

SENECA NATION OF NEW YORK INDIANS.

MARCH 15, 1898.—Referred to the Committee on Indian Affairs and ordered to be printed.

Mr. QUAY presented the following

**PETITION OF MEMBERS OF THE SENECA NATION OF NEW YORK INDIANS FAVORING LEGISLATION PROVIDING FOR THE DISTRIBUTION OF MONEYS RECEIVED FROM LEASES OF LANDS OF THE TRIBE.**

The undersigned male and female members, legal age, of the Seneca Nation of New York Indians, in favor of the resolution adopted in convention at Newtown, on the Cattaraugus Reservation, the 28th day of October, 1897.

That an amendment be made to the act of the United States Congress, the same approved February 19, 1875, entitled "An act to authorize the Seneca Nation of New York Indians to lease lands, etc.," to the effect as follows:

That all rentals from the Indian leases in the villages on the Allegany Reservation, and the proceeds of any and all oil wells, and all oils which the Seneca Nation of Indians may be entitled to receive, the same be paid directly to the United States Indian agent.

That the sum not to exceed fifteen hundred dollars in any one year, out of the funds so collected, be set aside and delivered to the treasurer of the Seneca Nation of Indians for the disbursements of council of said nation, and all funds remaining be distributed among the members of said nation per capita by said agent.

Dated November 9, 1897.

Jerome (his x mark) Kennedy.  
Chas. Tallchief.  
Frank Tallchief.  
N. C. Patterson.  
Harrison (his x mark) Crouse.  
Eliza Stevens.  
Levi (his x mark) Kenjackety.  
Galy Parker.  
Julia Crow.  
Emma Deer.  
William Deer.  
Anna Deer.  
Mary Kenjockety.  
Hattie Jonthon.  
Laura Ground.  
Truman Halftown.  
Nancy Halftown.  
Julia Jonas.  
Tillmon Jackson.

Augustus Jemison.  
Lydia Harris.  
Nancy Button.  
Franklin Kennedy.  
Ely S. Pierce.  
John Jonas, esq.  
Sarah John.  
James H. Halftown.  
James Cornplanter.  
Theodore Jameson.  
Lafayette White.  
Mary Harnlock.  
Cornelius Johnny John.  
Hattie C. Jackson.  
Lewis (his x mark) Jameson.  
Nancy (her x mark) Halftown.  
Lucinda Moses.  
Nancy Tallchief.  
Moses Thomson.

Peter Pierce.  
 Minerva Turkey.  
 Jane Turkey.  
 Mary E. Waterman.  
 Lydia Warrior.  
 Eliza Mohawk.  
 Howard (his x mark) Armstrong.  
 Sarah Jameson.  
 Ida Johnny John.  
 Lucinda Johnny John.  
 Johnson Halftown.  
 Mrs. James King.  
 Susan King.  
 Chauncy Green.  
 Sylvester Pierce.  
 Newton (his x mark) Kennedy.  
 Mary Jamison.  
 Emma White.  
 Walter S. Kennedy.  
 James White.  
 C. S. York.  
 Albert Bluesky.  
 Jennie (her x mark) Jameson.  
 David (his x mark) Stevens.  
 Thomas Els.  
 Myron H. Silverheels.  
 First Andrew Jackson.  
 Willie Brooks.  
 William Jacobs.  
 Robert Kennedy.  
 Albert Sundown.  
 Mary Kennedy.  
 Rose H. Steeprock.  
 Louisa (her x mark) Armstrong.  
 Sarah (her x mark) Scott.  
 Mary J. (her x mark) Plummer.  
 Wm. Nephew.  
 Ida (her x mark) Farmer.  
 Lewis Deer.  
 Annie Scott.  
 William (his x mark) Blucye.  
 Jack (his x mark) Thomas.  
 James (his x mark) Wilson.  
 Charley Thompson.  
 Joseph (his x mark) Smith.  
 James (his x mark) Thomas.  
 Crawford Nephew.  
 Nancy (her x mark) Logan.  
 Olive Logan.  
 Rufus (his x mark) Jacob.  
 Jacob (his x mark) Scott.  
 Junietta Spring.  
 Ella King.  
 Foster (his x mark) Turkey.  
 John (his x mark) Jake.  
 Jessie (his x mark) Johnson.  
 Anton (his x mark) Snow.  
 Ira Pierce.  
 Silas Snow.  
 Tip Thompson.  
 King Scott.  
 Louisa Longfinger.  
 Elizta Johnson.  
 Samuel (his x mark) Joe.  
 George (his x mark) Twogun.  
 Lester Bishop.  
 Nancy Warrior.  
 James King.  
 James (his x mark) Crow.  
 Cyrus Spruce.  
 Mary (her x mark) Turkey.  
 Mary (her x mark) Tommy.  
 Lucina Lewis.  
 Richard (his x mark) Jackson.  
 Lucuda (her x mark) Jameson.  
 Lewis Jonas.  
 Agnes Williams.  
 Louisa (her x mark) Joe.  
 John White.  
 Sezphus (his x mark) Twogun.  
 Lewis (his x mark) Thomson.  
 Jessie (his x mark) Kenjockety.  
 Simson (his x mark) Joe.  
 Jessie (his x mark) Joe.  
 William John.  
 Daniel Duxtator.  
 Elizabeth Warrior.  
 Ida Jimersen.  
 Lewis Pierce.  
 David Warrior, jr.  
 Henry Kenjockety.  
 Nancy Williams.  
 Julia (her x mark) Twogun.  
 Moses Cooper.  
 Moses Mohawk.  
 Orin Mohawk.  
 George (his x mark) Moses.  
 Emily (her x mark) Denis.  
 Hiram Hare.  
 William Mohawk.  
 Oakley Pinn.  
 Thomas Kennedy.  
 John I. Jameson.  
 Joslyn (his x mark) Warrior.  
 David White.  
 Nicholas Jameson.  
 Abbie Duxtator.  
 Minnie John.  
 Lewis (his x mark) Longfinger.  
 Mrs. Mary Bishop.  
 A. Bishop.  
 Leroy Snider.  
 George Duxtator.  
 Nancy York.  
 Charles F. Wilson.  
 Lynn Crouse (not of age).  
 Clarence Snyder.  
 Laura Seneca.  
 Orlando Duxtader.  
 Mrs. Lucinda Lay.  
 S. C. Lay.  
 Alice Seneca.  
 Newton Bennett.  
 Sophia Snyder.  
 Willie Jones.  
 George Crouse.  
 George (his x mark) Warrior.  
 Chester (his x mark) Tallchief.  
 Solomon (his x mark) O'Bail.  
 Emily Tallchief.  
 Widow Andrew (her x mark) John.  
 Rosa John.  
 Andrew John.  
 Chas. A. Logan.  
 Jerome Crouse.  
 Martin Crouse.  
 John (his x mark) Jonathan.  
 Howard Duxtader.  
 Windsor H. Pierce.  
 Benjamin (his x mark) Halfwhite.

Charles (his x mark) Abram.  
 George Jacobs.  
 Jones (his x mark) Titus.  
 Isreal (his x mark) Jameson.  
 George Patterson.  
 Howard Logan.  
 Ames Kittsbeck.  
 Wm. Van Arnum.  
 Elmer Shonger.  
 Willie Cooper.  
 Lewis (his x mark) Twogun.  
 Wesley (his x mark) White.  
 Lucy (her x mark) Logan.  
 Jake Logan.  
 Mary Abram.  
 Healy Jameson.  
 William (his x mark) Warrior.  
 Betsy (her x mark) Warrior.  
 Amos Moses.  
 David (his x mark) Patterson.  
 Phina M. Jameison.  
 Willett P. Jameson.  
 Frank F. Dockstader.  
 Bertha Dockstader.  
 Carrie (her x mark) Armstrong.  
 Mrs. Sarah (her x mark) Dockstader.  
 Sarah (her x mark) Jane Jameson.  
 William B. Dockstader.  
 Walter L. Jameson (not of age).  
 Jesse Armstrong.  
 Square (his x mark) Jacob.  
 Joseph (his x mark) Gordon.  
 John A. Jimson.  
 Silas Cooper.  
 Lydia (her x mark) Gordon.  
 Sackett Patterson.  
 Moses (his x mark) Jackson.  
 Chauncey Crouse.  
 Charles Crouse.  
 Peter Shongo.  
 Gustus (his x mark) Buck.  
 Excey (her x mark) Buck.  
 Emma (her x mark) Logan.  
 Chester Crouse.  
 Anderson B. Shongo.  
 John (his x mark) Jacob.  
 Henry (his x mark) Redeye.  
 Deforest (his x mark) Billy.  
 John B. Lewis.  
 Clinton Pierce.  
 Margarett (her x mark) Jacob.  
 Thomas Bishop.  
 Sally (her x mark) Fum.  
 Emily Brooks.  
 Lewis Cooper.  
 Louisa Cooper.  
 John (his x mark) Armstrong.  
 A. McD. Pierce.  
 Harriett (her x mark) Jamison.  
 Isaac (his x mark) Jacob.  
 Edward (his x mark) Harris.  
 Hiram Cooper.  
 Payson Jimson.  
 Amos Snow.  
 Dwight Bennett.  
 Henry (his x mark) John.  
 Owen Jacobs.  
 William (his x mark) Curry.  
 Kennedy (his x mark) Curry.  
 Nelson (his x mark) Snow.  
 Phillip Fatty.  
 Solon T. Jameson.  
 Phebe T. Jameson.  
 Stephen (his x mark) Ray.  
 William (his x mark) Lee.  
 Jerome (his x mark) Snow.  
 Henry (his x mark) Abram.  
 Robert (his x mark) Nephew.  
 Joel M. Silverheels.  
 James (his x mark) Halfwhite.  
 George (his x mark) Halfwhite.  
 William John, jr.  
 David (his x mark) Winnie.  
 George (his x mark) Titus.  
 John (his x mark) P. Jameson.  
 Evelyn Jackson.  
 Harley A. Blinky.  
 Sheldon Redeye.  
 Henry Redeye 2d.  
 Martin Jamison.  
 Lewis (his x mark) John.  
 Austin (his x mark) John.  
 A. G. Silverheels.  
 Lindsley Bucktooth.  
 Abel Bucktooth.  
 Willie Stevens.  
 Henry D. Jackson.  
 J. E. Halftown.  
 Charles Jameson.  
 Francis Jones.  
 Howard T. Jameson.  
 Ephraim Jameson.  
 Bennett (his x mark) Redeye.  
 John T. (his x mark) Jameson.  
 Gibson Pierce.  
 Jackson (his x mark) Blacksnake.  
 Nathaniel Plummer.  
 James (his x mark) Jameson.  
 Ida (her x mark) Crow, mother.  
 Philo Nephew.  
 James Pierce.  
 Charlie Jameson.  
 Julia Jameson.  
 Nancy Thompson.  
 Lyman Pierce.  
 Hiram (his x mark) Jacob.  
 James (his x mark) George.  
 Lucy (her x mark) Snow.  
 Marcus Abram.  
 David (his x mark) Snow.  
 Jack (his x mark) Gordon.  
 Andrew Jackson.  
 Wallace Pierce, jr.  
 George Crouse.  
 Eliza Halfwhite.  
 Margaret Sprague.  
 Henry Huff.  
 David Thomas.  
 Solon W. Crouse.  
 Thomas W. Jacobs.  
 Cyrus Crouse.  
 Ezra Jacobs.  
 Turesa (her x mark) Jacob.  
 Horace Jameson.  
 Julia Jameson.  
 Julia (her x mark) Titus.  
 Mary (her x mark) Titus.  
 Sackett Jameson.  
 Sally (her x mark) Jacobs.  
 Robert (his x mark) Jameson.

