

**INDIANS THREATEN SUIT.****Survivors of Montauk Tribe Want to  
Test in Court Their Claim to  
Peninsula.**

(Special to the Eagle.)

Easthampton, L. I., November 11—The so called Montauk Indians are seriously contemplating bringing another suit to test their rights to Montauk, an immense acreage of very valuable land.

A few days ago on complaint of Theodore Conklin, superintendent of the Montauk Company, which now owns the land at Montauk, Ebenezer T. Pharaoh, John J. Butler, George Butler and Samuel Pharaoh were arrested on a charge of trespassing and shooting on the company's lands.

When the men were taken before Justice Mulligan in Easthampton they asked for an adjournment to permit them to get counsel and also for time to write to the United States Attorney General regarding their right to Montauk. The justice granted the request and set November 16 as the date for the hearing, when it will be held in Counselor Stephens' office at Easthampton.

These men are descendants of some of the original Montauk Indians. They are, however, hardly more than half breeds, practically every Indian of the full blood having gone to the "happy hunting grounds." It is not questioned but that the Montauk Indians did at one time own Montauk, but it is stated that all the interest that the Indians once had has long since passed from their control, and yet every little while some of the descendants make attempts to assert their claims.

They have always held that they at least had privileges of hunting and fishing on the Montauk lands. A few years ago two or three of the descendants attempted to bring an action in the courts to assert their ownership of the land, but at that time the Court of Appeals, on a demurrer, said that the Indians had no standing in court—that they were not now an organized tribe with a head, and hence no power to sue or be sued.

It was claimed that in the present trouble the Indians not only trespassed, but that they threatened to build a house on land owned by the Montauk Company.

Messrs. Nathan D. and Nathan O. Petty of Riverhead are representing the Montauk Company in the present suit and Harry G. Stephens of Easthampton represents Mr. Conklin. The Indians' counsel has not yet been learned.

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