

GOOD PETER'S NARRATIVE OF SEVERAL TRANSACTIONS RESPECTING INDIAN
LANDS: HOW NEW YORK DISPOSSESSED THE ONEIDA INDIAN NATION,
1785-1788

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Abstract

Key events in New York's rapid territorial expansion across Iroquois country are described from a native perspective. An Iroquois view is unusually well documented thanks to an extensive statement on the subject by an important Oneida leader in 1792. Drawing on that and other Oneida-derived sources, the article details a saga of duplicity and skulduggery.

Early in 1792, a delegation of Iroquois leaders visited the federal capital, Philadelphia, as guests of the young United States (1). One of them, an Oneida called "Good Peter," took time out from the public festivities to speak privately with government official Timothy Pickering. The Oneida told what might have seemed an unlikely tale -- how his country, beset by con men and land jobbers, had been absorbed almost entirely by the State of New York within three years.

Pickering, wrote it down: an eloquent, chronologically structured narrative explaining what a native person believed was occurring as his people apparently signed away their land (2). Constructed around quotes from Peter's account, this article offers historical commentary on it. Peter's statement on the subject was the most extensive but other Oneida comments were recorded in council proceedings, in letters, and in notes from conversations. Such sources are interwoven throughout. Together, these Oneida voices provide an unusually complete native perspective on how land was lost to American expansionists in the late eighteenth century.

Pickering had a particular interest in the conversation and he may have requested it. In addition to being Postmaster General, he served as President Washington's special emissary to the Iroquois (Clarfield 1980; Phillips 1966). That appointment made Pickering responsible for administering such federal legislation as the Trade and Intercourse Act of 1790. As Washington had explained it to the Iroquois two years earlier:

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 a general treaty, held under the Authority of the United States. (Hough 1861 1: 166)

Pickering knew that New York also claimed the prerogative to obtain Indian land. A public servant monitoring federal law might well regard Peter's narrative as a useful background briefing.

Good Peter was an authoritative source. His real name was Agwerondongwas (variously rendered), translated as "Breaking of the Twigs" or "Pulling out small trees or shrubs" (Stone 1851 [1838]1: 63; Moses Schuyler to Draper, 7 January 1860[?], Draper: 258-59). Probably in his seventies, he had been known to whites as a Christian by 1760 (Blodgett 1935: 54), hence the nicknames they bestowed on him including Domine Peter and Petrus the Minister. Peter was a chief warrior, meaning that his leadership standing was achieved rather than inherited as a sachem title, one of the traditional offices of the ancient Iroquois League. His oratorical skills brought him to prominence in meetings of the League and in national councils of the Oneida. Indeed, his fame was such that the artist John Trumbull rendered his likeness for a history painting depicting great men of the Revolution (Figure 1). More than an observer in the events he described to Pickering, Peter was a leading actor and most often the Oneida spokesman of record.

To Good Peter, the narrative of explanation was implicitly a request for help from his brothers, the Americans of the federal government. As he spoke with Pickering throughout several spring evenings, Peter initiated a quest for justice from the United States which would continue over two centuries to this day (3).

Oneidas quoted here described the events of a few tumultuous years following the Revolutionary War during which New York reduced them from a state of political separateness to one of reservation helplessness. Peter told of the machinations of land speculators such as John Harper and John Livingston, and how the Oneida were consistently betrayed in their land dealings by their most trusted agents, including Colonel Louis Cook. Most of all, Peter and other Oneidas bore witness to the loss of their country in the New York-Oneida treaties of 1785 and 1788.

New York was personified in George Clinton, Governor of the state throughout the 1780s. Clinton was an immensely powerful politician who headed a coalition -- in outlook populist, democratic, and egalitarian by the lights of the day -- which controlled the state legislature during these years (Taylor 1996 [1995]: 157; Countryman 1989 [1981]: 288; Young 1967). Although only one of the state-appointed Indian commissioners, he personally conducted the state's treaties and delivered New York's speeches. No one else did as much as he to set Indian policy, to define its specifics, and then to see those terms through the legislature to formal enactment.

Clinton and his associates were ardent state expansionists,

"sometimes ruthless" in their acquisition of Indian land (Spaulding 1938: 148). Even conceding that Clintonian land policy "had no room for justice towards the Indians" (Countryman 1989 [1981]: 288), few people conversant with early state history will recognize the villainous governor described by Good Peter. Clinton and Clintonian Indian dealings, a major part of the New York State story, still await scholarly study (4).

In enunciating and interpreting the Oneida perspective, the commentary often focuses on what I infer the Oneidas implied. Good Peter's account, especially, hints at shady deals and double crosses never fully explained. Researching such allusions must be something like police work: one rounds up the usual suspects and lays out the circumstantial evidence of cupidity.

Operating in the realm of the implicit is one thing; arguing from the absence of evidence is another. Yet, I believe an Oneida viewpoint cannot be understood without reference to what was not said. Accompanying Good Peter to his first meeting with Pickering was Presbyterian missionary Samuel Kirkland. Kirkland first preached among the Oneidas in 1766 and maintained close ties with them until his death in 1808. Kirkland must have been present throughout Peter's statement (extending over four days), and he probably framed Peter's words as we have them in English. Since Kirkland also played a major part in the events Peter described, he may have exerted more than linguistic influence on Peter's statement. I think Kirkland's presence affected what Peter chose to discuss and, more importantly, what Peter decided was best left unsaid. At any rate, Kirkland plays one of the starring roles in the commentary.

Good Peter:

Bro[ther] Con[neh-sau-ty (5)] rep[resentative] of the G[reat?] C[ongress?]. of the 13 US to confer with us on our present crisis--y[et?] continue to listen to my words. From the beginning of your troubles, in the late revolution, to the time you publicly declared yourselves a free and independent people, I, my nation, were a constant spectator-- not only a constant spectator-- but our minds united with yours in that final declaration; as all hopes of a reconciliation were then passed. The frequent & repeated declarations of the King, that the Amer.s with all who joined them, would be reduced to wretchedness, had no effect upon the minds of my nation. And on the other hand, his promises of a rich reward, on condition of our adhering to his councils, did not excite covetous desires in us; but the love of peace, and the love of our land which gave us birth, supported our resolution.

Bro. I did not then expect that [we should] be reduced to our present situation. We then thought we should be the sole proprietors of our own land; and that our disposal of it should be optional with

us, in case of a successful issue.

The Iroquois Confederacy divided during the Revolutionary War, its council fire covered so that individual nations could make their own hard choices. Most Mohawks, Onondagas, Cayugas, and Senecas ended up on the British side. Most Oneidas, with their younger brothers the Tuscaroras who resided in Oneida country, took up the American cause, serving it with fidelity and effectiveness from 1777 onward. After their principal village was burned by Tory Iroquois in the summer of 1780, Oneidas subsisted as refugees in the Schenectady-Saratoga area for three years during which they continued to fight.