Amanda Jameson.  
 Mary (her x mark) Howe.  
 Jane (her x mark) Jameson.  
 Mary A. John.  
 Mary (her x mark) Abram.  
 Lewis Plummer.  
 Josiah Jones.  
 James Jacobs.  
 David Killbuck.  
 Peter John.  
 Allen T. (his x mark) Jameson.  
 Sylvester Crouse.  
 Alfred (his x mark) Logan.  
 Louisa (her x mark) Logan.  
 Joe Snow.  
 Alonzo Jameson.  
 Emily Jameson.  
 Jane S. Jameson.  
 Polly Butler.  
 George Lee.  
 Peter Jackson.  
 Jackson (his x mark) Titus.  
 George (his x mark) Titus, 2d.  
 Jane (her x mark) Titus.  
 Nancy Kenjockety.  
 Julia (her x mark) Kenjockety.  
 Charley (his x mark) Halftown.  
 Morris Lee.  
 Lawra Lee.  
 Lawra Halfwhite.  
 Willis (his x mark) Redeye.  
 Fred Redeye (not of age).  
 Jennie Shongo.  
 John Quoquo.  
 George (his x mark) Gordon.  
 Eleanor Big Kettle.  
 Sadie George.  
 Betsy Johney John.  
 Agnes Sprague.  
 Hand Shango.  
 Theodore A. Gordon.  
 Jones Crouse.  
 Sam (his x mark) Fatty.  
 Gibson (his x mark) Curry.  
 George W. Warrior, jr.  
 Ida Curry.  
 Peter (his x mark) Killbuck.  
 Oliver John.  
 Lillie C. Jameson.  
 Joe (his x mark) Gordon, 2d.  
 George (his x mark) Halfwhite, 2d.  
 Jones (his x mark) Redeye.  
 Henry (his x mark) Jackson.  
 Willett (his x mark) Jackson.  
 Howard Jameson.  
 James Watt.  
 Jane Watt.  
 Sally (her x mark) Seneca.  
 Chas. Gordon.  
 Harriett (her x mark) Huff.  
 Maria (her x mark) Burrum.  
 Laura (her x mark) Gordon.  
 Lydia (her x mark) Cooper.  
 William Patterson.  
 Joseph (his x mark) John.  
 Sophina Redeye.  
 Elizabeth Gordon.  
 Howard Redeye (not of age).  
 Jasper (his x mark) Jameson.  
 Esther (her x mark) Crouse.  
 Susan (her x mark) Redeye.  
 William Jameson.  
 Bert Pierce.  
 Laura Jameson.  
 Lucy (her x mark) Redeye.  
 Lucy John.  
 Lillie John.  
 Lucy (her x mark) Lewis.  
 Sally (her x mark) Titus.  
 Anna (her x mark) Titus.  
 Laura (her x mark) Shongo.  
 Emma Pierce.  
 Harrison (his x mark) Pierce.  
 Emma (her x mark) Farmer.  
 Ely Farmer.  
 Johnnie Lewis.  
 Irennie Snow.  
 James (his x mark) Halftown.  
 William (his x mark) Cornfield (not of age).  
 Ida (her x mark) Crouse.  
 Lucy (her x mark) Shongo.  
 Ella L. Jameson.  
 Mary (her x mark) Jameson.  
 Sarah Snow.  
 Willis Jameson.  
 Edward Dudley.  
 Susan Jameson.  
 Alex Jameson.  
 Allen Dudley.  
 Joseph (his x mark) Armstrong.  
 Harry Logan.  
 Asher W. Hare.  
 Alfred Logan.  
 John Logan.  
 James Armstrong.  
 Jack Hudson.  
 Hawley Thompson.  
 Samuel John.  
 Hannah John.  
 Mary Thompson.  
 Alden Johnson.  
 Mrs. Harriet Fairchilds.  
 Jesse Turkey.  
 James A. Crow.  
 Lewis Jones.  
 Hiram (his x mark) Joe.  
 Depores A. Snow.  
 George Snow.  
 George (his x mark) Hudson.  
 Alex Maybee.  
 Oliver L. Jameson.  
 Solomon Maybee.  
 Chas. Dennis.  
 J. T. Pierce.  
 Mrs. Naomi Jameson.  
 Hattie E. Poodry.  
 Frank Logan.  
 H. L. Bennett.  
 W. T. Kennedy.  
 Moses Shongo.  
 Mrs. A. E. Shongo.  
 Russell H. Printup.  
 George A. Jameson.

450 names on foregoing list, out of which 294 voters signed.

At a convention of the Seneca Nation of Indians of New York, held at the council house on the Cattaraugus Reservation on the 28th day of October, 1897, the following resolution was duly adopted:

*Resolved*, That the Seneca Nation of Indians, in convention assembled, respectfully request the Congress of the United States to amend the act of Congress passed February 19, 1875, entitled "An act to authorize the Seneca Nation of Indians of New York to lease land," etc., to the effect as follows:

First. That all rental from the Indian leases in the villages on the Alleghany Reservation be paid directly by the lessees to the United States Indian agent, and the same be collected by the United States Indian agent from the lessees, with full power to the said agent to collect the same on the 19th day February each year.

Also that the United States Indian agent collect and receive the proceeds of any and all oil wells and all oil which the Seneca Nation of Indians may be entitled to receive. That the sum so received by said United States Indian agent shall be set aside and delivered to the treasurer of the Seneca Nation of Indians, the amount not to exceed \$1,500 in any one year, for the disbursements of council of said nation. That any funds remaining in the hands of said agent after the said allowance is made to said treasurer of Seneca Nation of Indians shall be distributed by said agent per capita among the Indians on the first Wednesday in the month of May annually.

Second. That the United States Indian agent be authorized to procure all records, papers, and books from the clerk and treasurer of the Seneca Nation of Indians for inspection and investigation with reference to financial affairs of said Seneca Nation of Indians.

That, in case rentals have been withheld at any time by any officer or officers of the Seneca Nation of Indians, or any sum or sums is or hereafter may be due from any officer or officers of the Seneca Nation of Indians to the nation, the agent be authorized to recover the amount and prosecute any officer or officers who may be guilty of any criminal offense relating thereto.

Third. That the said agent be authorized to carry out the agreement between the lessees of the Seneca Nation of Indians, in the village on the Alleghany reservations, and the council of the Seneca Nation of Indians, dated April 9, 1892; and that in all subleases there shall be made an allowance to the treasurer of the said nation of Indians according to the terms of said contract.

That in case of a violation of said contract, and a failure to pay to the treasurer of said nation the allowance provided for by the terms of said contract, the said sublease or leases shall become void.

Fourth. That the amount of compensation to be paid to the agent for his services in carrying out the provisions of this amendment be fixed and determined.

Fifth. That no tenant or subtenant of the Seneca Nation of Indians shall be eligible to the office of United States Indian Agent.

Adopted.

We, the undersigned, chairman, clerk, and assistant clerk for the above said convention, do hereby certify that the foregoing proceedings were duly adopted by a large majority of legal voters residing on the Cattaraugus and Alleghany reservations of the Seneca Nation of New York Indians present.

C. S. YORK, *Chairman.*

ANDREW JOHN, *Clerk.*

LESTER BISHOP, *Assistant Clerk.*

*To the Senate and House of Representatives of the United States of America in Congress assembled:*

The memorial of Andrew John, delegate sent by the people of the Seneca Nation of New York Indians to urge upon Congress the passage of Senate bill 2888, "To regulate the collection and disbursement of moneys arising from leases made by the Seneca Nation of New York Indians, and for other purposes," respectfully represents:

That under the existing condition of things injustice is done to the great majority of the people of the Seneca Nation will fully appear by an examination of the report made to Hon. William A. Jones, Commissioner of Indian Affairs, by G. B. Pray, special United States Indian agent, which has been printed and appears as Senate Doc. No. 145, Fifty-fifth Congress, second session.

That report shows conclusively that of the sum of \$15,000 or \$20,000, which is or should be collected annually from the leases of the lands and oil privileges of the Seneca Nation, scarcely 10 per cent has been expended for the benefit of the Indians, while the balance has been squandered by the officers of the nation. To use the language of the special agent, on page 3:

It is a fact that I do not think they will dispute, that the body of the people have not received from its officers a single dollar of income from these leases during the last four or five years.

The facts disclosed by that report prove conclusively that some measure of relief is necessary, but it is claimed by those who are antagonizing this bill that Congress has no jurisdiction in the matter, but that the State of New York alone has the power to correct the existing evil. (See Senate Doc. 145, Fifty-fifth Congress, second session, p. 8.)

That Congress has at all times exercised supervision over the Indian tribes and nations is a matter of common knowledge and needs no citation of authorities. That the Seneca Nation still comes under that supervision is also made manifest by the fact that the United States has permanently located among them a United States Indian agent. But the whole subject-matter of these leases has already been considered and acted upon by Congress, and, in fact, the very existence and validity of these leases are dependent upon the act of Congress of February 19, 1875, as amended by the act of September 30, 1890, referred to in the bill, and that act provides for the manner in which the rents shall be collected. The bill under consideration is merely an amendment of this act, and provides a different method of collecting the rents.

In this connection it may be well to call attention to the fact that the act of February 19, 1875, was enacted because the courts had held that leases by the Seneca Nation to white men, although specially ratified by an act of the legislature of the State of New York, were void and could not be enforced.

(See United States Revised Statutes, section 2116.)

This subject was particularly treated by Mr. Harris in his report from the Committee on Indian Affairs when this measure was under consideration. On page 3 of that report, being H. Report No. 478, Forty-third Congress, first session, he says:

The supreme court of New York and the Supreme Court of the United States have decided that the legislature of New York has no jurisdiction over the subject, and can give no force or validity to any leases of land within said reservation, nor give any authority to such in any way. The result is that no lease heretofore made by said nation or individual Indian, or any which they can hereafter make, is or can be of any validity in law or in equity.

The rights and duties of the Federal Government in the premises and the absence of right on the part of the State of New York are further established by the following references:

Treaty of Canandaigua, November 11, 1794 (7 Stats. L., 41).

Fellows v. Denniston (5 Wallace, 761).

It is true that the State of New York with the consent of the Seneca Nation, and without objection on the part of the United States, has given the Seneca Nation a charter under which they are now, to a considerable extent, conducting their internal affairs. But it can not be contended that this act of the State legislature destroys the authority of the United States in the matter.

Neither the constitution of the State nor any act of its legislature, however formal or solemn, whatever rights it may confer on those Indians or withhold from them, can withdraw them from the influence of an act of Congress which that body has the constitutional right to pass concerning them. (United States v. Holliday, 3 Wall. 407).

