

STATE OF NEW YORK

MESSAGES FROM THE GOVERNORS

COMPRISING

Executive Communications to the Legislature and Other
Papers Relating to Legislation from the Organization
of the First Colonial Assembly in 1683 to
and Including the Year 1906

WITH NOTES

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I am persuaded that the Legislature will, on this occasion, evince their usual liberality and regard for useful establishments.

I avail myself of this opportunity to suggest the expediency of having all the important papers relative to Indian affairs transcribed and deposited in the Secretary's office; a great number are in my possession, derived from my predecessors, and which may in time be lost or injured, without some precautionary measure of this kind.

DE WITT CLINTON."

Albany, 9th February, 1818.

February 9. To the Assembly:

"GENTLEMEN.—I transmit to you a report signed by Isaac Keeler and Richard Hubble, relative to the condition of the Montauk Indians. They state that they were appointed by my predecessor to make the inquiries indicated in their report; but at what time and on what suggestions I am not advised. They have also sent to me a copy of a communication heretofore made on this subject, and which, at their request, I also lay before you.

DE WITT CLINTON."

Albany, 9th Feb., 1818.

The following is the letter to Governor Clinton referred to in the message:

To His Excellency DE WITT CLINTON, Esquire, Governor of the State of New York.

SIR.—We, the undersigned, having been appointed by your predecessor in office, Governor Tompkins, the last year, to proceed to the east end of Long Island, and there to search and ascertain the real situation of the tribe of Indians living at or near Montauk Point, and to report to him our opinion thereon; and having performed the said duty, the best in our power, at which place we found those natives of the soil, poor Indians, not more than half fed, half clothed, and suffering for almost every necessary of

life, which, under such circumstances, and from further information had thereon, and after mature deliberation by us, and also by a request of the said Indians, who have no one to plead their cause nor to tell their complaints and sufferings; we, having the aforesaid trust given to us, we feel it a duty we owe to humanity to ask, sir, your indulgence to make this a further communication; humbly hoping that your Excellency will cause our former extracts and communications, and opinions thereon, which we gave to the then Governor Tompkins (which we understood was not laid before the house last winter) together with this our second report, to be laid before the Legislature of the state, or a committee from that honorable body, as your Excellency may think proper. We found, sir, on record at East Hampton, which has been given in our first report, a charter from Governor Dongan, dated about a century and a half ago, giving to the trustees of East Hampton his power and authority to buy and possess lands of the said Indians, at the east end of Long Island. Under such authority, the aforesaid trustees of East Hampton have purchased from the said native Indians, all or nearly the whole of the lands that the Indians claimed eastward of the said East Hampton, for a very small consideration, and that appears very uncertain to have been paid to them; and in consequence of which, the aforesaid trustees released back to the said tribe of Indians the use of a certain part of the tract, so long as they should remain a tribe; but the privileges and appurtenances contained in the lease are very small and contracted, considering the quantity of land received from them: they are not permitted to pasture a single hoof of a creature, to sell no grass nor hay—and the said trustees and inhabitants of East Hampton, claim it as a right to turn in their fatten and store cattle into all the Indian inclosures, after the fifteenth of November, and for them to remain there until on or about the 5th of May, in every year, to the very great detriment of the said tribe; they are also obliged to keep up the fences around all the

fields the whole of the time. There is several other complaints of a minor nature, which have been embraced in the first report, which we do not wish to trouble your Excellency about at this time. If, sir, there is no remedy for that poor tribe of Indians, they must bear with it; but hard is their fate; for they are undoubtedly the children of the state, and have a claim on their humanity — and will they not, this winter's session, lend their fostering hand of charity to relieve from wretchedness and woe some of her outcast native children. We believe and hope they will — for they are so poor and helpless, and we may say almost friendless, that they are unable to defend their just rights; for they suffer many impositions from strangers who frequent their shores. For, sir, if it should appear, after a thorough inquiry and investigation into facts, that Governor Dongan had no legal authority or power from any king, prince or potentate whatever, of the realm of England, to make, give or grant such a charter to the trustees of East Hampton, it will then of course become a very important matter of inquiry. And if it shall be found that no such power doth legally exist, it will then, in time, when that Indian tribe becomes extinct appear to this state: for those Indians informed us, all they wanted was a decent support — for if the state would support them they were willing to relinquish the residue to the state; and that they were also willing to give it to them in fee simple, whenever they ceased to be a tribe, on those conditions.

According to the best information which we received, there is in said tract of land from ten to twelve thousand acres, and one half of it may be as good land as what is called the first quality of land in the state; for we believe from human conjecture, the aforesaid tribe cannot continue to exist as a tribe beyond half a century, for they decrease very fast; for poverty and the many casualties incidental to Indians, reduces them very rapidly. They do not now amount to more than about sixty souls that are living on the premises. We wish further to solicit that your

Excellency would appoint, or recommend to be appointed, a discreet and prudent person to be an overseer over that tribe, to direct them the art of cultivating their lands, and other useful improvements, for they have long been accustomed to idle habits. Suffer us once more, sir, to make one appeal to the benevolence and humanity of the Legislature of this state, who are in general assembly convened, that they, as the guardians of the state, would have compassion on this poor tribe, as we believe it is the only tribe of Indians in the state which have not been cheered by the bounties of the state. This tribe suffered very much for blankets and common clothing to cover them in the inclement season, for we are informed that several of them have frozen to death, years past.

All of which we humbly submit to the discretion of your Excellency, and remain your Excellency's humble servants.

ISAAC KEELER.

RICHARD HUBBLE.

New York, January 20th, 1818.

The journal also contains an earlier letter to Governor Tompkins of the same general import.

February 10. To the Assembly:

“GENTLEMEN.—I now communicate the information required by a resolution of your honorable House of the 5th instant:

By an act passed on the 6th April, 1804, provision was made for erecting the Capitol. The fee of the ground is in the corporation of the city of Albany. The act directed that sufficient and commodious apartments should be made for the Legislature, the Council of Appointment, the Courts of Justice, and the Common Council of Albany.

By an act passed on 7th April, 1807, additional appropriations were made for erecting and completing the said building, on condition that the corporation of the city of Albany, should enter into a bond to the people of this State, in the penal sum of fifty thousand dollars, to be taken by