Oneidas returned to their homeland in 1783-84, impoverished and greatly reduced by war, disease, and hunger. They had every reason to feel optimistic, however. Unlike other Iroquois, they came home as victors, confident their land and sovereignty were forever secured to them by their grateful allies, New York and the United States (6). In early 1788, the Oneidas recalled these sentiments in a message to the New York legislature:

*Brothers. We are your Allies, we are a free People...
Brothers. In your late War with the People on the other Side of the great Water, and at a Period when thick Darkness overspread this Country, your Brothers the Oneidas stepped forth, and uninvited took up the Hatchet in your defense; we fought by your Side, our Blood flowed together, and the Bones of our Warriors mingled with yours; you appeared grateful for our Attachment, and gave us repeated Assurances, that should the Great Spirit give you Success, we should be made to rejoice. The Event of the War was favorable; we returned to our Country where Ruin and Desolation had spread over our Fields and Villages; we rejoiced however that we could return in Peace, and pleased ourselves with the Hopes of the peaceable and quiet Enjoyment of our Country, for which we had fought and bled, in the common Cause together with you. (Hough 1861 1: 124)*

All of the Iroquois were pressured to part with their lands after the Revolution and probably all were cheated. To all, the word "treaty" meant little more than forced land cession. The special Oneida tragedy was that they "who had suffered most severely for their steadfast loyalty to the Americans during the war...would be the first to fall before the land greed of their former allies" (Graymont 1976: 455).

New York State sought title to Iroquois lands within its claimed boundaries for economic and military reasons. A major source of funds had been confiscation of Tory holdings but that income was largely exhausted. Its treasury empty, New York formulated an economic recovery plan based partly on income from sale of Iroquois lands both directly -- from actual sale -- and indirectly -- from reduction of

debt when veterans accepted land in lieu of pay. Land was collateral backing the state's currency and fostering confidence in the state's ability to meet its debts. In the longer term, the state looked forward to having western lands inhabited by non-native farmers. Such citizens would pay taxes and build a productive economic base while defending the state's borders from Indians and Englishmen who might resume hostilities at any time (Geier 1980: 71-72; Kaminski 1993: 196-97; Kline c. 1973: 1-2; Spaulding 1938: 149; Young 1967: 175,235-36).

New York first had to extinguish "Indian title" to the western lands quickly because that pre-emptive right was contested by other polities. According to both the Articles of Confederation (1781) and the subsequent Constitution (1789), only the federal government had the right to treat with Indian nations for quitclaims to their lands. However other states also claimed the authority to extinguish Iroquois title within the present state of New York. New York officials especially feared Massachusetts' claim which, unlike theirs, derived from royal charter. Thus, before the war was over, New York was committed to gain possession of Iroquois land before rivals could advance their cases (Campisi 1984, 1988a, 1988b; Geier 1980: 65-73; Graymont 1976; Lehman 1990).

New York appointed an Indian Commission in 1783 to achieve these ends. Among the legislature's instructions to the commissioners were these:

The principal Object of your Commission is to endeavour to accomplish an Exchange of the District claimed by the Oneidas and Tuscaroras, for a District of vacant and unappropriated Lands [meaning western Iroquois lands] within this State.

In the Execution of this Trust, you are to proceed with Caution and Reserve, so as not to alarm the Oneidas and Tuscaroras with apprehensions that there is the most remote Intention to deprive them of the enjoyment of the District belonging to them. On the contrary you are on all proper Occasions to impress them with a Confidence that this State will suffer no encroachment to be made within their Limits nor any Settlement thereon without their free Consent. (Instructions to the Indian Commissioners, 20 March 1783, Assembly Papers: 5-7)

In 1784, the New Yorkers learned of federal plans to make peace with the Tory Iroquois at Fort Stanwix (then Fort Schuyler and now Rome, NY). That fall, New York's Indian Commissioners arrived there first hoping to put their instructions into effect independently of the federal representatives.

The Oneidas, however, had been warned of the New Yorkers' secret instructions by Samuel Kirkland (Hough 1861 1: 33-36). Kirkland probably never converted many Oneidas to the sacraments of his religion but he was, for a time, an important figure in the Oneida

Nation. As one of the few who spoke English and Oneida and could move easily between those worlds, Kirkland mediated between two cultures and was indispensable to both. Until the war, the Oneidas admired him as one who lived among them suffering the same adversities. He was poor but, in accordance with Oneida values, he freely shared what little he had. Most unusual of all for a white man, Kirkland publicly promised never to own a foot of Indian land west of the Hudson (Patrick 1993: 231).

Their plans exposed, the Indian Commissioners departed empty-handed. "For Reasons which are obvious," they noted ruefully, "it was agreed not to mention anything to those Nations at present with Respect to the Purchase or Exchange of their Lands" (Hough 1861 1: 39). New York officials did not broach the subject of Oneidas vacating their lands for some years although Governor Clinton, it was said, long cherished the hope of Oneida removal (Siles 1978: 44).

The New Yorkers learned that a man named John Harper (7), claiming to be a representative of the state, was negotiating for Oneida lands to the south. Harper, they replied, was lying. "He has done this without our Knowledge and We have not sent him" (Hough 1861 1: 44,58).

Good Peter:

Bro. While peace was negotiating and our nation were quartered at Schenectady, colonel John Harper it seems, had agreed for a piece of our land, near Ononquaga-- 4 miles on one side of the river, and 2 on the other, back from each shore of the river, from the mouth of Unadilla downward to the line of Pennsylvania. Soon after our nation returned to their dwelling place, Oneida, this agreement of colonel Harper came to the knowledge of the governor of N. York. Upon which he immediately arose, and kindled a Council Fire at the German Flats, to which he called the whole nation. When we arrived there, he told us we had lost so much of our land as colonel Harper had proposed to purchase. He told us that that man would cheat us; and that in the end it would be all loss, and no gain. He then told us that he would negotiate with us for that land; and that he would do us justice. We replied, that we were not willing to part with it, now that our whole nation were collected together. And truly we had all agreed, before we left our town, not to sell that land. But the gov.r persisted to press the matter upon us; and told us it would be for our advantage. Still we utterly refused it. The Gov.r then produced a heap of money, & told some of our nation to take up a handful; but they could not consent to do this: it was too heavy. He then himself grasped a few handfuls, and gave to one and another, (tho' perhaps not to more than three or four persons) and said, all this shall be yours, on condition that you follow my advice. He then shewed a large pile of goods, for

the same purpose.

Harper headed a list of associates claiming to have purchased about twenty-four square miles anchored at the confluence of the Unadilla and Susquehanna Rivers (Hough 1861 1: 73-74). He had attempted to acquire the same land as early as 1767 (Johnson Papers 1957: 259-60). When Harper tried again in 1782, Oneidas declared they would never sell an inch of their country (Calloway 1994: 89).

Now, in 1785, New York insisted that its own constitution (1777) granted to itself the sole right to extinguish Indian title. Rejecting Harper's transaction as illegal, New York then moved to acquire the lands before another competitor became interested.

The New York Commissioners and the Oneidas met at Fort Herkimer (present Herkimer) in the Mohawk Valley in late June 1785. The treaty minutes indicate the New Yorkers wanted to buy a tract exceeding Harper's purchase. In reply, Oneidas offered some other land which New York regarded as "not worth purchasing" (Hough 1861 1: 89). The Oneida refused to sell anything else.