Indeed, if it were necessary to do so, the validity of that act in other respects might be called in question. Thus in the case of Ryan v. Knorr, 19 Hun., p. 545 (N. Y.), the court says, in speaking of this legislation:

This, in the ordinary form of a legislative enactment, contained many other provisions and regulations in regard to the powers and duties of the officers of the Seneca Nation in respect to which it may be doubted whether the legislature of New York had any jurisdiction or authority.

It is, therefore, most respectfully submitted that Congress has ample authority to make the proposed changes.

So far as the third objection raised by the delegation, as set out on page 8 of Senate Doc. No. 145, Fifty-fifth Congress, second session, your memorialist would call attention to the fact that to straighten out the accounts of the Indians in regard to these leases, and get them properly arranged, will require a very considerable amount of work, as will appear from the report of Special Agent Pray, already referred to.

That this, together with the collection of the rents, would add materially to the labors of the Indian agent is undeniable, and it only seems right that the Indians should pay for this service. That the commission of 5 per cent would not be excessive for the first year's services is obvious, and your memorialist will gladly agree to any reasonable amendment of the bill in this particular that may meet with the approval of Congress.

Your memorialist does, therefore, most humbly pray that the legislation asked for be enacted, in the interest of justice, and for the welfare of the Seneca Nation of Indians.

ANDREW JOHN,

*Delegate of the people of the Seneca Nation of New York Indians.*

WASHINGTON, D. C., March 10, 1898.

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[House Report No. 478, Forty-third Congress, first session.]

The Committee on Indian Affairs, to whom was referred House bill No. 1053, submit their report as follows:

The Seneca Nation of New York Indians now occupy the Cattaraugus and Allegany reservations in western New York. The former of these reservations contains about 23,000 and the latter about 30,000 acres. These lands are all which is left to them of their former extensive territory. They hold them under the treaty of November 11, 1794,

which declares that "the United States will 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 reservation shall remain theirs until they choose to sell the same,*" &c.

No treaties with Indians which attempt to provide against the encroachments of civilization, or to secure them in undisturbed possession of their lands, can long be maintained according to the strict letter, even in the remote mountain regions of the West, much less in the central part of a great, prosperous, and populous State like New York.

It was impossible that these small reservations, entirely surrounded as they are with thriving and increasing manufacturing and agricultural communities, should escape the fate common to all other reservations of the kind.

With the growth of the country, commerce and trade demanded the construction of new avenues of communication. Long lines of railroad have been constructed from the east to the west; and as no obstacles in nature are found sufficient in our day to block their way, it is not strange that they have paid little heed to Indian reservations or treaty stipulations.

Accordingly we find that the Erie Railroad has crossed the reservation, and has erected depots, machine shops, and other buildings and structures required for the conduct of its large business, upon the Indian lands. The Atlantic and Great Western Railroad, connecting itself with the Erie Railroad, has extended its line through the whole length of this narrow reservation. At the junction of these roads a thriving and important village has sprung up, known by the name of Salamanca, which now contains, besides buildings used for railroad purposes, numerous stores, warehouses, and private dwellings, as well as churches, school houses, and other public buildings, and has a laborious and industrious population of nearly three thousand people.

The Allegany Reservation is about forty miles in length, extending on both sides of the Allegany River, and is hardly more than one mile in width. The Atlantic and Great Western Railroad, going west from Salamanca, keeps by the side of the river, and thus in the center of the reservation. It was inevitable that the population residing outside of the reservation, on each side of it, would seek and demand accommodation by this railroad. The result has been that railroad stations have been established upon the reservation along the line of said road at Carrolton, Great Valley, Red House, and Vandalia, at each of which places small settlements have been made, which will doubtless increase in the future.

But although these railroads have been built across the Indian lands in violation of the letter of treaties made with the Seneca Nation, and can be said now to have no lawful right there, yet they have not been so constructed without the consent of the Seneca Nation, nor without just compensation being made; nor have the settlers and villagers gone upon the Indian lands against the will, or without the consent, of the Indians, or with any intention or desire to violate their rights or privileges. So far as has appeared, the railroad companies have dealt fairly, taking from the said Seneca Nation leases of the lands they occupy, paying full compensation for the rights secured. The settlers in said villages have also dealt honorably, and are all tenants of the Seneca Nation, or of individual Indians, paying just annual rent for their lands. It does not appear that the Indians are dissatisfied with the arrangement, or that they have just cause for complaint of the tenants.



The only title which the Indian can give is a leasehold title. They have only the right of possession. The preemptive right, or the right to extinguish the Indian title by purchase or otherwise, in this case belonged originally to the State of Massachusetts, but has passed by several conveyances to the trustees of the Ogden Land Company, who now hold it.

But the Indian right to occupy is a right forever, or so long as the nation may last; and it would seem that they should have the legal right and power to make their possession profitable and useful to them by leasing it to tenants, if they see fit.

But under the laws of the United States and the treaties made with the Seneca Nation, the Indians are incapable of, and prohibited from, making valid contracts concerning the use and occupation of their lands. The law now in force is as follows: "No purchase, grant, lease, or other conveyance of land, or of any title or claim thereto, from any Indian nation or tribe of Indians, shall be of any validity in law or in equity, unless the same be made by treaty or convention, entered into pursuant to the Constitution." (Stat. at Large, vol. 4, p. 730.)

Heavy penalties are also provided against the violation of its provisions.

Notwithstanding such is the law, neither the railroads nor settlers are trespassers in spirit or purpose, however much they may be technically so; for, until recently, they acted under laws enacted by the State of New York, which were passed and intended to confirm and authorize leases made by white men with said Seneca Nation of Indians. They relied upon the laws so enacted, and in good faith took leases of land from said nation and from individual Indians holding under the nation, and have erected thereon not only houses more or less costly and tasteful, but expensive buildings for trade and manufactures, schoolhouses, churches, and other buildings, and have laid out a comely town.

The Indians do not desire that these villages should be removed or broken up, or that these leases should be canceled; but, on the other hand, they profess to be willing to carry out all their leases according to their terms; and if they object to a law confirming them, or authorizing new ones to be made, it is because, being simple in their ideas of individual property, they do not appreciate the importance which a white man attaches to having his contract not only legal but capable of being enforced by law.

The supreme court of New York and the Supreme Court of the United States have decided that the legislature of New York has no jurisdiction over the subject, and can give no force or validity to any leases of land within said reservation, nor give any authority to such in any way. The result is that no lease heretofore made by said nation or individual Indian, or any which they can hereafter make, is or can "be of any validity in law or in equity."

The value of improvements made upon land in Salamanca and the other villages by the white settlers is estimated at \$3,000,000.

Under this state of the case, the residents in these villages have no remedy whatever against wrongdoers and trespassers. They can neither collect rents nor expel delinquent tenants. They are, moreover, exposed to the danger of being removed, with entire loss of their property, whenever any designing person shall incite the Indians to demand a strict enforcement of their treaty rights.

Their only dependence now is in the well-known and long acknowledged high sense of honor of the Seneca Indians.

The committee feel that such a state of things ought not longer to be

permitted to exist, and that it is just and right that Congress should ratify and confirm the free and voluntary contracts of their Indian wards, made in good faith and for a sufficient consideration. The committee do not deem it just or wise, even if Congress may have the legal right, to violate or abridge in any way the right of the Indian to the free use and enjoyment of the reservations as set forth in the treaty of 1794, and they therefore reject all the provisions of the bill referred to them except those which relate to existing leases and leases hereafter to be made. They think it just and safe to give them power to lease their lands if they choose, and, having done so, the law should give validity to their acts.

We annex to the report the petitions and remonstrances filed in the case.

Your committee report the accompanying bill as a substitute for House bill No. 1053, and recommend its passage.

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We, the undersigned, citizens of the United States and occupants of land in the town of Salamanca, on the Allegany Indian Reservation, in the State of New York, respectfully but earnestly pray Congress to pass the bill to which reference is made in the resolutions hereto annexed.

[Signed by John J. O'Donnell and 799 others.]

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*Preamble and resolutions adopted at a citizens' meeting held at Flint's Hall, Salamanca, February 13, 1874—H. O. Wait, president; O. B. Seimar, secretary.*

Whereas, by the junction of the Atlantic and Great Western Railroad with the Erie Railroad at Salamanca, on the Allegany Indian Reservation, necessary repair and machine shops and transfer freight houses, to successfully operate said roads, had to be constructed at that point, and a sufficient number of persons employed to transfer the freight received from one road to the other and to carry on said shops; and that by the employment of persons sufficient for said railroad purposes at said place other pursuits, as a natural consequence thereof, necessarily followed, to meet the demands of the laborers thus employed and the requirements of the public;

And whereas, the Indians, both individually and by their government, represented by their president and council, made and granted leases of such lands upon reasonable terms for a yearly compensation, to be occupied by private residences, business houses, manufacturing shops, waterpowers for mills and necessary buildings, rail road depots, repair and machine shops, and other buildings necessarily connected with railroads, and the legislature of the State of New York authorized and sanctioned such occupancy by enacting a statute law confirming the same;

And whereas, by inducements thus held out and sanctioned, the settlement upon said reservation lands in said town continued to increase from year to year until at present more than three thousand people have become occupants thereof, and capital invested to the amount of more than three million dollars;

And whereas, after such investment and settling, induced as aforesaid, under the protection and authority of the government of the Seneca Nation of Indians and the State of New York, the courts, whose mandates all are bound to obey, have determined and decided that our money so invested and property thus accumulated is without authority of law and void, and the leases are only evidence of our being trespassers on said lands, and our occupancy is at the mere mercy of the Indians, whom the courts stand ready to aid, whenever invoked, to compel us to relinquish all of said property and vacate the possession thereof; and have also held and decided that Congress alone possesses the power to afford any relief: Therefore,

*Be it resolved*, That the Congress of the United States be, and hereby is, requested, as the only remedy for all our existing evils, to pass the bill now pending before that body, entitled "An act to authorize the Cattaraugus and Allegany Indians in the State of New York to lease lands, confirm leases, and quiet titles to their lands."

*And be it further resolved*, That the Senators and Members of this State be, and hereby are, specially requested to exert their influence in our behalf to press the aforesaid bill to an immediate passage.

*And be it further resolved*, That our committee who have this matter in charge be, and hereby are, requested to persevere in the great work before them until it shall be brought to a successful conclusion.

*And be it further resolved*, That a copy of these preambles and resolutions, together with the petition to Congress this evening signed and adopted, be forwarded to the Congress of the United States, and that a copy thereof be furnished the press for publication, and also a copy be annexed and forwarded with said petition.

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*To the Senate and House of Representatives of the United States of America in Congress assembled:*

We, the undersigned, members of the Seneca Nation of Indians residing on the Allegany Reservation, and the Cornplanter reserve, Warren County, Pa., respectfully represent that we are the descendants and representatives of a once powerful and numerous tribe of the aboriginal inhabitants of an extensive territory; that they are informed that a bill is now pending before your honorable body providing a subdivision and allotment of lands be made on the Allegany and Cattaraugus reservations in the State of New York, among the Senecas, and for the legalizing of leases of lands in the town of Salamanca, which, among other things, we would most respectfully state that we are in favor of having allotment of land to us. It would certainly be beneficial to our nation as a people. At present we are living in common, which show a strong evidence, more tendency, neglecting agricultural pursuits, or making any improvement. If each of us, instead, had his parcel of land to occupy, it would encourage us to labor and become independent. If our Great Father, the President of the United States, will provide for his children in this way, they will be satisfied.

