

# Indian Deeds Claimed by Town

East Hampton is seeking to gain possession of the collection of Indian Deeds relating to Montauk. This collection of documents is the largest and most valuable as well as the most complete of its kind in America. Added to these documents now in the Town Clerk's office they are a priceless treasure, unequalled in any museum collection today.

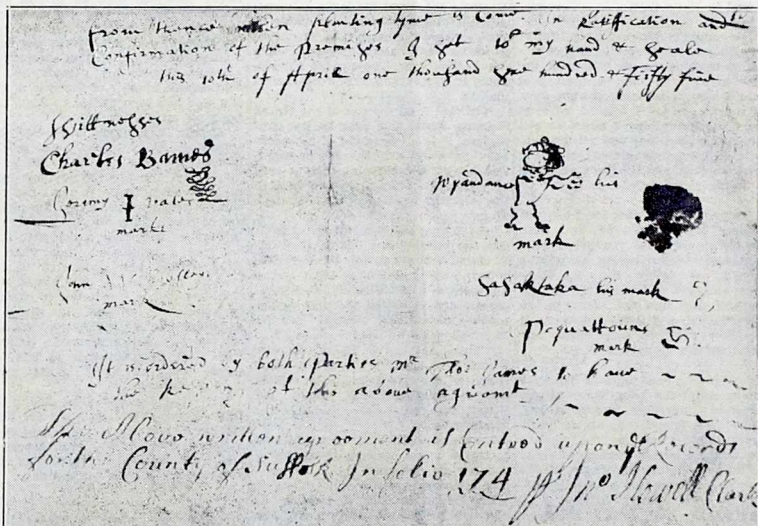
These deeds were loaned by the Town Board to Arthur W. Benson who agreed to keep them in an iron safe at Montauk, and always to allow any citizen of the town to see them there. Mr. Benson and his son Frank Sherman Benson kept this agreement to the letter, and only through ignorance of this agreement were the documents presented to the Long Island Historical Society by the executors of the Benson Estate. Negotiations are now in pro-

response to a request from Mr. Eells the Town Board has been given photostat copies of the deeds by the Long Island Historical Society, and these copies are now in the Town Clerk's office. The following transcription has been completed by Mr. Eells, who plans to continue this work in co-operation with Morton Pennypacker, the town historian.

A Transcription of the Oldest Document in the Collection of Montauk Indian Deeds. An agreement about the Original Indian Fence, which gives the people of East Hampton an option on the land at Montauk if the Indians decide to sell. This deed or agreement has never before been put in print, and is not in the Town Records. It is dated 1655.

(Indian Agreement Respecting Fence. 1655)

session eastward from Naupeak end of the island eastward, for ever to have & freely enjoy the same without molestation; and if it prove hereafter that this fence aforesaid doth not prove sufficient to turne the horses & so prevent Damage of the corne, then the aforesaid Englishmen shall pay the aforesaid Sachem, his heirs & successors from time to time every year forty shillings in good pay forever, & if at any time hereafter the Sachem or his successors see cause to alienate the said land at Montaukut that it shall not be let sold or alienated to any person or persons but to the inhabitants of East Hampton aforesaid, also this is agreed upon; that the English are not to turne any cattle or horses upon any part of the land lyeth eastward of a pond called Fort Pond until after Indian Harvest & then they shall



## Signatures to Early Montauk Agreement

gress to have them returned to the possession of the town as their title still holds good.

The collection contains accounts and receipts of the Proprietors of Montauk, a large number of documents relating to keeping cattle there, and 17 of the original Indian Deeds and Agreements. A number of these Indian Deeds have never been transcribed and so are not to be found in the Printed Records of the Town, or in the documentary history of New York.

Rev. Earnest E. Eells, the pastor of the Presbyterian Church, who located these Indian Deeds while preparing an historical address on Indian Missionary Work on Long Island, began a transcription last November when through the courtesy of Mrs. Thyra Benson Fowler, and the Long Island Historical Society, he was allowed to examine them, after they had been brought out of the obscurity of the vaults of the Brooklyn Trust Company, where they have been kept for over 20 years. In

This writing testifieth an agreement between Wyandance of Meantaukut cheife Sachem of Long Island, and Thomas James minister of East Hampton & Lyon Gardiner, John Mulford, Robert Bond, Thomas Baker, John Hand and the rest of their associates, the purchasers and proprietors of the Town of East Hampton as followeth. That upon consideration that the inhabitants of East Hampton aforesaid doe get up and maintaine a good sufficient fence from the (south side) of their aforesaid Town to the head of the harbor called (undecipherable) harbor that is to say from sea to sea for the keeping off of persons from going eastward summer during the Indian Corn is upon the ground, the aforesaid Sachemth firmly bind and engage himself his Heird and Successors, to let & dispose of to those inhabitants of East Hampton their heirs & successors. All the herbage, that is the grasse & food for cattle, upon all his the said sachem's land now in pos-

have free liberty to turn in what creatures they see cause: & fetch them off from thence when planting time is come.

In ratification and confirmation of the promises I set to my hand & seal this 10th day of April one thousand six hundred & fifty five

Witnesses  
 Charles Barnes  
 Jeremy [ ] Vale's marke  
 John [ ] Woolley's [marke]  
 Wyandance [ ] his marke  
 Sasaktaka his marke  
 Poquattouns marke  
 It is ordered by both parties Mr. Tho: James to have the keeping of this above agreement:  
 The above written agreement is entered upon ye Records for the County of Suffolk in folio 174 Jno. Howell Clerk.