Yet, the Oneida parted with most of what New York demanded. In a treaty of 28 June 1785, the Oneidas ceded close to 300,000 acres in what are now Chenango and Broome Counties in exchange for \$11,500 in goods and money (Figure 2) (Special Committee Report 1889: 234-35).

Good Peter's is the only eyewitness account describing how the Oneidas could have been induced to reverse their position. Samuel Kirkland, present at the treaty and possibly assisting in translation, remarked enigmatically: "This purchase was made, not without great opposition. The Indians made two public, absolute refusals- but finally the governour prevailed" (Kirkland to Samuel Phillips, 15 August 1785, Kirkland Papers 96a). Equally uninformative are New York's treaty minutes. Public speeches in which the Oneidas decline to sell are followed by an evening "spent in private Conference with several Chiefs and Warriors and in preparing a Speech, which however from the favourable turn the Business took, it became unnecessary to deliver" (Hough 1861 1: 102). The next morning, an Oneida speaker agreed to sell and the treaty was soon concluded.

Good Peter indicated the Harper sale was not universally agreed among the Oneidas, a point he made more forcefully at the treaty: "Brothers! Respecting the Lands which our friend John Harper had been purchasing, this was in the Course of the War, and Part of the Tribe had only consented to it. The Property is joint and all must consent" (ibid. 1: 101). Good Peter's son, Capt. Peter, later confirmed this view:

At the close of the last war some of your people spoke to us for purchasing our lands. Your People are very wise, we are not half

so wise. You know how to get hold of us. Those persons first engaged one of us and then Another for you know how to soften our minds, and thus have we been induced to Sell our lands. Your Government discovered that we were in treaty for disposing of our lands, and then interfered; you told us that you would take the lands yourselves and pay us, but it seems you did not disapprove of the Conduct, for you desired to have twenty miles more than they had agreed for. These are the circumstances of the sales to you at the German Flatts. (John Cantine and Simeon DeWitt to Gov. George Clinton, c. November 1793, Assembly Papers: 123-24)

Good Peter also implied that not everyone consented to the 1785 New York agreement. This too was confirmed by another Oneida account, that of Capt. John:

Brother. There was a council-fire kindled at Tioga (on the Mohawk River) requesting land of us...

Brother. This was the cause of our minds being 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. (Oneidas to Pickering, c. October 1794, Pickering 60: 219A-220)

Good Peter:

Our Brother, Gov.r of N York, then told us, he meant by his proposed purchase, to put a final stop to any future purchases of our lands: but if we did not consent to his present proposed purchase, we must never thereafter tell him of our being cheated out of any of our lands; for he would not hear our complaints.

Governor Clinton told the Oneida that, if they refused New York's offer to buy land, New York would not intervene to control its own unruly and avaricious citizens. He threatened to withhold New York protection again in 1788 (Hough 1861 1: 97,224-26).

The force of the threat resided in circumstances looming over the Oneida frontier. A tidal wave of settlers, mostly Yankees streaming out of infertile New England, was already pouring into Oneida country. With staggering speed and thoroughness, they transformed a landscape of forest and meadow into one teeming with farms, roads, schools, churches, and towns. Within a few years, New York would become the most populous and dynamic state in the union, an increase occurring prior to the Erie Canal and mostly west of the Mohawk Valley on land that was Iroquois in 1784 (Ellis 1951; Henretta 1984: 267; Taylor 1996 [1995]: 4,63).

If the Oneida refused New York's offer of "protection," they

faced the prospect of surrendering their identity within a sea of foreigners, fighting a hopeless war which might result in their extinction, or fleeing their homeland.

A second form of pressure applied by New York was based on the extreme poverty of the Oneida. They had been chronically short of supplies and food since returning to their homeland. Hunger, in fact, was characteristic of the region throughout the years covered in Good Peter's narrative. When Kirkland visited the Oneida in 1785, he subsisted on an occasional soup of boiled potatoes (Kirkland to Jerusha Kirkland, 10 September 1785, Kirkland Papers 97b). Food remained scarce in the summer of 1786 (Clark 1993: 261). In 1787, the crops were frost-bitten, raising the specter of starvation the following summer (Love 1899: 276). In April of 1789, Kirkland recorded, "[T]his day was visited by a number of the Indians from several villages. The burden of their song is their poverty, and the present extreme scarcity of provisions. Their pressing, importunate applications to me for relief are too much for the feelings of humanity to remain unmoved" (Pilkington 1980: 164).

New York knew about Oneida hunger in 1785 and 1788 and exploited it (Lehman 1990: 542). "Our Brother," Oneidas wrote to Governor Clinton that summer, "we request of you to assist us if you can...if not, when you come up you will find some of us dead of hunger" (Hough 1861 1: 154). On the advice of their agent, New York rescheduled the treaty conference from June to September because the Oneidas would then "be more anxious to meet the Governor than they appear to be at present" (ibid. 1 145).

Good Peter:

Bro. One thing more I wish to mention, which you may think was a transgression on our part; after several times mildly declining, and at length utterly refusing to accede to the Gov.r's proposals-- we made this proposal to him-- That instead of selling, we would lease out a tier of townships, on the line of property [8], to any poor people of his state, who had no lands; and that we would do this on reasonable terms. To this the Gov.r with his Commissioners, soon made a reply-- That it was a dishonourable proposal: that he and his Com.rs were not in the condition of tenants; and that they should be ashamed to return home with such an account of the negotiation.

The Oneida reminded the New York Commissioners that the United States had guaranteed the security of Oneida land. Rather than replying directly to this point, Governor Clinton asserted New York's sole and supreme sovereignty over Oneida land as he disdainfully rejected the Oneidas' offer to lease (Hough 1861 1: 92,97).

Oneidas vividly recalled Clinton's scornful retort in a memorial

to the New York legislature of early 1788:

While we were thus flattering ourselves with the agreeable Prospects, we received an Invitation to meet some of your Chiefs who were sent to speak with us at Fort Herkimer; we were glad and immediately set out to meet them, expecting they were come to relieve our Wants and to make good the repeated Assurances we had received, that on our Return to our Country we should be made to rejoice; those Chiefs who then met us will doubtless remember how much we were disappointed, when they told us they were only sent to buy our Lands.

Brothers. It is needless for us to recapitulate the Speeches that were made on that Occasion. You have probably wrote them in Book; your Chiefs may well remember how reluctantly we entered on a Treaty for the Sale of our Lands. They may also remember the Method we then took to evade it, which was by making a Proposal to them to lease a certain part of our Country. The Contempt with which they received our Offer is doubtless still fresh in their Memory; it is in ours. In Compliance however with their urgent Solicitations, we at length consented to sell them a Part of our Lands in Consequence of the solemn and repeated Assurances your Chief Sachems then made, that this should be the last Application that our Brothers the Legislature of the State of New York would ever make to us for Land. (ibid. 1: 124-25)

This was the first Oneida offer to lease. Hereafter, they consistently tried to rent land hoping to retain permanent ownership while securing an income for their nation. In this proposal, the rented lands would form a buffer zone between New York and Oneida country. Within it would live "People of Influence" who could prevent further encroachment on Oneida land while collecting Oneida rents (ibid. 1: 93).