That the Society of Friends of Philadelphia, Pa., earnestly requested us to present our prayer to the Congress of the United States to urge for passage of the bill in relation to the allotment of lands.

Dated February 2, 1874.

[Signed by John Jacobs Square and thirty-six others.]

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*To the Congress of the United States:*

Your petitioners, the officers and members of the national council of the Seneca Nation of Indians, would respectfully represent that we have been informed that a bill has been introduced into the House of Representatives of your honorable body, which provides in some manner for the sale of a part or the whole of the small remnant of land belonging to us and our people; and that we, as the representatives of the New York Indians residing upon the Cattaraugus and Allegany Indian reservations, desire to protest in the most solemn and emphatic manner against any legislation affecting our lands. And as we obtained our rights to this land by a free and voluntary treaty, in which each party freely participates through its own agents, selected on the part of the United States as its laws and customs required, and on the part of the Seneca tribe of Indians as its laws and customs provided, so we ask that, if we are to be deprived of any part of this land, it may be done by a treaty, and that we may be heard through our lawfully authorized agents. And as such a treaty would require a ratification by your Senate and the President of the United States, so it would under our laws require ratification by a three-fourths vote of the legal electors, and also by a three-fourths vote of the mothers in our nation.

If, then, you have come to the conclusion that the land which we hold under your treaty of November 1, 1799, in these words, "Now, the United States acknowledge all the land within the aforementioned boundaries to be the property of the Seneca Nation, and the United States will never claim the same, nor disturb the Seneca Nation, nor any of the Six Nations or of their Indian friends residing thereon and united with them, in the free use and enjoyment thereof, but it shall remain theirs until they choose to sell the same to the people of the United States who have the right to purchase," should be taken from us, *i. e.*, by treaty, and then only by our consent. And we earnestly urge that the passage of any law by Congress, the effect of which would be to deprive us of any part of our land, under and pretext or consideration, would be a violation of that part of said treaty which says that this land shall remain ours until we choose to sell it.

And we would further remonstrate and state that we are the legal representatives of the Seneca Nation; that we derive our authority from a written constitution adopted by our nation December 4, 1848, and that as such a nation we have ever been acknowledged and dealt with by all the authorities of the United States and of the State of New York, and that we do, by a unanimous vote, attested by the signature of every councilor and officer of said nation, remonstrate against the passage of any law looking to the sale of one foot of our land; and we do in that manner state that the Seneca Nation do not choose to sell their land nor any part of it.

Your petitioners would further state that they do believe that every part and all of their lands are needed and required by their people; that they as a nation have discharged their duty in this, that no Indian is a charge upon the poor fund or poorhouse

of the whites; that no Indian suffers for the want of food, clothing, or warmth; that provision has been made for the education of all our Indian children; and that the criminal records of the counties in which our lands are located will show that crimes are very much less frequent among our people than among an equal number of whites adjoining us. Our churches are sustained with personal attendance and with money. While we are thus steadily progressing in the civilization of the whites, we are kept in constant terror by efforts being made upon all sides of us to take away our lands. The Ogden Land Company have ever been our steady, stealthy enemy, and have been and still are trying by every means to drive us from these lands, as they have or claim to have the right to them as soon as we can be removed from the soil. And now we have a new element of trouble. Many years ago the State of New York authorized the Erie Railroad to be built across the Allegany Indian Reservation; a few years after, the Atlantic and Great Western Railroad was built across the same reservation, joining the Erie Railroad upon our lands at Salamanca; and now another railroad has been built, also terminating on our lands at Salamanca. All of these railroads have taken possession of as much land as they chose to, and their employes have taken other lands adjoining and built up a large town.

No part of these lands have been lawfully leased either under the authority, laws, and customs of the Seneca Nation of Indians, or of the laws of the United States, but the entire occupancy of lands surrounding the said railroad junction at Salamanca is in violation of the laws of the United States, the laws of the State of New York, and the laws, customs, and usages of the Seneca Nation of Indians.

Your petitioners are informed that the application for the sale of our lands is being made in the interest of these white settlers, who have thus unlawfully obtained possession of our lands.

Your petitioners would further state that they are an agricultural people; that if they can be assured of holding their lands they can make permanent improvements, but that every effort made to deprive them of their lands tends to prevent action in that direction; that all they need and ask is such an assurance of their continued possession as a refusal by Congress to consider any proposition providing for the sale of their lands. Your petitioners, therefore, pray that the act proposed may be rejected.

Your petitioners would further represent that they have appointed and authorized Harrison Halftown and Moses Stevenson, councilmen of our nation, and Andrew John, a peacemaker thereof, to present this remonstrance, and to represent us before your honorable body.

Allegany Indian Reservation, December 18, 1873.

[Signed by the president, secretary, treasurer, and councillors of the Allegany and Cattaraugus reservations.]

*To the honorable the Congress of the United States:*

Your petitioners, members of the Seneca Nation of Indians, residing in the Allegany and Cattaraugus reservations in the State of New York, respectfully remonstrate against the passage of bill House of Representatives 1053, "to authorize the Cattaraugus and Allegany Indians in the State of New York to lease lands, confirm leases, and quiet titles to their lands;" and we further represent that we are a nation claimed peaceable people; therefore we ask the honorable Congress to let us alone.

Dated Allegany Reservation, January 31, 1874.

[Signed by William Patterson, jr., and 216 other males, and by 125 mothers of the nation.]

DEPARTMENT OF THE INTERIOR,

*Washington, March 12, 1898.*

SIR: I have the honor to acknowledge the receipt of your communication of the 3d instant, and accompanying S. 2888, "A bill to regulate the collection and disbursement of moneys arising from leases made by the Seneca Nation of New York Indians, and for other purposes."

In response thereto I transmit herewith a copy of a letter of the 10th instant from the Commissioner of Indian Affairs, to whom the matter was referred.

The Commissioner states that his office is and has for a long time been fully satisfied that the moneys of the Seneca Nation arising from leases have been misappropriated, and that the people do not get the full benefit of them, and that it is also fully satisfied that something should be done to correct this and other evils growing out of the somewhat anomalous condition and status of the Seneca Nation of Indians

and their lands; but whether the proper remedy is to be furnished by an act of Congress is a question that he submits to the wisdom of that body.

He further states also that he has no objection to the passage of the bill, but suggests that section 3 be so amended as to provide that the additional compensation of the agent shall in no event exceed the sum of \$1,000.

With the Commissioner's letter is a copy of a resolution adopted at a convention of the Seneca Nation, held on the Cattaraugus Reservation October 28, 1897, asking, in substance, for the legislation which is embodied in this bill.

Very respectfully,

C. N. BLISS, *Secretary.*

Hon. M. S. QUAY,  
*United States Senate.*

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, March 10, 1898.*

SIR: I am in receipt by your reference for report of a letter dated March 3, from Senator Quay, inclosing, with request for information, copy of Senate bill 2888 to regulate the collection and disbursement of moneys arising from leases made by the Seneca Nation of New York Indians, and copy of Senate Ex. Doc. No. 145, Fifty-fifth Congress, second session, to accompany the same.

Section 1 of the bill provides that all moneys due the Seneca Nation as rent under the act of February 19, 1875, entitled "An act to authorize the Seneca Nation of New York Indians to lease lands within the Cattaraugus and Allegany reservations and to confirm existing leases" (18 Stats., 330), and also moneys arising from certain oil leases which were confirmed by a provision of the Indian appropriation act for the current fiscal year, shall be paid to and recoverable by the United States Indian agent, New York agency, for and in behalf of the Seneca Nation.

Section 2 provides that from the moneys so received by the agent he shall annually pay over to the treasurer of the Seneca Nation the sum of \$1,500 and distribute the balance, after deducting necessary charges and expenses, among the heads of families of the Seneca Nation in the same manner and under the same conditions as the annuities now paid said nation by the United States are distributed.

Section 3 provides that the agent shall give bond to the United States in such sum as may be approved by the Secretary of the Interior, make annual report to the Commissioner of Indian Affairs of the receipt and disbursement of said moneys, and receive annually as additional compensation the sum of 5 per centum of all sums so received and disbursed by him.

Section 4 provides that the treasurer of the Seneca Nation shall annually make written report to the United States Indian agent of all disbursements made by him of all moneys received by him as treasurer of said nation.

The Senate document above mentioned publishes an undated report to this office by Mr. G. B. Pray, special United States Indian agent, showing the result of his investigation of the lease-money business of the Senecas. He finds in substance that money is unlawfully appropriated and that the affairs of the Seneca Nation should have a thorough investigation.

I have the honor to state by way of report that this office is and has for a long time been fully satisfied that the moneys of the Seneca Nation arising from leases have been misappropriated, and that the people do not get the full benefit of them. It is also fully satisfied that something should be done to correct this and other evils growing out of the somewhat anomalous condition and status of the Seneca Nation of Indians and their lands; but whether the proper remedy is to be furnished by an act of Congress is a question that I must respectfully submit to the wisdom of that body.

The Seneca Indians are a corporated body under the laws of the State of New York, and the location of the fee of their land, as between that nation, the Ogden Land Company, and the State of New York, is an important matter of controversy.

Section 44, chapter 229, of the laws of New York, 1893, provides that the treasurer of the nation shall give a bond to the nation, with such sureties and in such amount as the attorney of the nation shall approve, for faithful performance of duty, and for any breach of the conditions of such work an action may be maintained for the benefit of such nation by their attorney in the manner provided by law for the breach of an official bond given by a county treasurer. The said section further provides that—

The treasurer of the Seneca Nation shall receive all moneys belonging to the nation except the annuities paid by the Government of the United States or the State of New York.

Whether the remedy thus provided has been tried and found wanting I am not advised.

It has been the purpose and policy of this office for some years to limit its dealings with the New York Indians to the payment of annuities due to them by the United States, to the enforcement of the liquor laws, and to act in an advisory capacity with respect to their affairs generally, having always a due regard for the State laws enacted for their benefit.

In pursuance of this policy this office, by letter of January 8 last, transmitted to the Department, with the request that it be transmitted to the governor of the State of New York, to be submitted to the legislature, a petition numerously signed by the Indians, that the State law be so amended as to give them the right of appeal from the peace-maker's courts to the courts of the State in action involving title to real property.

Notwithstanding this policy, however, and with no intention of abandoning it, I have no objection to make to the passage of the bill under consideration, because of my realization of the fact that something must be done to prevent the continued misuse of the Indians' money. It is suggested, however, that section 3 of the bill should be so amended as to provide that the additional compensation of the agent shall in no event exceed the sum of \$1,000 per annum.

