

With the views thus stated, the committee advise as follows, to wit: That the sum of \$30,000, as the round sum for one-half of \$79,30.41, which was the net profit made by the State on its purchases of the Stockbridges, less the sum of \$10,000 appropriated by the act, ch. 208, of 1848, be placed to the credit of the Stockbridge Indians, on the books of the Comptroller. That the same remain on deposit with the State of New-York, as a secret fund, the principle and income of which shall be inalienable by the Indians. That the interest on the amount, at six per cent, be applied, under direction of the Commissioners of the Land Office, and at their discretion, sanctioned by the executive, for the promotion of religion, education, national works, and agricultural and mechanic arts amongst these Indians, whenever they may be collected in associated towns, bands, or companies, and in exclusion of all appropriations, for payment of national debts, the debts of individuals, or the private purposes of any individuals or associations; and to effect such objects they most respectfully ask leave to introduce the accompanying bill.

WM. SAM'L JOHNSON,
GEO. CEDDES.
J. W. BRONSON.

State of New-York.

No. 46.

IN SENATE, FEB. 27, 1849.

REPORT

Of the Committee on Indian Affairs on the petition of the Chiefs, &c., of the First Christian Party of Oneida Indians.

The Committee on Indian Affairs, to whom was referred the petition of the Chiefs and Headmen of the First Christian Party of Oneida Indians residing at Duck Creek in the State of Wisconsin,

REPORT:

That the petitioners ask relief in respect to two particulars, to wit: 1. The interest on the sum of \$1,504 paid to the State by I. B. Terry on the 1st of April, 1832, for the north part of lot No. 15, and north part of lot No. 16, Oneida purchase of S Oct., 1829, from said time of receipt by the State to 22 May, 1843, when the principal was paid to the Indians. 2. The principal sum of \$1,300 paid to the State by the Rev. Solomon Davis on 25 May, 1835, for lot No 31 of Oneida purchase of 1824, and the interest thereon.

These claims rest on different grounds—That of the interest on the \$1,504 on the following:

1. This party of Oneida Indians proposed to remove to Green Bay, and by act of 17 May, 1829, (ch. 29, p. 95,) the Governor was authorized to purchase from them from time to time all their lands, "and

in such purchase to allow "a fair price for such lands, deducting expenses of surveys" and other sums in the act provided for.

2. By treaty of 8 Oct., 1829, the State bought two tracts of land of them, to wit: one of six hundred and the other of fifteen hundred and ninety-two acres, in all 2,190-two acres of land. They were subsequently divided by the Surveyor General into thirty-one lots, numbered from 1 to 31 inclusive. Of the land thus sold to the State by the treaty of 1829, possession of the tract of six hundred acres was given immediately, but that of the residue was retained by the Indians under the treaty until 1833, when possession was given to the State, and the land was sold by the Surveyor General in December of that year.

These lands were appraised under the treaty at the value of \$18,207.15, and were sold as above, for \$37,608.80, leaving a profit to the State of \$19,401.65, subject to expenses and charges. For particulars see Exhibit A. which accompanies this report.

3. On the 5th February, 1835, a petition was presented to the Legislature on behalf of the First Christian Party of the Oneida Indians, complaining in substance, that they had not received the "fair price" for their land, under the treaty of Oct. 8, 1829, as contemplated by the act of 11 Feb., 1829, which authorized the making of the treaty. And as evidence of it, referred to the difference between the appraised value of the land, which alone had been paid to them, and the amount of sales as above stated, and stating that those of them still remaining in this State, had decided on removing to Green Bay, but had not the means of getting there, and praying for payment of the net balance of the sales of the lands relinquished to the State under said treaty of 1829, to be applied to the expenses of this removal, &c. This petition has been taken from the files of the Assembly, and accompanies this report. Assembly Document, No. 260 of 1835 is the report upon this petition, and was the foundation of the act of the 11 May, 1835, (ch. 285, p. 324,) hereafter referred to.

4. This act of May 11, 1835, appropriates \$7,600 to be applied under the orders of the Governor in the removal of said Indians to Green Bay, and the further sum of \$1,400 to be paid to Daniel Bread, an Oneida Chief, for his services and expenses on account of his nation. In the whole \$9,000. The petition under consideration states

that this sum was paid to them on account of the balance of proceeds of sales over purchase money of the lands acquired under the Oneida treaty of the 26th August, 1824. But whether it was so or not, is not easily ascertained, or very material to the present question.

5. By the act entitled "An act relating to the Oneida tribe of Indians," passed March 8, 1839, (Ch. 58, p. 50,) the Commissioners of the Land Office were empowered,

1. To direct payment to the Oneida Indians, or any party of them recognized by the laws, of the amount for which all lands purchased of them by the State since the 11th of February, 1829, were sold by the State, less expenses, payments, &c.