At the 1785 treaty council, the Oneida wanted to settle two debts of gratitude incurred at Schenectady during the war. To James Dean, they gave two square miles of their land for staying with them at Schenectady even without pay from the federal government. As a boy, Dean had lived among the Oneidas learning their language. Acknowledging his long service to the Oneida Nation, the gift was also intended to keep him near the Oneidas' council fire. Additionally the Oneida wished to present a mile square to Abraham Wemple, a Schenectady militia officer "who turned out an Ox for Us and gave Us Bread when We were hungry, drink when We were dry, and his House was our own" (ibid. 1: 104).

Dean could choose the location of his tract but it had to be situated near the Line of Property in accordance with their idea of a buffer zone. Wemple's land was to adjoin Dean's. The Oneidas explained all this to the New York Commissioners asking them to confirm the land transfers according to state law (ibid. 1: 104-7).

The Indian Commissioners forwarded these recommendations to the legislature which sanctioned the agreements as legislative acts the following year. Dean was granted two miles square on the Line of Property and Wemple received his square mile south of Dean's patent (5 May 1786, Laws 1886 [1792]: 340). Both were located in a two-mile strip of land west of the line as requested by the Oneida (Figure 3) (9).

With the Dean and Wemple patents was a third, one mentioned neither in the proceedings of the treaty nor in the treaty text. Without explanation, the same legislative act granted to Samuel Kirkland one square mile of Oneida land near the Dean and Wemple tracts. Half of the patent (320 acres) was to be Kirkland's in fee simple. The other half was to be a glebe, land held in trust to support any minister "employed" by the Oneidas. Evidently Kirkland had changed his mind about owning Indian land.

Good Peter:

About two years after this conference with the Gov.r a Mr. Livingston of New York passed thro' our town, on his return from the Seneka country: but did not call upon us. He proceeded on, and lodged with Mr. Dean; from whence we soon heard that he (Livingston) had had a conference with [the] Seneka Nation, on the subject of their lands. Col.o Louis, and captain David of our nation, we soon heard, were present at that conference. And we were informed that this Mr. Livingston would soon return, to confer with us on the same subject, and desired that we would revolve it in our minds.

Accordingly Mr. Livingston, in a short time, made his appearance in our town, & entered the house of my friend Skanondonh, and verily, by his appearance and company, we supposed they came from the Great Council of that state, and would not deceive us. Upon his making propositions to us, respecting our lands, one and another replied, that it would not be for our advantage to lease a small piece to one and a small piece to another, or to listen to every one that should say to us-- Cut me off a slice from your loaf-- it may be better for us that one Great Man should undertake to manage the whole.

John Livingston headed an association of land speculators who hoped to avoid the state's prohibition on private land purchase through the technicality of a lease lasting 999 years. Incorporated as the New York Genesee Company Of Adventurers, Livingston's group comprised members drawn primarily from influential, patrician families of the upper Hudson (Young 1967: 66). They were Federalists opposed in political sentiment to the Clinton-led majority of populist democrats in the legislature. As political outsiders fearing they would not benefit from Clinton's land acquisition measures, they aggressively promoted their own speculative interests throughout Indian country (Geier 1980: 100-8).

In November 1787, they managed to secure a lease from the Seneca and other Iroquois at Buffalo Creek for nearly the entirety of Iroquois territory. The Livingston group then obtained a separate lease of Oneida country in January 1788. By it, the Oneida rented virtually their whole country. Retained for their exclusive use was a relatively small reservation south of Oneida Lake, roughly the same boundaries used by New York to define an Oneida Reservation later that year. The Oneida would receive \$1,000 to \$1500 annually in return for this 999-year lease (Hough 1861 1: 119-26).

Livingston, as Good Peter remarks, claimed to represent the state (see *ibid.* 1:133,141) and the group's bona fides spoke credibly to the same effect. Livingston had been among the New York delegation treating with the Oneida in 1784 and, in 1787-88, actually was a member of the state legislature. Also, the Livingston group bore an uncanny resemblance to the New York Indian Commission of the 1785 treaty because it included two of the four Commissioners (Peter Schuyler, Abraham Cuyler), an Associate Commissioner (Matthew Visscher), and the interpreter Peter Ryckman (*ibid.* 1: 120).

At the time of the Livingston Lease, Oneidas informed the New York government:

Brothers. We are determined then never to sell any more; the Experience of all the Indian Nations to the East and South of us has fully convinced us, that if we follow their Example we shall soon share their Fate. We wish that our Children and Grand Children may derive a comfortable Living from the Lands which the Great Spirit has given us and our Forefathers. We therefore determined to lease them; our Friends in different Parts of the Country hearing of our Determination, and being willing that we should still continue a Nation, have offered to take our Lands by Lease, and give us a generous Rent. We were loth to affront you again by the Offer of our Lands on such Terms, and have therefore agreed to the Proposals of our Friends. (ibid. 1: 125)

Good Peter:

Then Livingston fully opened his design to us, and made propositions to us of leasing our whole territory. We deliberated long upon the matter. It was new to us. We did not know what was right in such a case. This one thing we knew-- that we loved our land; and thought we were the sole proprietors, & might dispose of little or much, as we pleased.

I myself, at that time, was a principal negociator with Livingston: and I was fully determined that Justice sh.d be done to my nation, as far as my influence extended; and that we would be the judges of what part of our lands we should give up, as our necessities might require. We thought that we should determine the quantity of

land that we should give up; and as to the price of it, we would refer it to Livingston and his company to determine, according to what was customary and right. But even this claim of ours could not gain admission.

At length, He made us fully acquainted that his intention was to lease the whole of our territory. This gave us much anxiety and great pain. We laboured in council for two days and nearly one whole night. Towards the close of the business, it was urged, that the season was far advanced, the roads would be bad, the rivers w.d break up, and they could not return. This was pressed as a powerful argument to bring the business to a conclusion. Widely different is this from the conditions of us Indians, who may long urge with the white people more forcible arguments in vain.

I then mentioned a certain boundary to be agreed on between us: but this could not by any means be acceded to by Livingston & his party. I then enlarged the bounds; even a third time. At length it was said by Livingston & his party-- that our reservation should be of equal extent with the walks of our domestic animals. Upon this I was greatly distressed: and had I not been left unsupported, the event would not have been such as it was...

This was his last proposal. When I saw that I could keep my hold no longer, I let go. But I thought, at the time, that I did not understand the term for which the lease was to endure. As I understood him, it was to be as long as the water sh.d run & the grass grow. It is true he mentioned 999 years. I then thought with myself, if I did not ask the question-- Whose property it should be when Jesus sh.d come to finish his work in this world-- if the grass should not grow nor the water run until that time. However, this I must add, that he agreed to give us what I then thought was a great sum.

Concluding this passage, Good Peter acknowledged a point seemingly opposite to the thrust of his preceding remarks. Immediately conceding some justice in the opposing viewpoint was a convention of Iroquois courtesy. In public context, native speakers sought to defuse overt discord and hostility because, as the Oneida sachem Beech Tree explained to the New Yorkers, "a good Mind is necessary in deliberating on Things of Importance" (Hough 1861 1: 214).