I deem it proper to add that by letter of November 2, 1897, the United States Indian agent, New York Agency, transmitted copy of a resolution adopted at a convention of the Seneca Nation held at the council house on the Cattaraugus Reservation October 28, 1897, asking, in substance, for the legislation which is embodied in this bill.

I inclose copy of the said resolution, and return the papers referred by you.

Very respectfully, your obedient servant,

A. C. TONNER,  
*Acting Commissioner.*

The SECRETARY OF THE INTERIOR.

Senate Document No. 145, Fifty-fifth Congress, second session.

Mr. QUAY presented the following

PAPERS TO ACCOMPANY S. 2828, TO REGULATE THE COLLECTION AND DISBURSEMENT OF MONEYS ARISING FROM LEASES MADE BY SENECA NATION OF NEW YORK INDIANS, AND FOR OTHER PURPOSES.

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Hon. WILLIAM A. JONES,

*Commissioner of Indian Affairs, Washington, D. C.*

SIR: In compliance with your instructions of January 28 I proceeded to the New York Agency at Olean for the purpose of investigating the matters to which you called my attention relating to the Seneca Nation of Indians. I have been to Little Valley, the county seat, and examined the records of the Indian leases as recorded there, and also have examined the books of the nation of the Seneca Indians, kept by the clerk at the town of Salamanca.

The Senecas reside upon three reservations—the Cattaraugus, Allegany, and Oil Spring—and are a corporate body under the laws of the State of New York. They are acting under a constitution which, as amended, was adopted January 13, 1893. Their government consists of a legislative, executive, and judicial department. The legislative power is vested in 16 councilors, 8 of whom were elected on the Allegany Reservation, and 8 of the Cattaraugus; 10 members of this council constitute a quorum. The executive power is vested in a president, and he presides over the deliberations of the council, and only votes when his vote is necessary to break a tie. The judicial power is vested in a court known as the peacemakers court. Peacemakers court is composed of 3 members from each reservation; their term of office is three years. Under the constitution, they are a court of general jurisdiction as to all controversies between Indians. They have jurisdiction in divorces between Indians residing on the reservations, and they have power to decide all questions arising between individual Indians on the reservations, including all personal controversies and those involving the title to or possession of real estate.

Under their constitution, the council has power to lease lands for agricultural purposes, and they have so leased for many years. Under an act of the legislature of 1875, there was a series of towns or villages incorporated on these reservations, and the council was given authority to lease lots, and it is in these villages that the controversies have arisen over the rentals. I will give you approximately the number of

acres in the villages; I have been unable to obtain the number of lots: The village of Vandalia contains about 240 acres; Carrollton, about 2,200; Great Valley, about 260; Salamanca, about 2,000; West Salamanca, about 750, and Red House, a small strip of land, about 40 acres. Prior to 1892 these lands were leased on twelve-year leases, and the income from them was about \$11,000 to \$13,000, varying during the years that I examined the records, from 1881 down to 1892.

Under an act of the legislature in 1892, this council was authorized to make ninety-nine-year leases of this property. At this time it was estimated that the approximate value of the lots and improvements in each of the villages was as follows: Vandalia, the improvements were valued at \$8,000, lots \$6,000; Carrollton, improvements \$30,000, lots \$25,000; Great Valley, improvements \$20,000, lots \$20,000; Salamanca, improvements were valued at \$1,200,000 and lots at \$300,000; West Salamanca, improvements \$50,000, lots \$50,000; Red House, improvements \$10,000, lots \$8,000. Notwithstanding the largely increased value of the improvements on this reservation, in 1892 the rentals were reduced from in the neighborhood of \$12,000 to about \$6,000, and the collection of rentals from that time down to the present has varied from \$5,000 to \$7,000. According to the books of the clerk at this time, the income for 1897 was \$7,416.44, including oil leases, farm leases, and everything. The value of the railroad improvements on the reservation is very large, aggregating at least a million and a half dollars.

I find in the report of the agent made to your Department August 12, 1897, the following :

I have reason to believe, from well-directed inquiries made by me, that the funds of the nation are improvidently expended. After diligent inquiry I am satisfied that the funds of this nation are absorbed to a large extent by the officers of the nation, and that the officers have been known to collude with white men to discount the orders issued, for the payee named in the order, when the treasurer has the funds to pay the same in full. Quite a large sum is expended each year to the councilors, who procure meetings of the council unnecessarily, without any business to transact of any consequence. The officers and councilors also perpetuate themselves in office by corruptly using the funds of the nation among the ignorant and illiterate Indians, purchasing votes, so that it is almost impossible for the honest Indian to get rid of the corrupt dynasty which has conducted the affairs of the nation for many years.

After carefully investigating the books of the clerk of the nation, I am inclined to corroborate the report of the agent, and in this connection desire to call your attention to a report of the Seneca Nation made by its officers and attached to a memorial which they have filed with the House Committee on Indian Affairs within the present month. In their report from June, 1891, to June, 1892, they say that they paid officers \$6,114.44 out of the total income of \$16,000; that they paid board bills for said officers, \$2,337.35; and for miscellaneous accounts allowed \$2,859; and for contingent incidental expenses of the executive officers, \$323; making a total of \$11,633, that I think one can fairly infer was used for the benefit of the officers and council. The same report for 1892 to 1893 shows that they paid officers \$2,363.15; board bills, \$1,374.04; paid renewed orders, \$1,482.70; and paid miscellaneous accounts, \$1,281.55. This scheme of paying renewed orders is alleged to be one of the plans of the officers to defraud the nation. I have been absolutely unable to find any reason for any such entries, or for the payment of any moneys on renewed orders.

The total amount reported for this period, 1892 to 1893, was \$8,710.75, of which \$6,500 seems to have gone for the benefit of the council and executive officers. From 1893 to 1894 they report \$2,847, out of which the officers received \$804 salaries; and there was board, \$677; and miscellaneous accounts allowed, mostly to the officers, \$496. In other



words, \$1,977 seems to have been used for the benefit of the officers. From 1894 to 1895 this report shows that the president and officers received as salaries \$1,867.75; that their board was paid to the amount of \$658.10; miscellaneous, \$1,120.87; in other words, \$3,645 seems to have been used for the benefit of the officers, out of the total of \$4,284. From 1895 to 1896 the total amount received was \$5,321; the officers were paid \$1,847 salaries; board was paid to the amount of \$1,092; and miscellaneous accounts, \$880; in other words, \$3,819 out of \$5,321 seems to have been absorbed by the officers. From 1896 to 1897 the total amount collected was \$8,398. This year they paid the officers \$1,016; paid board for them, \$1,055; paid miscellaneous accounts, which are entirely unitemized, \$4,783; so that there was absorbed in the three items—salary, board, and miscellaneous—\$6,854 out of \$8,398.31.

It is a fact that I do not think they will dispute that the body of the people have not received from its officers a single dollar of income from these leases during the last four or five years.

I desire in this connection to incorporate a few of the memorandums as I have taken them from the record. These are exactly as they appear on the records of the tribe, and are records made of the council of April 24, 1897, and later:

Frank Patterson moved and seconded that committee on settlement of accounts with F. T. Jemerson, jr., treas., make report in council. Carried.

Howard Duxtater made a following report: Receipts, commencing June 6th, 1896, \$4,521.46; disbursements, \$4,098.02; bal. on hand, \$423.44. Same moved and seconded that the report of said com. is hereby approved. Carried.

Frank Seneca moved and seconded we appropriate \$25 each to the president and clerk for expenses; total, \$50. Carried.

Frank Patterson moved and seconded we appropriate \$150 for extra services for T. F. Jemerson, treas. Carried.

Roll called, and appropriated \$150.

Frank Patterson moved and seconded we instruct the clerk to make a statement of the expenses of two councils. Carried.

The clerk, F. T. Jemerson, reported in council the expenses \$944.94.

Patterson moved, and was seconded, we appropriate the sum of \$944.94. Carried.

Roll call, and appropriated.

Frank Patterson moved and seconded we appropriate \$300 to be distributed among the Seneca Nation.

Roll called, and appropriated.

Adj'd.

COUNCIL, *May 6th, '97.*

President stated object of calling council was to appropriate money to H. Half-town and C. C. Lay for taking census, and to make appropriation to councilors for services on examination of oil leases.

Eli Jemerson moved and seconded we appropriate \$50 to pay C. C. Lay and Harrison Halftown \$25 each. Carried.

Frank Patterson moved and seconded we appropriate \$255 to the 14 councilors, president, and 2 clerks for services at ex. oil leases. Carried.

Jesse Jimerson moved and seconded we reconsider in regard to money appropriated by council to go to the people, known as oil money. Carried.

By Thos. Silverheels:

*Resolved*, That F. T. Jemerson, jr., treas., be, and he is hereby, instructed to pay all orders belongs to the councilors and executive officers out of said funds.

Frank Patterson moved and seconded we appropriate the sum of \$100 apiece to W. C. Hoag and A. L. Jemerson for extra services. Carried.

Casler Redeye moved and seconded we appropriate \$20 to pay Frank Seneca and Thomas Silverheels. Com. appointed by council to look after same.

Wm. Jemerson moved and seconded we appropriate sufficient sum to pay the Atty., M. T. Jenkins, services for Seneca Nation, \$50. Carried.

Casler Redeye moved and seconded we appropriate \$16 to Robt. White for board bill. Carried.

The clerk states that the expenses during this council, \$633.16.

Roll called and appropriated \$633.16.

New council organized June 1st, 1897:

President, T. F. Jemerson; clerk, King Tallechief; treasurer, William C. Hoag.

*Councillors.*—Cattaraugus: Thos. Silverheels, Frank Seneca, Frank Patterson, Francis Lay, George Tomma, Jesse Jemerson, Young M. Lay, Eli Jemerson. Allegany: Sackett Redeye, — Phillips, A. L. Jemerson, Robt. White, Chas. Logan, Edmond Bowen, Fred Abrams, Casler Redeye.

On June 5th, 1897, held another session and appropriated \$616 to council, \$25 each to Jemerson, Tallechief, and Hoag for incidental expenses, and \$40 each as salary.

Last session, Sept. 4th, adj'd until 9 a. m. next morning. No further record.

The extracts from the record of the council above given therefore show that between April 24 and June 5, 1897, the council of the Seneca Nation absolutely voted to themselves and the executive officers \$3,150 of the people's money, and there is nothing on file or of record to show either services rendered, valuable or otherwise, and no pretense of a voucher. I desire to call attention to the fact that in every instance save two, where money was appropriated, it was to a member of the council, even for board and taking the census.

I also wish to state that the taking of the census was paid for by the United States, and refer you to the first quarterly statement of Agent Jewell for 1898. Indeed, the principal business of these sessions seems to be to appropriate money to the council or the executive officers.