2. The principal of all their annuities payable by the State.

3. To purchase their remaining lands from time to time, and make treaties with them; and,

4. To hear and determine all questions which may arise, in relation to their monies, under the control of the State.

The immediate moving cause of the making of this last mentioned law does not appear in the journals, or documents or files, (so far as this committee has been able to ascertain,) of the Legislature of 1839. It is, however, fairly inferable, that the matters of the treaties of 1829, being brought to the consideration of the committee by the petition of some of the Oneidas, praying for an equitable distribution of their funds, presented to the Assembly on the first of February, 1834, recurrence was had to previous proceedings in the Legislature, and resulted in the recommendation of the passage of this act, which was evidently intended to effect an adjustment upon the most liberal terms, of all difficulties pending with the Oneidas under the treaties made after the 11th of February, 1829. (See Treaties of 13th February, and 8th October, 1829, Indian Treaty Book, p. 65, 92; Ass. Doc. 339 of 1831; Ass. Doc. 315 of 1833; Sen. Doc. 37, 51 and 74, of 1834; petition of 1st Christian Party of Oneida Indians, presented to the Assembly 5th February, 1835, and accompanying this report; report thereon; Ass. Doc. 360 of 1835; Sen. Doc. 29 of 1835; Ass. Doc. 4 of 1839, p. 14,) &c.

IN SENATE,

February 28, 1835.

REPORT

Of the committee on Indian affairs, on the petition of
Henry Powles, Adam Swamp, Daniel Bread and Ja-
cob Cornelius.

Mr Loomis, from the committee on Indian affairs, to whom was re-
ferred the petition of Henry Powles, Adam Swamp, Daniel Bread and
Jacob Cornelius, chiefs of that portion of the Oneida tribe of Indians now
residing at Duck creek, in the territory of Wisconsin,

REPORTS:

The petition referred to sets forth, that the said Indians, having dis-
posed of all their lands in the State of New-York and removed to the
territory of Wisconsin, now own and occupy 65,000 acres of land, on
which they intend permanently to reside: that they have found, from
experience, that the annuity which they now receive from the State of
New-York affords them little substantial relief: that they are struggling
to obtain a livelihood by the cultivation of the soil, at their new home,
and that in commencing their improvements they have necessarily con-
tracted debts, which the small amount of their annuity is insufficient to
enable them to discharge: that they are desirous to erect buildings, and
make further improvements, beyond their present means, which they
believe will materially promote the welfare and prosperity of such por-
tion of the said tribe. They therefore pray that a law may be passed
authorizing the appointment, on the part of this State, of a commis-
sioner or agent, who shall be empowered to receive, on behalf of the
said Indians, the principal of the fund invested, from which their annu-

ties accrue, so far as they may be entitled to the same, and to pay out the said moneys, with the consent of the chiefs and head men of the said Indians: first, in discharging the just debts of the said Indians; and secondly, in apportioning the remainder among that portion of the said tribe entitled thereto, residing at the place aforesaid, in the said territory of Wisconsin, in such manner as shall be equitable and just.

Your committee have availed themselves of all the means of information on this subject within their reach, and have become satisfied that the facts set forth in the petition are true. It then becomes an important question whether the interests and welfare of the petitioners will be promoted by the payment of the principal of the fund, as proposed, and the consequent extinguishment of their annuities from this State.

The amount of the fund from which the annuities now paid to the petitioners is derived is, as near as your committee can readily ascertain, about \$55,648. The number of the said Indians, as estimated in 1837, when their annuity was last paid, was five hundred and ninety-nine.

Upon a deliberate consideration of all the circumstances appertaining to the question, and particularly the difficulties incident to the establishment of a new settlement in a new country, the distance of the present residence of the petitioners from this State, and the necessity of more extended means for early improvements upon their lands than is afforded by their annuity, in order to insure their success in their agricultural efforts, your committee are inclined to view this application favorably; and, therefore, ask leave to present a bill.

STATE OF NEW-YORK.

No. 52.

IN SENATE.

March 1, 1838.

ANNUAL REPORT

Of the Regents of the University, to the Legislature.

Hon. Jno. TRACY,

President of the Senate.

Albany, March 1st, 1838.

SIR—I transmit herewith the annual report of the Regents of the University, to the Legislature.

I have the honor to be,

Respectfully, Sir,

Your obedient servant,

S. VAN RENSSELAER,

Chancellor of the University.

IN SENATE,

February 28, 1838.

REPORT

Of the committee on Indian affairs, on the petition of Henry Powles, Adam Swamp, Daniel Bread and Jacob Cornelius.

Mr. Loomis, from the committee on Indian affairs, to whom was referred the petition of Henry Powles, Adam Swamp, Daniel Bread and Jacob Cornelius, chiefs of that portion of the Oneida tribe of Indians now residing at Duck creek, in the territory of Wisconsin,

REPORTS:

The petition referred to sets forth, that the said Indians, having disposed of all their lands in the State of New-York and removed to the territory of Wisconsin, now own and occupy 65,000 acres of land, on which they intend permanently to reside: that they have found, from experience, that the annuity which they now receive from the State of New-York affords them little substantial relief: that they are struggling to obtain a livelihood by the cultivation of the soil, at their new home, and that in commencing their improvements they have necessarily contracted debts, which the small amount of their annuity is insufficient to enable them to discharge: that they are desirous to erect buildings, and make further improvements, beyond their present means, which they believe will materially promote the welfare and prosperity of such portion of the said tribe. They therefore pray that a law may be passed authorizing the appointment, on the part of this State, of a commissioner or agent, who shall be empowered to receive, on behalf of the said Indians, the principal of the fund invested, from which their annu-

ties accrue, so far as they may be entitled to the same, and to pay out the said annuities, with the consent of the chiefs and head men of the said Indians: first, in discharging the just debts of the said Indians; and secondly, in apportioning the remainder among that portion of the said tribe entitled thereto, residing at the place aforesaid, in the said territory of Wisconsin, in such manner as shall be equitable and just.

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