The Livingston group spared no effort to engage people influential among the Indians (Siles 1978: 31-55; Turner 1851: 106-10; Hough 1861 1: 119). Among the Oneida, one native person hired by the speculators was French-speaking Colonel Louis Cook, who had fought with the Oneida during the war. Col. Louis was a Kahnawake Mohawk (Caughnawaga, Canada), married to a daughter of the friend mentioned earlier by Good Peter -- "Skanondonh" or Skenandoah, the famous Oneida chief. Louis, it turned out, was promised 200 pounds to further the Livingston interest (ibid. 1: 133,141,150).

He was not alone. Both of the Oneidas' most valued non-native intermediaries abandoned the Oneida Nation at this time. James Dean was a stock-holding member of the Livingston corporation. Samuel Kirkland began to exhort in favor of the lease. "In one of [Kirkland's] Sermons to them previous to the grant of the long Lease," reported an agent for New York, "he observed that his Thoughts were too extensive, their Country so large that he could not collect himself, and urged the Propriety of selling a Part and then his Ideas would be more confined and he would preach better; they have discovered his Views and despise him" (ibid. 1: 141).

According to Good Peter's son, the most influential advocates of the Livingston Lease were Louis and Kirkland: "Some time after that [1785 treaty] another Man, who appeared to be a great man, one of your Council, proposed to take our whole Country, by Lease, and to give us such an Income for it, that we should have nothing to do but sit in our doors and smoke our pipes in peace. At the time that Man, one of our Brothers from Canada advised us to lease our lands, as they had done-- our Father Mr. Kirkland also advised us to the same purpose" (John Cantine and Simeon DeWitt to Gov. George Clinton, c. November 1793, Assembly Papers: 123-24).

Good Peter:

Bro. At Our last conference I closed the subject of the Great Lease to Livingston...After this transaction the voice of the birds from every quarter, cried out you have lost your country-- you have lost your country-- you've lost your country! You have acted unwisely-- and done wrong. And what increased the alarm was-- that the birds who made this cry were white Birds.

On this occasion, some of our brothers [among?] the white people seemed to pity us-- while others laughed us to scorn. The transaction soon came to the ears of our Bro. the Gov.r of New-York; and he spoke & told us our land was sunk-- that we and our country were gone, as if swept away by a deluge. However Brothers (said he) I will kindle a council fire in the Spring, and you shall hear further my sentiments on this subject. He added-- I am able to recover your lost country, & to raise it out of the waters. This voice of the Governor seemed to quiet our fears-- that he could restore to us our lost country: it gave joy to all who could feel for our situation.

Accordingly, in the Spring following a Council Fire was kindled at Fort Stanwix: to which we were all invited, both Sachems & Warriors...

After a little visiting had passed between us, from one encampment to another, I heard that the Governor made this enquiry-- What do you think of your present situation? It is my mind to recover your lost territory, and take the management of it into my own hands. I think that I can raise it from its present drowned condition: and if

you do not agree to this-- I shall do nothing-- but let it go. Upon this declaration of the Governour's I saw that difficulties and embarrassments were going to spring up. We had expected from the Governour's love to us, that his intention was to recover our lost and drowned country, and restore it to us-- saying "Here, Brothers, take your lost country, and repossess it..."

We did not apprehend there was any thing in the way of the Governor's again putting us in possession of our lost country; as we had not received any consideration upon our agreement with Livingston; which was the usual practice, to confirm our agreement. Had we received a valuable consideration, the governour might have been embarrassed [sic.].

The New York Legislature disallowed the Livingston Lease then, as in 1785, moved to acquire same land itself. As in 1785, New York asserted that the fact of the lease indicated Oneida willingness to part with that territory.

Oneidas doubted the Livingston Lease had been consummated but they were uneasy about it. Throughout the spring and summer of 1788, New York communications to the Oneida failed to mention the lease had been invalidated and never made clear that New York representatives planned to meet with the Oneida to purchase land. Instead, the messages were blandly reassuring. The Governor told them the upcoming meeting would "make all things right," and that its purpose was to put the Oneida "in the right way" (Hough 1861 1: 135).

Capt. John remembered the tenor of the governor's reassurances: "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'" (Oneidas to Pickering, c. October 1794, Pickering 60: 220).

When the conference finally convened at Fort Stanwix, the New York Commissioners spent the first two weeks of September cajoling the Onondaga into surrendering the vast majority of their territory. The arguments, ambiguities, and terms of the Onondaga cession prefigured those of the subsequent Oneida treaty (see Upton 1980: 31). When it was over, Onondagas said, "We have chosen to convey to you our Country in a Way in which we may receive a continual Benefit" (Hough 1861 1: 196). According to the treaty text, this meant the Onondaga had surrendered their land to New York "forever" in exchange for an annual payment (Special Committee Report 1889: 190-94).

The Oneida-New York session opened on 20 September with Governor Clinton declaring he had come not to buy land but to "renew our ancient Covenant." New York merely hoped to forge a new understanding which would "place Matters on such a Footing as to prevent these Things [private land sales] for the future." However, if the Oneida

refused to offer their land to New York, "we fear your Nation will in a few Years be obliged to remove or perish, and it may not be in our Power to prevent it" (Hough 1861 1: 224-25).

Responding for the Oneida Nation, Good Peter said he was pleased New York had not come to obtain Oneida land. He again reminded Clinton that the federal government had guaranteed the security of Oneida lands in 1784. Since the cause of these difficulties lay with rumbustious whites as New York seemed to concede, the solution clearly was for New York to punish the culprits as New York claimed it could do (ibid. 1: 227-29).

Peter was never answered. As in 1785, the terms of the proceedings shifted abruptly from public discourse to closed, private session. Thereafter, the treaty records become "shrouded in mystery" (Geier 1980: 109). Two individuals appointed by the Oneida to conduct negotiations met with the New York Commissioners for a brief time. Suddenly the treaty was concluded and signed.

Good Peter:

Our minds, on this occasion, were much agitated, and drawn various ways. Some said it was the Governor's intention solely to restore to us the possession of our country, said to be lost: others said his ultimate design was to get fast hold of it himself. Seeing difficulties arising, I had determined, for my own part, not to be a principal actor; but to let some other one of my nation take the lead. At length one who then belonged to our nation, but formerly from Canada, and who was acquainted with the conduct of the French towards the Canadian Indians-- told us it might be good for us that we should lease our lands to the governour, instead of selling them. Upon this we appointed him with the one who the other day was put under the ground, in this city, to be the immediate negociators with the Governour, in respect to our lands, as they understood each others language, and the one from Canada was acquainted with the method used there of leasing lands & receiving rent, and thereby the business would be expedited. These were to be the medium of communication between the parties. They undoubtedly talked much with the governour in his room, and from day to day brought us various accounts of their progress: and sure enough, in the end, the Governor took fast hold of our land. It seemed to us, upon the conclusion of the negociation, that the persons whom we had appointed, were not able to carry any point; with respect to our interests: but that they yielded entirely to the terms prescribed by the Governour.