There is a great deal of complaint among the people as to the peacemakers' court, and the general opinion seems to be that they are impractical and arbitrary, and rule without justice or form of law. It seems to me that in controversies between Indians the Indian is practically without remedy at law. The peacemakers are men unlearned in the law, and are entirely without the knowledge of the rules of practice in any court. They have not the least notion whatever of equity, and no knowledge of the rules of evidence. It is openly charged that they are mercenary, and arbitrarily refuse to issue process or entertain application for process where important rights are involved, and there is no power to compel them to act, and no appeal from their action except to the council, composed of the same class of men, of which they are the most influential members. The powers of this peacemakers' court should be diminished, and the right of appeal to the courts of the State of New York should be given. To this end a petition has been circulated among the Indians, and signed by a large number, asking the legislature for relief; but the council and executive force are using and will continue to use all their influence against any modification of the law that will result in a loss of power to them, and they frighten and coerce the ignorant by telling them it is a Government scheme to make them take lands in allotment and become citizens, the old bugaboo that is used with all classes of Indians everywhere, and for all purposes. If possible the legislature of the State of New York should be induced to amend this law.

My conclusion is that the affairs of this nation are very loosely and irregularly managed; that the officers use the power of the place for the purpose of perpetuating themselves, and it is openly charged here that the money of the nation is used for the same purpose. I do not pretend to say that this is true, but certain it is that the same lot of gentlemen have been in power for many years, and it looks very much like a political ring, with the power of perpetuation. I think the great wrong was done the people of this nation at the time the ninety-nine-year leases were consummated. The idea of 5,490 acres of the reservation lands of these people being given up to village purposes, laid out in lots, and occupied by at least six or seven thousand people, and only an income of about \$600 a year from it, seems monstrous to me. I do

not know what the remedy is, or that anything can be done by your Department to correct the evils done in making these leases, but I think you can arrange to have the people get a little of the beggarly income that is produced by these leases.

The responsibility for the existing condition of affairs on these reservations and among the Seneca Nation of Indians is very largely with and upon the president, treasurer, and clerk, who are denominated the executive officers. Of this trio, I think the treasurer, Mr. Hoag, is the dominant character and the power that organizes the political forces. He has been president or treasurer most of the time for five or six years, and I think it is plain that it is his management that has brought about the conditions that exist here. He has kept his books neatly, and takes pride in showing them and assuring everyone that not a dollar has been paid out except upon the order of the council. I presume this is so, but when you recur to the figures and note that more than one-half of all the funds received have, by this same council, been voted either to themselves or to the executive officers I am not surprised that the Indian people complain.

When some poor Indian takes up this same report for the twelve months between June, 1891, and June, 1892, and notes that \$6,144.44 was paid for salaries, and only \$1,117 devoted to the poor people, I do not wonder that he groans at the weight of his burden. When he notes that \$2,337.35 was paid for the board of this council in the same year, and only \$502 devoted to the highways of all the reservations, I am not surprised that he calls for relief.

The proportion of money used by the executive officers and the council for themselves is about the same all through the years 1891, 1892, 1893, 1894, 1895, 1896, and 1897, and I did not find from examination, or learn from many inquiries, that any of this fund had ever been paid out to or divided among the people. Early in 1897 \$300 was appropriated for this purpose, but within a few days this action was rescinded, and the money was appropriated to the officers, as you will see by the quotations from the record which are incorporated herein.

My investigation here has been confined for the most part to an examination of the records and discussing matters with the officers of the council. I have also been visited by a few members of the nation who represent the faction opposed to the council. While I have given the facts gleaned from the records of the past year, I do not wish to be understood as saying that they are worse, or that the business has been conducted more loosely under their management than in the past. The affairs are now conducted practically as they have been for many years past.

With the limited means at my disposal, and the time I am expected to do this work, it has been impossible to go into details.

In order to check up the leases with the cash accounts it would be necessary to abstract the records of leases contained in eight large volumes. This would take months of time. In this regard I can only say that the treasurer claims they have 1,412 outstanding live and effective leases. His cashbook shows that he collected rentals on less than 1,200 leases. There are grave charges in regard to this very matter.

It is my judgment that the affairs of the Seneca Nation of Indians should have a thorough investigation. I believe it to be for the material and best interests of all the people of this nation that it be done. In justice to all who have been connected with the control of its affairs, as well as the poor and ignorant who have suffered, as they believe,

through misappropriation of funds, this investigation should be made thorough and complete.

I attach to this report certain data and facts showing the number of leases, etc.; also showing the manner of describing property, with observations on the official report, and also the report of the executive officers, and affidavits, etc.

G. B. PRAY,  
*Special United States Indian Agent.*

The whole number of leases recorded.....	3, 111
The number of libers occupied.....	8
The number of pages in each liber.....	600
The whole number of leases prior to 1892.....	2, 031
The term of said leases prior to 1892, act of Congress 1875..... years..	11½
The number of leases renewed in 1892 and since.....	1, 080
The term of said leases, under act of 1875 and 1890..... years..	99
Average amount of rental per lease, prior to 1892.....	\$10. 75
Average amount of rental since 1892.....	\$5. 00

The character of the descriptions in leases is very hard to determine from as to the number of acres contained, as the description is given by very indefinite metes and bounds, of which the following are samples:

Commencing at a point in the road running from Salamanca to Cold Spring, at the southwest corner of land leased to R. Fellows; thence westerly along said highway 330 feet; thence north 218 feet; thence east 330; thence south 218 feet to the place of beginning. Amount rental, \$4.50. Seneca Nation to C. S. Hubbell.

Fourteen leases to C. S. and Emeline Hubbell, aggregate rental only \$48 per annum. Beginning at a point in center of West River street at southwest corner of lands owned by James Quigley; thence westerly along the center of West River street, 45 feet to lands owned formerly by Sylvester Sherwood; thence northerly along said Sherwood's east line to lands owned formerly by D. M. Cloud; thence easterly to said Quigley's northwest corner; thence southerly along said Quigley's west line 125½ feet to the center of said West River street to place of beginning. John Hoag, \$3 per annum.

Leases run from 50 cents to 30 cents per annum; average about \$5 on the 1,080 ninety-nine-year leases.

The whole number of leases prior to 1892 was 2,031. The income therefrom, between 1880 and 1885 was from \$10,000 to \$11,000 per annum.

According to the books of the nation there are now 1,412 ninety-nine-year leases in force. In 1895 the clerk collected rentals on only 1,036 leases; in 1896 the clerk collected rentals on only 1,180 leases; in 1897 the clerk collected on about the same number as in 1896, and yet the amount of total receipts for these years vary widely, and unaccountably to me. For instance, receipts for period from 1894 to 1895 are put down at \$5,522.24; 1895 to 1896, at \$6,850.15; 1896 to 1897, at \$10,448.21.

This according to the attached report, and yet the figures given me at the office were but \$7,416.40. I do not know which is right, and, so far as the people of the Seneca Nation are concerned, it is immaterial; they get none of it anyway.

In connection with the attached report, I desire to call your attention to another peculiar circumstance. In the period from June 1, 1891, to 1892, the table of disbursements shows \$16,653.55 disbursed. In the totals given just below the receipts are put down as \$11,411.47; disbursements \$11,413.43, making a difference in the amount of disbursements on same sheet for same period of \$5,240.

In period from 1892 to 1893 the disbursements are put down in the table at \$8,710.75. Just below the table says:

Receipts.....	\$7, 873. 52
Disbursements.....	7, 875. 17

In period from 1893 to 1894, disbursements per table, \$2,847.50. Just below totals say:

Receipts.....	\$6, 459. 98
Disbursements.....	6, 466. 97

In period from June, 1894, to June, 1895, table of disbursements says \$4,284.07.

Total receipts.....	\$5, 522. 34
Disbursements.....	5, 520. 88

In period from 1895 to 1896 table to disbursements says \$5,321.30.

Total receipts .....	\$6,850.15
Total disbursements .....	6,841.60

In period from June, 1896, to June, 1897, table of disbursements shows \$8,398.13.

Total receipts .....	\$10,443.21
Total disbursements .....	10,082.61

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EXECUTIVE DEPARTMENT,  
SENECA NATION OF INDIANS,  
*Allegany Reservation.*

Know all men by these presents:

That the Seneca Nation of Indians, in council assembled, have duly made and appointed T. F. Jamerson, W. C. Hoag, Frank Patterson, King Tallchief, and Frank Seneca to be our delegates to go to Washington, D. C., on business for the said Seneca Nation of Indians, and especially to remonstrate against the passage by Congress of the proposed bill introduced by Hon. Charles W. Stone, H. R. 5427, "a bill to regulate the collection and disbursement of moneys from leases made by the Seneca Nation of New York Indians and for other purposes." We give them full power and authority in the matter, with full confidence in them, to represent us and make known our wishes.

The foregoing was duly adopted in open council by a unanimous vote of the Seneca Nation council, assembled at Shongo council house on the Allegany Reservation, this 8th day of January, 1898.

In testimony whereof we have caused these presents to be signed by our president and attested by our clerk, and have caused the great seal of our nation to be hereunto attached the day last above named.

[SEAL.]

T. F. JAMERSON,  
*President of the Seneca Nation of Indians.*

Attested:

KING TALLCHIEF,  
*Chief Seneca Nation of New York Indians.*

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To the Honorable Senate and House of Representatives of the United States in Congress assembled:

We, the undersigned, delegates of the Seneca Nation of Indians, would respectfully memorialize your honorable body against H. R. 5427, a bill introduced by Hon. Charles W. Stone, of Pennsylvania.

A BILL.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all moneys which shall belong to the Seneca Nation of New York Indians arising from rents under the provisions of the act of Congress entitled "An act to authorize the Seneca Nation of New York Indians to lease lands within the Cattaraugus and Allegany reservations, and to confirm existing leases," approved February nineteenth, eighteen hundred and seventy-five, and September thirtieth, eighteen hundred and ninety, respectively, together with all moneys which shall belong to said Seneca Nation arising from the lease of the oil springs, the Cattaraugus and Allegany reservations, for the purpose of boring and testing said territory for gas and oil, as ratified and confirmed by an act of Congress entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes," approved the seventh day of June, eighteen hundred and ninety-seven, shall be paid to and recoverable by the United States Indian agent for the New York Indian agency for and in the name of the said Seneca Nation.

SEC. 2. That from the moneys so received from said leases the said agent shall annually, on the first Wednesday after the first Tuesday in June, pay over to the treasurer of the Seneca Nation the sum of one thousand five hundred dollars, and shall distribute the balance of said moneys, after deducting all necessary charges and expenses, among the heads of families of said Seneca Nation in the same manner

and under the same conditions that the annuities now paid to the said Seneca Nation by the United States are distributed.

SEC. 3. That the said agent shall give bond to the United States in such sum as may be approved by the Secretary of the Interior, and he shall make an annual report to the Commissioner of Indian Affairs of the receipt and disbursement of all moneys arising from said leases, and he shall receive annually, as additional compensation, the sum of five per centum of all sums so received and disbursed by him.

SEC. 4. That the treasurer of the Seneca Nation shall annually, on the last Tuesday in April, make a written report to the United States Indian agent for the New York Indian Agency of all disbursements made by him of all moneys received by him as treasurer of said Seneca Nation.

SEC. 5. That all acts and parts of acts inconsistent with this act are hereby repealed.

This intended legislation caused great disturbance among the people of the Seneca Nation of Indians, and the council of said nation took immediate consideration on the subject and took steps to oppose said legislation for the following reasons:

Your memorialists believe such act of legislation on the part of the Congress of the United States is inconsistent with the laws of the State of New York.

