and to these would have passed with the lands ceded to the State unless specifically reserved to the Indians under the provisions of the treaty or agreement by which the lands were transferred to the State.

We know of no 99-year lease of lands formerly occupied by the Oneidas in New York made by or with the sanction of the Federal Government. It may be that such a lease was made by the State and the tribal officials under the sanction of the New York State legislature.

As to the laws enacted for the benefit of the Indians, such laws passed by Congress from time to time regarding personal and property rights of the Oneida tribe as well as of other tribes, have been administered with a view of a full protection of the interest of the Indians in all matters performed under the jurisdiction of the Federal Government.

Sincerely yours,

(Signed) J. C. ... F. M. ...

the reason that this Office did not consider that it came within the purview of the requirements of sections 2103-5 of the United States Revised Statutes, and for the further reason that the claims asserted were not against the United States.

This Office has heretofore informed many persons who have inquired about the matter that it was believed that should a recovery be made each properly enrolled member of the Six Nations of Indians would be entitled to receive his proportionate share of the proceeds whether or not he had contributed to the fund being collected for the purpose of prosecuting the claim before the courts. Unless a person is a properly enrolled member of the tribes, he cannot expect to obtain a portion of any moneys which may be recovered.

Very truly yours,

(Signed) Chas. H. Burke

Assistant Commissioner.