The two designated to represent the Oneida in private negotiations were Peter Otsiquette, the Oneidas' "ear," and Col. Louis, their spokesman or "mouth." Otsiquette, recently deceased at

the time Good Peter spoke, had (in 1788) just returned from a three-year sojourn in the Marquis de Lafayette's French household (Gottschalk 1950: 433-34). According to a Frenchman sailing to America on the same boat,

When this Indian arrived in Boston [late July 1788] he caused as much surprise as he had in Paris...[T]his Oneida was well entertained everywhere, even by the governor. He was lucky again in New York, where the governor was about to leave to conclude a treaty about some lands with the Oneidas. He received the young Indian very well and had him accompany him. (Echeverria 1964: 82)

Canal promoter Elkanah Watson took particular note of Otsiquette at the Oneida-New York conference in September:

He had just returned from France, having been in that country for several years, under the patronage of the Marquis de La Fayette, by whom he was taken when a boy. He is probably the most polished and best educated Indian in North America. He speaks both French and English, correctly; is familiar with music and many branches of polite and elegant literature; and, in his manners, is a well-bred Frenchman. (Watson 1968 [1856]: 315)

"He is, however, a striking instance of the moral impracticability of civilizing an Indian," Watson added. "There appear to exist natural impediments to their amelioration...It is noticed that each year, in its progress, wears off the European polish of Otseguett, and brings him nearer to the savage. Ten days ago, I was introduced to him, a polite and well-informed gentleman; to-day, I beheld him splashing through the mud, in the rain, on horseback, with a young squaw behind him, both considerably drunk" (ibid.: 315-16). To many whites, Otsiquette became emblematic of the view that "civilizing" an Indian was pointless since his natural inferiority would ruin him in both worlds.

Otsiquette himself felt suspended between two cultures. He petitioned New York for a grant of land near the Oneida Reservation, explaining that the habits and manners of his people were not calculated to agree with the education he had obtained in a "Civilized Nation" (Otsiquette's Petition to the Legislature, 17 February 1791, Assembly Papers: 55-57). The following month, New York granted him a tract of 1,000 acres near the remaining Oneida lands (Figure 3). This legislative act did not give him ownership of the tract in fee simple; rather it stipulated the use of the land during the lives of Otsiquette and his immediate offspring (18 March 1791, Laws 1887 [1797]: 232).

Good Peter indicates that Louis was chosen to speak for the Oneida because of his linguistic abilities and his knowledge of leasing arrangements. Louis mentioned another reason in the treaty

proceedings: "I am now employed by all here present to speak and set these Matters right, for I am charged with being the Person who have occasioned the present Distresses of this Nation" (Hough 1861 1: 229). Since Louis had caused the problem of the Livingston Lease, he was now held accountable in traditional thinking to rectify the situation.

Of course the Oneidas' faith in Col. Louis was tragically misplaced. Having repudiated the Livingston Group, he was now in the pay of New York. All that spring and summer he assiduously furthered New York's treaty arrangements carrying messages, news, and advice. He was assisted in these measures by a French merchant of Schenectady, Peter Penet, and by Penet's factors in Oneida (ibid. 1: 139-41). Louis had taken up residence on Oneida Creek about two miles from its outlet to Oneida Lake. Here it was possible to transport Penet's goods close to the Oneida village to entertain the Oneida and place them in a grateful mood on the eve of the treaty conference. In August 1788 according to Brotherton leader Samson Occum (see note 6): "[My sons] accompanied me to the Lake. We went there to Fishing, got there some time before night, and there was a great number of Oneidas & some Stockbr[idges] at Colo Luweys to receive a present of Corn and some port sent to them by a French merchant" (Clark 1993: 280).

In the minutes of the conference, Louis seems immediately to concede all to New York in terms which, if delivered publicly and properly translated, must have alarmed any Oneida listeners: "You have the Controul of our Land, altho' it is said to be ours...We two are delegated in Behalf of the whole Nation, to measure our the Lands which we mean to reserve, and to divide that, not equally, between the meritorious and unworthy; this would not be right; but to give each according to his Merits, and Standing in Life" (Hough 1861 1: 229-30).

Col. Louis received no reward from New York documented in the proceedings or text of the 1788 treaty. However, shortly after the conference, Louis petitioned New York to confirm to him private ownership of a mile of land near St. Regis (Hough 1853: 192-93). The legislature promptly granted him a large tract "lying on the Niconsiaga river, beginning at the first falls on the said river, and extending up the same on both sides thereof" (28 February 1789, Laws 1887 [1797]: 94).

Good Peter:

My Bro. & Friend, I see that it is laborious to write: therefore I will avoid as much as possible the reciting of many particulars. It might suffice to say, that the Gov.r carried all his points. After much disputing upon the subject, our agents made this report, with respect to the [eastern side] of the reservation we now possess... Our agents first agreed to set off at a place called Canada Creek.

Then to run southerly to the northwest corner of a grant of a small tract of land which we made to Purache [Perache, see Figure 3]... This grant was originally to have extended two miles on the line of Property so called, and one mile in breadth: but since, it seems, that is laid out two miles square. Be that as it may, it was agreed that the line of reservation should strike his northwest corner: and then run along his western line to the grant made to Mr. James Dean.

From thence (Mr. James Dean's grant) it was to run southerly (along Mr. Dean's western line) to his southwest corner; and from thence a southerly line & course till it should intersect the southern boundary line of our reservation. Here arose a dispute, whether this point of intersection would be four, six, or eight miles from the point in the line of property from which we set out.

The 1788 New York-Oneida Treaty begins: "The Oneidas do cede and grant all their lands to the people of the State of New York forever" (Special Committee Report 1889: 237). The greater part of the text is then devoted to defining an area of close to 300,000 acres (in present Madison and Oneida Counties) reserved to the Oneida.

Oneida and New York views of the reservation boundaries differed considerably. Good Peter mentioned several discrepancies on the east side (10), the most important concerning the placement of the line run from the southwest corner of Dean's tract (Figure 3).

According to New York records, Oneidas wished to retain the 1768 Line of Property as the eastern side of their reserved lands; the New Yorkers desired to run a new line due south from the Canada-Wood Creek confluence. But, "for the Sake of Accommodation," the Commissioners agreed to a compromise line parallel to and two miles west of the older boundary (Hough 1861 1: 234). The two-mile width presumably was suggested by the earlier Dean and Wemple-Kirkland grants already extended that distance from the Line of Property.

After paralleling the Line of Property for about twelve miles, the reservation boundary turned abruptly south (at Dean's southwest corner) to run due south for about nine miles, terminating near present Oriskany Falls (the point at which it intersected a west line extended from the head of the Unadilla), then ran west as the southern border. Put another way, the southern border of the reservation followed a line west from the head of the Unadilla but the southeast corner began not at the river's source but about eight miles west of it.