First. Now, the United States acknowledge that the Seneca Nation of Indians is a body corporate, incorporated under the laws of the State of New York and subject to the control of the legislature of that State. Any needed change in the manner of conducting their business should originate with, come from, and be under the sanction of the legislature of that State.

As bearing upon that question, and in proof thereof, see chapter 150, laws of New York, year 1845; chapter 378, laws of New York, year, 1849; section 44, chapter 679, laws of New York, year 1892; section 44, chapter 229, laws of New York, year 1893.

Second. The legislature of the State of New York, which has control of the business conduct of the affairs of the Seneca Nation of New York Indians, should continue to have supervision of such affairs, as it always has thrown every safeguard around the finances of the nation and protected the interests of the individuals composing the Seneca Nation, by providing that the treasurer of the nation should give bonds for the faithful performance of his duties, which the treasurer has done by giving ample security with responsible white men as sureties, as required by the constitution of the Seneca Nation of New York Indians and by the laws of the State of New York. The proposed act of Congress would be the taking away of the powers always delegated to and assumed by the State legislature over such legislation. (See constitution of Seneca Nation of New York Indians, year 1893, chapter 378, laws of New York, year 1894.)

Third. The proposed bill, besides being a violation of the rights and duties of the legislature of the State of New York, is unnecessary, and imposes a burden on the Seneca Nation by providing for the tax of 5 per cent on all moneys belonging to the Seneca Nation received and paid out by the Indian agent, as well as all necessary charges and expenses on account thereof, and which tax would be a direct loss to the members of the Seneca Nation, and would go to the benefit alone of the Indian agent.

And your memorialist calls the attention of your honorable body to the annexed financial statement of the Seneca Nation of Indians, and the report of H. S. Merrill, county clerk of Cattaraugus County, N. Y., made to J. R. Jewell, United States Indian agent.

Therefore your memorialist respectfully and earnestly prays before your honorable body that no such legislation be enacted as proposed by Hon. Charles W. Stone, of Pennsylvania.

T. F. JAMERSON,  
W. C. HOAG,  
FRANK PATTERSON,  
KING TALLCHIEF,  
FRANK SENECA,  
*Seneca Indian Delegation.*

*Financial statement of Seneca Nation of New York Indians, 1897.*

At the council of the Seneca Nation of New York Indians, held at the schoolhouse, on the Cattaraugus Reservation, on the 4th day of December, 1897.

Present, Theodore F. Jamerson, president; King Tallchief, clerk; Thomas Silverheel, Frank Patterson, Frank Seneca, Jesse Jameson, Eli Jameson, Francis Lay, Young M. Lay, George Tompa, councilors of the Cattaraugus Reservation; Sackett Redeye, Alfred L. Jameson, Willie Phillip, Casler Redeye, Robert White, Freddie Abram, Edmund Bone, Charles S. Logan, councilors of the Allegany Reservation.

Whereupon Councilor Alfred L. Jameson offered the following preamble and resolution:

"Whereas it is the sense of the council that the interests of the Seneca Nation of Indians renders it necessary to be fully apprised of the financial condition of said nation; Therefore, it is hereby

*Resolved*, That Theodore F. Jamerson, King Tallchief, Harrison Halftown, and John Snyder be, and they are hereby, appointed a committee for the purpose of making a full and complete investigation of the financial affairs of said Seneca Nation and report the same to this council with all convenient speed."

*To the council of the Seneca Nation of Indians:*

We, the undersigned, duly appointed a committee by and for the purposes specified in the foregoing annexed resolution, respectfully report as follows:

That we have made a full and complete investigation of the financial affairs of the said nation from June 1, 1891, to June 1, 1897, and the following is the result of such investigation:

Total number of leases in vol. 1, 341; rents amounting to.....	\$1,952.75
Total number of leases in vol. 2, 220; rents amounting to.....	\$1,063.25
Total number of leases in vol. 3, 252; rents amounting to.....	\$1,402.50
Total number of leases in vol. 4, 360; rents amounting to.....	\$1,459.00
Total number of leases in vol. 5, 239; rents amounting to.....	\$1,123.90
Total number of leases recorded in the lease books of the Seneca Nation of New York Indians, vols. 1, 4, 3, 4, and 5.....	1,412
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Total amount of rents accruing—	
From above leases .....	\$7,001.40
From Buffalo, Rochester and Pittsburg Railroad Company.....	200.00
From Oil Spring Farm lease.....	130.00
From other sources .....	85.00
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Total amount of revenue each year.....	7,416.40

*Receipts and expenditures of the Seneca Nation of Indians from June, 1891, to June, 1897.*

1891 TO 1892.

Paid officers, under the administration of Thomas Kennedy, president, June 1, 1891, to June, 1892 (total amount).....	\$6,114.44
For school trustees, and furnished wood for schools on Cattaraugus and Allegany reservations.....	258.15
For poor masters and for the poor of Cattaraugus and Allegany reservations .....	1,117.00
Board bill for the officers and the people during sessions of the council....	2,337.35
For highway labor on both reservations .....	502.00
For attorney services and disbursements in suits.....	1,421.85
For agriculture, churches, and public building .....	665.00
For renewed orders .....	292.00
For miscellaneous accounts allowed .....	2,859.49
For contingent and incidental expenses of the executive officer.....	323.77
For land claims.....	762.50
<hr/>	
Total .....	16,653.55

The total receipts and disbursements of the treasurer of the Seneca Nation of Indians, under the administration of Thomas Kennedy, president.

WILLIAM C. HOAG, *Treasurer.*

Total receipts.....	\$11,411.47
Total disbursements .....	11,413.43
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Amount due the treasurer .....	1.96

1892 TO 1893.

Paid officers under the administration of Wallace Halftown, president, June 1, 1892, to June, 1893 .....	\$2,363.50
Paid board bill for the officers and the people during council in session .....	1,374.04
Paid school trustees, and wood for the schools on Cattaraugus and Allegany reservations.....	196.00
Paid poor master and for the poor on the Cattaraugus and Allegany reservations .....	471.00

Paid highway labor on Cattaraugus and Allegany reservations.....	\$485.90
Paid attorneys and disbursements in suits .....	806.06
Paid miscellaneous accounts allowed .....	1,281.55
Paid renewed orders .....	1,482.70
Paid aid church .....	25.00
Paid public building.....	225.00
<b>Total .....</b>	<b>8,710.75</b>

The total receipts and disbursements of the treasurer of the Seneca Nation of Indians, under the administration of Wallace Halflohn, president.

FRANK PATTERSON, *Treasurer.*

Total receipts.....	\$7,873.52
Total disbursements .....	7,875.17
<b>Amount due the treasurer.....</b>	<b>1.65</b>

1893 TO 1894.

Paid officers under the administration of Frank Patterson, president, June, 1893, to June 1, 1894 .....	\$804.30
Paid board bill for the officers and the people during council in session...	677.45
Paid school trustees, and wood for the schools on the Cattaraugus and Allegany reservations.....	241.50
Paid highway labor on the Cattaraugus and Allegany reservations.....	251.50
Paid poor masters and for the poor, Cattaraugus and Allegany reservations .....	151.00
Paid attorneys and disbursements.....	225.00
Paid miscellaneous accounts allowed.....	496.75
<b>Total .....</b>	<b>2,847.50</b>

The total receipts and disbursements of the treasurer of the Seneca Nation of Indians, under the administration of Frank Patterson, president.

W. C. HOAG, *Treasurer.*

Total receipts.....	\$6,459.98
Total disbursements.....	6,466.97
<b>Amount due the treasurer.....</b>	<b>6.99</b>

1894 TO 1895.

Paid officers under the administration of William C. Hoag, president, June, 1894, to June, 1895.....	1,867.75
Paid board bill for the officers and the people during council in session...	658.10
Paid school trustees and wood for the schools, Cattaraugus and Allegany reservations .....	117.00
Paid poor masters and for the poor, Cattaraugus and Alleghany reservations .....	150.00
Paid highway labor, Cattaraugus and Allegany reservations.....	370.35
Paid miscellaneous accounts allowed.....	1,120.87
<b>Total .....</b>	<b>4,284.07</b>

The total receipts and disbursements of the treasurer of the Seneca Nation of Indians, under the administration of William C. Hoag, president.

FRANK PATTERSON, *Treasurer.*

Total receipts.....	\$5,522.34
Total disbursements .....	5,520.88
<b>Balance on hand .....</b>	<b>1.46</b>

1895 TO 1896.

Paid officers under the administration of Frank Patterson, June, 1895, to June, 1896.....	\$1,847.20
Paid board bill for the officers and the people during session in council...	1,092.60
Paid school trustees and wood for the schools, Cattaraugus and Allegany reservations .....	127.00
Paid poor masters for the poor, Cattaraugus and Allegany reservations...	443.00



Paid highway labor, Cattaraugus and Allegany reservations .....	\$464. 50
Paid miscellaneous accounts allowed .....	880. 00
Paid attorney and disbursements in suits .....	147. 00
Paid land claim .....	20. 00
Paid agriculture .....	150. 00
Paid for churches and public buildings .....	150. 00
<b>Total</b> .....	<b>5, 321. 30</b>

The total receipts and disbursements of the treasurer of the Seneca Nation of Indians under the administration of Frank Patterson, president.

W. C. HOAG, *Treasurer.*

Total receipts .....	\$6, 850. 15
Total disbursements .....	6, 841. 60
Balance on hand .....	8. 55

1896 TO 1897.

Paid officers under the administration of William C. Hoag, president, June, 1896, to June, 1897 .....	\$1, 016. 19
Paid board bill for the officers and the people in council .....	1, 055. 15
Paid school trustees and for schools, Cattaraugus and Allegany reservations .....	128. 50
Paid for the poor relief, Cattaraugus and Allegany reservations .....	389. 00
Paid highway labor, Cattaraugus and Allegany .....	696. 13
Paid miscellaneous accounts allowed .....	4, 783. 16
Paid attorneys .....	50. 00
Paid for churches .....	105. 00
Paid agriculture society .....	175. 00
<b>Total</b> .....	<b>8, 398. 13</b>

The total receipts and disbursements of the treasurer of the Seneca Nation of Indians under the administration of William C. Hoag, president.

T. F. JAMERSON, *Treasurer.*

Total receipts .....	\$10, 443. 21
Total disbursements .....	10, 082. 61
Balance on hand .....	360. 60
Of all the disbursements from June, 1891, to June, 1897, the total amount paid on orders issued prior to June, 1891 .....	3, 136. 10

All of which is respectfully submitted.  
Dated this 28th day of December, 1897.

THEODORE F. JAMERSON,  
KING TALLCHIEF,  
HARRISON HALFTOWN,  
JOHN SNYDER,  
*Committee.*

Report of H. S. Merrill, county clerk of Cattaraugus County, N. Y., made to J. R. Jewell, United States Indian agent, concerning the number, average term, rent reserved, etc., of the leases granted by the Seneca Nation of Indians upon the Allegany Indian Reservation in New York under the act of Congress passed in 1875, and the act amendatory thereof.

First. The whole number of leases from the Seneca Nation of Indians to different persons which have been recorded in this office is 3,111. The number of libers occupied by said leases is 8. The number of pages in each liber is 600.

