

WOULD HAVE STATE PAY MONTAUK TRIBE \$300,000 FOR LANDS

**Assemblyman O'Connor's Bill
Would Reimburse Long Island
Indians Despite Court Decision**

(Special by Eagle Staff Correspondent.)

Albany, Feb. 15—Assemblyman John J. O'Connor of Manhattan today introduced a measure seeking to appropriate \$300,000 to reimburse the Montauk Indians for lands taken by white men and upon which the agreed rental is alleged never to have been paid. The land affected is in Easthampton, Southampton and Sag Harbor.

Justice Dykman in 1879 ordered that these lands be sold under a partition action subject to the rights of the Indians guaranteed under the State Constitution. One purchaser was an author, W. Benson, who bought 12,000 acres at \$150,000. Benson agreed that he and his heirs were to pay the Indians \$240 a year, but this, it is alleged, was never done.

The late Chief Wyandank Pharoah of the Montauks brought an action in 1906 to have the court determine the rights of the tribe and in 1910 Justice Blackmar decided that the royal charter granted by Colonial Governor Dongan gave the Town of Easthampton exclusive rights and that Benson as the successor to the town in ownership was an absolute owner himself, notwithstanding the provisions of a State Constitution adopted later. The present bill would allow the State to make good to the Indians, despite the court decision.

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