Both parties are said to have consented to all this although the Oneida requested more money. The Commissioners refused to increase the "annual payment, but as the Business was so nearly compleated to our mutual Satisfaction, the Commissioners as farther Testimony of the Friendship of the State for their Brethren the Oneidas and a Regard for their Welfare & Happiness, would Consent to give them five hundred

Dollars towards erecting a Grist Mill and Saw Mill at their Village" (ibid. 1: 234).

Here was the dispute: "whether this point of intersection would be four, six, or eight miles from the point in the line of property from which we set out." Clarifying this, Oneidas,

complained of their being wronged in the running of their Eastern line which during the negociation 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 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. (Oneidas to Pickering, c. October 1794, Pickering 60: 217A)

Therefore, Oneidas had agreed to a southeast corner four miles west of the head of the Unadilla River (vicinity of Waterville). But New York wrote down (and mapped) a southeast corner four miles west of that (having extended the line straight south from Dean's southwest corner -- see Figure 3).

An odd circumstance about the treaty indirectly lends credence to the Oneidas' assertion about what was agreed. Oneidas had asked that their younger brothers, the Brothertons (6), be located outside Oneida reserved lands on a tract measuring three by two miles (Hough 1861 1: 230). The dimension of two miles suggests the Oneida visualized this Brothertown tract within the two-mile zone west of the Line of Property. In fact, such a location had been made explicit in the earlier Livingston Lease which reserved to the Brothertons a tract "two Miles wide on the Line of Property" (ibid. 1: 122-23). Acknowledging this request, the Oneida-New York treaty of 1788 mentions an area "two miles in breadth and three miles in length" for the New England Indians (Special Committee Report 1889: 238).

When the New York Legislature sanctioned this part of the 1788 Treaty, they assigned to the Brothertons all the ungranted land within this problematic southeast region between the Line of Property and the line extended due south from Dean's southwestern corner (25 February 1789, Laws 1887 [1797]: 70). This was good for the Indians regarded as civilized Christians. Instead of the treaty-specified six square miles, they received over thirty-seven square miles. New York did this, according to one historian, "having a desire to do justice to the New England Indians" and presumably through the efforts of Governor Clinton "who was very friendly toward Occom's [Samson Occum] purpose" (Love 1899: 286-87).

New York's grant of Brothertown, therefore, flouted the written terms of New York's treaty with the Oneida. The violation demonstrates, at the least, that New York State had no regard for what the Oneida thought they were agreeing to; nor would New York scruple to obligate itself to its own agreement if such terms came to be regarded as undesirable. Much of Brothertown so defined was on land the Oneida did not realize had been taken from them.

The treaty contained several assignments of land to individuals, among them the two eldest sons of Samuel Kirkland (Special Committee Report 1889: 239). The Livingston Lease had contained a similar provision and the Commissioners at the 1788 treaty reported that the Oneida had particularly insisted on this clause (Hough 1861 1: 123,249). The legislation through which this grant became law assigned an area of one by two miles to the Kirkland boys just south of the Wemple patent (25 February 1789, Laws 1887 [1797]: 70).

Oneidas described why they did this:

And after the clouds [of war] dispersed, we then returned to our ancient habitation and gather[ed] the coals to kindle fire. While we [were] viewing the desolation of our Town with Sorrow, Behold our father Kirkland come to visit us, and inform us that he was very poor, had no salary, therefore could not live among us to teach us as a father to his children, then left us by which our sorrow [was] aggravated. After several months he visit us again, and then he propose this to us- that if he could have piece land here, he could then instruct us. Then we cut two mile square for his family. (Oneidas to Pickering, 29 January 1794, Pickering 62: 82-82A)

Kirkland himself received no land in the 1788 Treaty although he was acquiring substantial acreage through other means. That summer he was in western New York representing Massachusetts at a purchase of Seneca land conducted by Massachusetts speculators Phelps and Gorham (Patrick 1993: 404-14; Siles 1978: 15-17). Receiving 2,000 acres for his role in these transactions, Kirkland hurried back to Fort Stanwix in time for the New York councils with the Onondaga and Oneida. Like Col. Louis, he was able to convince New York of his dependability. Then Kirkland assumed translating duties for the state at both treaties.

Immediately after the Oneida treaty was signed, the Commissioners met privately to record that the:

Rev. Samuel Kirkland having at this treaty rendered meritorious Services to the State, and some of the Oneidas having expressed to his Excellency the Governor, a Disinclination to make a Cession of all their Lands without a Benevolence to Mr. Kirkland for his pastoral Care of the for many Years, the Board having conceived it

requisite to give them Assurances that they would recommend it to the Legislature to grant to Mr. Kirkland two square Miles adjoining to the Lands granted to his Children. (Hough 1861 1: 250)

Kirkland promptly complained to the Commissioners that the benevolence was not sufficiently generous "to have a convenient and profitable settlement to support his family" (Kirkland to Indian Commissioners, 18 December 1788, Kirkland Papers 111b). In response, New York added to the original two square miles a substantial tract adjoining on the west (25 February 1789, Laws 1887 [1797]: 70).

Whether or not the Oneida were aware of any specific transaction, they certainly knew that Kirkland had broken his promise never to own their land (John Sergeant, Jr. to Pickering, 3 January 1795, Pickering 62: 200). Kirkland's credibility among the Oneida plummeted in 1788, never to be fully recovered. Angrily reacting to a Kirkland sermon that fall, an Oneida declared "he never, in the course of his life, heard so many lies in one day told to the great God, as there had been in my prayers & sermons that day [Kirkland speaking], & it was his opinion that if the Lord Jesus believed all the lies their Father [Kirkland] had told about the Oneida Nation, that day he would certainly destroy them" (Pilkington 1980: 144). Far away in the Ohio country, another Oneida advised several Senecas, "If you are looking for a preacher, you had better choose a better one than we have because ours preaches what he does not practice" (Wallace 1958: 227).

Good Peter said nothing about Kirkland's part in the loss of Oneida land. Their collaboration, sitting in the same room and working together as speaker and translator, must have had some awkward moments. I imagine Peter avoided the subject out of delicacy and courtesy. Dwelling on contemptible behavior never encouraged the good mind. On a personal level, they regarded each other as friends. And although Peter belonged to a political faction opposed to Kirkland's secular aims, both men believed they shared the same tenets of Christianity.

Another assignment of land in the 1788 treaty went to the Schenectady businessman, Peter Penet, the individual who had helped New York State in its conference arrangements with the Oneidas. The tract measured ten miles square, its northwest corner eventually sited on the St. Lawrence River in northern Jefferson County (vicinity of Clayton, NY; see Figure 2: Penet's Square) (Powell 1976; Hough 1866).

Good Peter attributed the grant to New York. Even at the time of the treaty, he indicated this did not originate with the Oneida (Hough 1861 1: 236). According to the treaty, however, the land was given "as a benevolence from the Oneidas to Peter Penet" (Special Committee Report 1889: 239). The treaty proceedings say the grant was proposed in private session by the Oneidas' two negotiators who offered to

"give up the lands" north of Oneida Lake and Wood Creek in exchange for this provision (Hough 1861 1: 233).