Second. The whole number of leases prior to 1892 was 2,031. The average term of said leases was for twelve years, and the same were renewed prior to 1892 every twelve years, according to an act of Congress entitled "An act to authorize the Seneca Nation of New York Indians to lease lands within the Cattaraugus and Allegany reservations and to confirm existing leases," approved February 19, 1875.

Third. The whole number of leases renewed in 1892 which have been recorded is 1,080, the same being for ninety-nine years under two acts of Congress entitled "An act to authorize the Seneca Nation of New York Indians to lease lands within the Cattaraugus and Allegany reservations and to confirm existing leases," one approved February, 1875, and the other approved September 30, 1890.

Fourth. Prior to 1880 a greater portion of the lands in question were leased in large tracts, and afterwards divided up into smaller parcels, being village lots, etc.

Fifth. The average amount of rental (as stated in the leases) received by the Indians per annum prior to 1892 was \$10 per lease.

Sixth. The average amount of rental per annum since 1892 due the Indians, as recited in the leases recorded, is \$5 per lease.

Seventh. The character of the descriptions is such in nearly all of the leases that it will be impossible to determine the amount of land contained therein without a survey of the same.

Eighth. It is a difficult thing for me to make an estimate of what the cost would be of making an abstract or brief of all leases and renewals, showing all that is required, until after the work is completed and I know the amount of time taken in making the same; but I would estimate that the probable expense would be from \$600 to \$800.

Ninth. The number of men required to do the work would depend largely upon the amount of time given to complete the work. The class of men would necessarily be those familiar with office work, having had experience with running typewriters, etc.

Dated at Little Valley, N. Y., November 16, 1896.

H. S. MERRILL, *County Clerk.*

J. R. JEWELL, Esq.,  
*Indian Agent, Olean, N. Y.*

STATE OF NEW YORK, ss:

C. S. YORK, being duly sworn, doth depose and say:

That he is a Seneca Indian, and from a resolution passed in council to pay said Senecas \$2 per capita, purporting to be that much money on hand from sales of crude oil as royalty in the hands of the treasurer of the Seneca Nation.

The said C. S. York further deposes and says on or about the 26th day of April, 1897, the said treasurer began paying by giving checks of \$1.40 made payable at North Collins Bank.

Mr. York further deposes and says the people voted the deficiency shall be paid over to the United States Indian agent for him to pay the Senecas when paying their annuity moneys, etc. The said agent has paid the said Senecas their annuity and not the deficiency, and so it stands up to this 4th day of January, 1898.

Mr. York further deposes and says on or about the month of November, 1897, at the treasurer's office in Salamanca, N. Y., did receive for his family and self a check of \$5.60, which is equivalent to \$1.40 for each individual in the family, made payable at one of the banks in Salamanca, N. Y.

C. S. YORK.

Sworn and subscribed before this 5th day of January, 1898.

HARRISON B. CHRISTY,  
*Notary Public, Erie County, N. Y.*

(Registered in Washington).

STATE OF NEW YORK, *County of Erie, Town of Brant*, ss:

On this 5th day of January, in the year 1898, before me, the subscriber, personally appeared C. S. York, to me personally known to be the same person described in and who executed the within instrument, and he acknowledged that he executed the same.

HARRISON B. CHRISTY,  
*Notary Public, Erie County.*

(Registered in Washington.)

STATE OF NEW YORK, ss:

NATHANIEL G. PATTERSON, within named, being duly sworn, doth depose and say that he is a Seneca Indian. On the 26th day of April, 1897, I drew a check of \$1.40 from the treasurer of the Seneca Nation, which was supposed to be the oil money.

NATHANIEL C. PATTERSON.

Subscribed and sworn to before me this 5th day of January, 1898.

SARAH WELLS, *Notary Public.*

STATE OF NEW YORK, *County of Erie:*

CHANCEY GREEN, being duly sworn, deposes and says that he is an Indian and a voter of the Seneca Nation of Indians; that he has not received nor was offered any of the oil money paid by the Seneca Oil Company to said Seneca Nation of Indians.

CHANCEY (my x mark) GREEN.

Witnesses to mark:

THOMAS KENNEDY.

ULYSSUS T. KENNEDY.

Sworn before me this 5th day of January, 1898.

W. H. WILLETT,  
*Notary Public for Erie County.*

STATE OF NEW YORK, *County of Erie:*

NEWTON KENNEDY, being duly sworn, deposes and says that he is an Indian and a voter of the Seneca Nation of Indians; that at an annual election of officers on Tuesday, May —, 1895, held on the Cattaraugus Reservation, Frank Patterson, who was a candidate for president on that ticket for the Seneca Nation of Indians, gave to the deponent some lager beer to drink; also promised to give the deponent \$1, but gave him only 85 cents. Deponent further says that after voting Frank Patterson drove the team to Versailles and bought box of cigars, which he gave the deponent some of it; also a drink of whisky, which Patterson took out of his pocket, for the purpose of influencing his vote for their ticket.

NEWTON (his x mark) KENNEDY.

Witness:

ULYSSUS T. KENNEDY.

COUNTY OF CATTARAUGUS, *State of New York, ss.:*

Sworn to and subscribed before me this 10th day of January, 1898.

[SEAL.]

H. J. MERRILL, *Notary Public.*

STATE OF NEW YORK, *County of Erie:*

MOSES SHONGO, being duly sworn, doth depose and say that he is a Seneca Indian and a voter in the Seneca Nation; that he has not received nor was offered the oil money paid by the Seneca Oil Company.

MOSES SHONGO.

Subscribed and sworn to before me this 6th day of January, 1898.

H. J. MERRILL, *Notary Public.*

STATE OF NEW YORK, *County of Erie:*

JAMES KING, being duly sworn, deposes and says that he is an Indian and a voter of the Seneca Nation of Indians; that at an annual election of officers held on the Cattaraugus Reservation on May 5, 1896, T. F. Jamison, who was a candidate for treasurer of the said Seneca Nation of Indians, gave to the deponent one bag full of meal for the purpose of influencing his vote at said election of their ticket.

JAMES KING.

Sworn to before me January 17, 1898.

HARRISON B. CHRISTY,  
*Notary Public, Erie County, N. Y.*

STATE OF NEW YORK, *County of Erie:*

NEWTON KENNEDY, being duly sworn, deposes and says that he is an Indian and a voter of the Seneca Nation of Indians; that at an annual election of officers held on the Cattaraugus Indian Reservation on May 5, 1896, T. F. Jamison, who was a candidate for treasurer of the said Seneca Nation of Indians, promised to the deponent \$1 for the purpose of influencing his vote at said election of their ticket. On July 2, 1896, the candidate, T. F. Jamison, paid to the deponent \$1, as promised to said deponent.

NEWTON (his x mark) KENNEDY.

Sworn to before me January 19, 1898, a notary public for the county of Cattaraugus, State of New York.

[SEAL.]

H. J. MERRILL, *Notary Public.*

STATE OF NEW YORK, *County of Cattaraugus:*

HARLEY A. BLINKEY, being duly sworn, deposes and says that he is an Indian and a voter of the Seneca Nation of Indians; that at an annual election of officers held on the Allegany Reservation, and on Tuesday, May 4, 1897, Willie Phillips, who was a candidate for councilor of the said nation, gave to the deponent \$3 to defray for his conveyance and of influencing his vote for his ticket.

HARLEY A. BLINKEY.

Sworn before me this 20th day of January, 1898.

THOS. ROSENBERRY, *Justice of the Peace.*

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STATE OF NEW YORK, *County of Cattaraugus:*

HENRY JACKSON, 1st, being duly sworn, deposes and says that he is an Indian and a voter of the Seneca Nation of Indians; that at an annual election of officers on Tuesday, May 4, 1897, held on the Cattaraugus Reservation, Francis Jimerson, who was a candidate for president of the said Seneca Nation of Indians, gave to the deponent \$1 for the purpose of influencing his vote for his ticket.

HENRY JACKSON.

Sworn before me this 21st day of January, 1898.

THOS. ROSENBERRY, *Justice of the Peace.*

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STATE OF NEW YORK, *County of Cattaraugus:*

PRESCY NEPHEW, being duly sworn, deposes and says that he is an Indian and a voter of the Seneca Nation of Indians; that at an annual election of officers held on the Cattaraugus Reservation on Tuesday, May 4, 1897, and also on Monday, May 3, 1897, one of the parties who was running on the ticket on which Francis Jimerson was a candidate for president of the said Seneca Nation gave to this deponent hard cider for the purpose of influencing his vote at said election for their ticket.

PRESCY NEPHEW.

Sworn to before me December 8, 1897.

CHARLES S. HOWLAND, *Justice of the Peace.*

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STATE OF NEW YORK, *County of Cattaraugus:*

AMOS SNOW, being duly sworn, deposes and says that he is an Indian and a voter of the Seneca Nation of Indians; that at an annual election of officers held on the Allegany Reservation on Tuesday, May 4, 1897, W. C. Hoag, who was a candidate for treasurer on the ticket on which Francis Jimerson was a candidate for president of the said Seneca Nation, gave to this deponent 25 cents, and promised for more in the future, for the purpose to influencing his vote at said election for their ticket.

AMOS SNOW.

Sworn to before me December 10, 1897.

WILBER CONGLETUS, *Justice of the Peace.*

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STATE OF NEW YORK, *County of Cattaraugus:*

HEALEY JIMERSON, being duly sworn, deposes and says that he is an Indian and a voter of Seneca Nation of Indians; that at an annual election held on the Allegany Reservation on Tuesday, May 5, 1896, W. C. Hoag, who was a candidate for president of the said Seneca Nation of Indians, gave to the deponent 50 cents for the purpose of influencing his vote at said election for their ticket.

HEALEY JIMERSON.

Sworn before me this 13th day of December, 1897.

THOS. ROSENBERRY, *Justice of the Peace.*

STATE OF NEW YORK, *County of Erie:*

CHARLIE TALLCHIEF, being duly sworn, deposes and says that he is an Indian and a voter of the Seneca Nation of Indians; that at an annual election of officers on Tuesday, May 5, 1896, held on the Cattaraugus Reservation, King Tallchief, who was a runner on the ticket on which W. C. Hoag was a candidate for president of the said Seneca Nation of Indians, gave to the deponent \$1 for the purpose of influencing his vote for their ticket.

CHAS. TALLCHIEF.

Subscribed and sworn to before me this 31st day of December, 1897.

EDGAR A. SHAW, *Justice of the Peace.*

STATE OF NEW YORK, *County of Erie:*

JEROME JOHNNY JOHN, being duly sworn, deposes and says that he is an Indian and a voter of the Seneca Nation of Indians; that at an annual election of officers on Tuesday, May 5, 1896, held on the Cattaraugus Reservation, King Tallchief, who was a runner on the ticket on which W. C. Hoag was a candidate for president of the said Seneca Nation of Indians, gave to the deponent \$1 for the purpose of influencing his vote for their ticket.

JEROME JOHNNY JOHN.

Subscribed and sworn to before me this 31st day of December, 1897.

EDGAR A. SHAW, *Justice of the Peace.*

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