

067 Tribal Relations

Box 3

RG 75, NA

1948

New York Agency
607 Stock Exchange Building
Buffalo, New York

May 14, 1943

Mrs. Mary Hinder
Bedrow, New York

Dear Madam:

This has further reference to your letter of April 15 in which you advise that the Oneida Indians desire the assistance of the Government in their efforts to procure a reservation on which they might establish their home. As I have notified you in my letter of April 17, your request for information from the Government was forwarded to the United States Indian Office for consideration.

We are now in receipt of a letter from the Indian Office answering our letter. The Office letter is dated May 11, 1943. It does not hold out any hope of material aid to the Oneidas in their efforts to obtain a reservation.

The Indian Office letter embodies several quotations from treaties, the first of which is from Articles II and IV of the treaty of November 11, 1794, reads as follows:

"The United States acknowledge the lands reserved to the Oneida, Onondaga and Cayuga Nations, in their respective treaties with the state of New York, and called their reservations, to be their property; and the United States shall never claim the same, nor disturb them or either of the Six Nations, nor their Indian friends residing thereon and united with them, in the free use and enjoyment thereof: but the said reservations shall remain theirs, until they choose to sell the same to the people of the United States, who have the right to purchase.

* * * * *

"The United States having thus described and acknowledged what lands belong to the Oneidas, Onondagas, Cayugas and Senecas, and engaged never to claim the same, nor to disturb them, or any of the Six Nations, or their Indian friends residing thereon and united with them, in the free use and enjoyment thereof: Now, the Six Nations, and each of them, hereby engage that they will never claim any other lands within the boundaries of the United States; nor ever disturb the people of the United States in the free use and enjoyment thereof."

The Office letter also quotes from a report by Mr. John R. T. Reeves, legal counsel of the Indian Service, made in 1914, read as follows:

May 14, 1949

"The Oneidas also, by various treaties, sold all of their land, except about 350 acres, to the State, and removed to the reservation in Wisconsin procured from the Menominee by treaty with the Federal Government. The 350 acres in New York belonging to the Oneidas have long since been divided in severalty under State laws, and as a tribe these Indians are known no more in that State. * * *

Following these quotations from treaties and from the statement of Mr. John R. T. Reeves, the Indian Office concludes with the following:

"It will be seen from the foregoing that there is nothing that can be done by this Office to assist the Oneida Indians in the matter of lands claimed by them in the State of New York."

I am sorry not to be able to give you more encouragement, but you can see that there is nothing that I can do to assist you since my superiors have advised definitely that the Government is unable to assist the Oneidas in their efforts to obtain land in the State of New York for a reservation, since I am a representative of the Government.

Very truly yours,

C. H. Berry
Superintendent

CRB:ib

N. Y. Agency,
1938 - 1949
RG 75, NA.

Hedrow, New York
April 15, 1943.

Charles H. Berry, Supt.
807 Stock Exchange Building,
Buffalo, New York.

Dear Sir:

I am writing in behalf of the Onidas
of the Onondaga Indian Reservation. We as
a tribe of Onidas have come to the conclusion
that if we must live as other Indians do, we
must act now. We as a people of Onidas,
have by the kindness of the Onondagas, shared
their land as far as to have a shelter over
our heads and a shelter from the storm.

But we are realizing at this time, when
our boys that have worked for our living are
being taken away to serve our country - that
we as a people must have lands to plant and
raise our own meat. I am sure you would
know more of the situation of our tribe of
Onidas on this Reservation. So we have decided
as a tribe of more than forty families and
about two hundred adults and children, that
we must plead to the Governor of New York
State to aid us in settling on the lands that

we know are ours. Our Treaty at Fort Schuyler, formerly called Fort Stanwix in 1788, the Oneida people reserved lands for their posterity forever. I have seen the map in a Lawyers office some time ago. The map outlines half mile squares at the distance of every six miles along the northern shore of Oneida Lake also one half mile in breadth on each side of Fish Creek, the length of forty miles, beginning at Sylvan Beach now, so called State lands today. We see a people are tired of being called ~~indentured~~ and would like to live, and own, more than just land to mouth. Our tribe of Oneidas have always proved loyal Americans in peace time and in war time. We feel privileged to ask this favor at this critical time for our people. If this indenture is beyond you, please forward it to the right person. We shall be waiting and holding our breaths hoping there will be justice done in our behalf.

The Oneidas of the Oneida Reservation
c/o Mrs Mary Winder
Tulahoma, New York N.Y.

New York Agency
807 Stock Exchange Building
Buffalo, New York

April 17, 1943

Commissioner of Indian Affairs
Department of the Interior
Chicago, Illinois

Dear Sir:

Please find enclosed the copy of a letter from the Oneida Indians of New York State, principally those residing on the Onondaga Reservation, in which we have been advised of the intention of this tribe to insist upon its rights to land within the State of New York which may be used as a reservation.

We have merely acknowledged receipt of this letter and advised Mrs. Mary Winder, Nedrow, New York, who signed the letter, that the matter is being referred to you for consideration, and that we personally know of no way whereby the Oneidas could be assisted in their efforts to procure land to be used by them as a reservation.

Will you please give this matter your consideration at your earliest possible convenience and advise us what sort of an answer we may make to the letter, copy of which is enclosed. Of course if there is nothing we can do to assist these people, the sooner they know it, the better.

Very truly yours,

C. H. Berry
Superintendent

CHB:ib
Enc.