If neither the Oneida nor New York knew what was going on, it is possible both parties were being deceived. The chief suspect in such a bizarre double-cross would have to be Col. Louis. Representing the Oneida, he was yet trusted and paid by New York. At the same time, he was linked to Penet in the pre-treaty arrangements and he was the major spokesman for the Penet interest after the treaty.

Good Peter:

After this, the Governor of New-York said to us; You have now leased to me all your territory, exclusive of the reservation, as long as the grass shall grow & rivers run. He did not say "I buy your country." Nor did we say "We sell it to you."

The Gov.r then said-- In twenty one years we will again converse together on this subject. And now we agree to give you Six hundred dollars a year, for the lease of your country. Not Six hundred pounds but six hundred dollars.

We Indians are unwise: And our want of wisdom is owing to our want of knowledge of the ways of white people. White people say to us-- "This Measure will be for your good." And we have always been accustomed to obey this voice, without enquiring into it as we verily thought our white brothers meant good to us: and hence we have been deceived in respect to our lands...

Let me now recur to the sum stipulated for the loan of our lands-- six hundred dollars! Six hundred dollars, without any increase! We had always conceived that upon the leasing of land there was to be a growing up of an annual increase after a certain time. This had once before been mentioned to us: but when the time of the first annual payment arrived, behold! it was fixed down to six hundred dollars, forever! This alarmed us in looking forward to our children & grand children, who should come after us. Now see what took place in consequence of this fixed sum, last Spring, when the annual payment was made. Behold, we had increased in our numbers, and that stipulated sum seemed to be diminished; it scarcely amounted to a dollar to each individual. In a few years more, should we multiply, under the blessings of the Great Being above,-- it may be reduced to a half dollar-- to a shilling-- and even to a penny a piece! How astonishing the contrast! While we are thus sinking in our interest, our brother of New York has every thing springing up in abundance from the ground we leased to him, whereby the wealth of his people is greatly increased. He is rising up-- and I am sinking down!

In exchange for the cession of some five million acres, the Oneida were to receive \$5,500 in cash, goods, and provisions, and an annual payment of \$600 (an obligation New York subsequently absolved

itself of by distributing the principal).

Good Peter insisted the Oneida agreed to a lease rather than a sale and, as Campisi notes (1988b: 52-53), that is precisely the view they expressed at the treaty conference. After general agreement had been reached, Good Peter compared Governor Clinton to a skillful physician who had "cured that which would have proved our Ruin with the Destruction of all our Property." The Oneida speaker thanked Clinton for having brought the business to a happy close: "My Nation are now restored to a Possession of their Property which they were in danger of having lost" (Hough 1861 1: 235-36).

In about January 1790, when Oneida leaders first realized what had been written, they addressed the Governor:

Brother-

We the Sachems and chief Warriors of the Oneida Nation take this Opportunity to address you in Writing. We hope you will attend to our Word. When you kindled the late Council Fire at Fort Schuyler and called us to sit around it with you, we were told that our Interest as well as yours was to be consulted, and that our mutual Happiness and Prosperity was to be the Object of the treaty. It is unnecessary to repeat all what was said on the Occasion; you have it all in Writing.

We returned home possessed with an Idea that we had leased our Country to the People of the State, reserving a Rent which was to increase until the whole Country was settled, and then to remain a standing Rent forever. This, Brother, was our Idea of the Matter. We supposed that we had at the same time reserved a sufficient Tract of Country for our own Cultivation; but since we had time to consult the Writings and have them properly explained, and have seen the Proceedings of your Surveyors, we find our Hopes and Expectations blasted and disappointed in every particular. Instead of leasing our Country to you for a respectable Rent, we find that we have ceded and granted it forever for the Consideration of the inconsiderable Sum of Six hundred Dollars per Year. (ibid. 2: 360-1)

At this point in Good Peter's account, the focus shifts from New York to the Oneidas' association with Peter Penet. Penet donned Kirkland's vacated mantle of trusted confidante to become the next in a series of colorful con men who would bedevil and divide the Oneida Nation in coming years. The divisions Penet inspired grew rapidly more rancorous, always to the Oneidas' disadvantage and at the cost of continued land loss to New York.

Good Peter and other Oneidas understood the nature of the problem. As Capt. John told Pickering: "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

lands. 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 lands. You say it will be to our advantage" (Oneidas to Pickering, c. October 1794, Pickering 60: 219A).

On the same occasion, they defined the solution. The Oneida, wrote an observer, "apprehend the restoration of the Land will be the most likely means of reuniting their Nation" (Fenton 1965: 300).

After this narrative was recorded, Good Peter traveled west on a mission to promote peace between the Americans and native people of the Ohio Country. He died in the Buffalo area, probably in August of 1792 (Israel Chapin's Account Book, 11 July and 18 September 1792, O'Reilly Papers, Vol. 7). "Several condoling speeches have passed betwixt the Cheifs [sic.] & myself upon the death of Good Peter," Kirkland noted that fall at Oneida Castle. "The whole Confederacy will feel the loss of Good Peter. His equal is no where to be found among all the Indian Nations" (Pilkington 1980: 231).

Notes

Ideas expressed herein are solely those of the author, not official statements of the Oneida Indian Nation. A number of individuals have encouraged this effort, helping it along in various ways. I particularly thank Gloria Halbritter, Marilyn John, and Steve McSloy.

1. For about two months from April to May 1792, the United States government staged a lavish display of "grandeur and wealth" (Lehman 1990: 523) to impress some fifty Iroquois visitors. Then waging a losing war in the Ohio country, the U.S. hoped this hospitality would contribute to Iroquois neutrality in that conflict (Clarfield 1980: 130-37; Ibbotson 1938; Turner 1951: 3-16).

2. Good Peter's talk is recorded on twenty-five handwritten pages among the Timothy Pickering Papers in the Massachusetts Historical Society, Boston (pp. 121-33 in Vol. 60). Pickering called it, "Good Peter's Narrative of Several Transactions Respecting Indian Lands." The entry in the volume index (in a different hand) entitled it, "Good Peter's Narrative How the Oneidas Were Cajoled Out of Their Lands & Fishery." Other scholars who have drawn extensively and well on this source include Campisi (1988b), Geier (1980), Graymont (1976), and Lehman (1990).

I quote extensively from the first two thirds of Peter's statement (pp. 121-28A). I transcribed it from microfilm as faithfully as possible -- that is, without modernizing or standardizing spelling or punctuation. Generally, the information given in parentheses seems to be Pickering's own clarification.

3. At this writing, the Oneida land claim -- the largest native claim in the United States -- is active and unresolved. The central principle of the case is that New York's absorption of the 1788 Reservation (whose origin is described here) violated the Non-Intercourse Act (1790) and ignored federal guarantees offered in the Canandaigua treaty (1794). The federal court ruling to this effect in 1977 was affirmed by the Supreme Court in 1985 (Campisi 1976; Locklear 1988; Shattuck 1991).

4. An important reason for this neglect is the dearth of relevant documents. Many may have been lost in the disastrous Albany fire of 1911. On the other hand, much that occurred in this context was not committed to writing. New York's treaty proceedings (records kept of what was said at the treaty councils) exist for both treaties described by Good Peter. In both cases, whatever agreement was