

## Montauk Indians, Soliciting Federal Aid, Once Judged Aliens in State Courts

(Special to The Eagle.)

Riverhead, L. I., Jan. 28.—The dispatch from Washington printed in The Eagle Wednesday, stating that the Montauk Indians are applying to Washington to find out what their status is, recalls the fact that through an exhaustive suit a few years ago the State of New York declared that the Indians have no tribal rights.

In fact the State of New York even goes so far as to say that the Indians are aliens. This question came up in a request for a hunting license, and the Attorney General declared that an Indian being an alien, must pay for an alien's hunting license or go without.

At the same time the Washington authorities held, in effect, that the Indians were "presumed" to be citizens of the State of New York.

So in view of the conflict it is not at all surprising that the Indians are asking what their status is.

It was in 1910 that Justice Abel E. Blackmar decided "there is now no Montauk Tribe of Indians." The basis of his decision was an action brought by Wyandank Pharaoh, who claimed to have been born in Indian Field, Montauk, set himself up as king of the Montauks, and brought a suit to oust descendants of the late Arthur Benson of Brooklyn from a vast acreage of valuable land on Montauk, claiming that he and the other Indians had been illegally ousted from that land, where their forefathers, the once powerful Tribe of Montauk, had lived and hunted and fished. The Indians were 14 years getting the case to trial, and this was accomplished finally only after the Legislature had passed a special act giving them tribal rights for the purpose of bringing the suit.

The mother of "Dank" Pharaoh, a Mrs. Banks, a former wife of King David, was one of the witnesses at the trial in 1909. She and others declared they had never relinquished their tribal rights to the lands in question, but they were hazy about tribal customs, elections, meetings, tribe business, etc.

Justice Blackmar went exhaustively into the question, digging deep into Easthampton's ancient history, and citing the Governor Dongan patent by which Easthampton people were given a right to purchase land from the Indians. Then he decided that when the late Mr. Benson bought from the Indians the land they claimed to own he had a right to do it; and he examined, too, the ancient Indian deed of 1686, by which the Indians sold all of the vast Montauk peninsula to the whites for 100 pounds sterling, the Indians giving peaceable possession—"and in token thereof we have dugged up a piece of earth and delivered it as our act and deed into the hands of the said inhabitants of Easthampton."

Justice Blackmar as a finality declared that the tribe had disintegrated and had been absorbed into the mass of citizens. He said: "I hold that

the purchase (by Mr. Benson) was a lawful act and there is no consideration of justice which makes me loath to find there is no longer a tribe of Montauk Indians."

Yet, as the State and the Government differ as to an Indian's citizenship, possibly after Washington looks carefully into the status of the Montauks it will differ with the State as to their tribal rights.

### No Indians at Montauk Now.

Easthampton, L. I., Jan. 28.—Today there are no Indians living at Montauk. The lands sold for trivial sums of barter and money are now exceedingly valuable and are for the most part owned by the Benson estate and the Long Island Railroad, the latter acquiring an extensive acreage at Fort Pond Bay at the time the late Austin Corbin, president of the railroad, promoted the scheme for a steamship port at Montauk. The railroad tracks were extended to the bay, but there the plan of a steamship line from England to Long Island rests.

The Montauk Indians claim to keep up tribal customs and hold meetings annually and oftener if necessary. The tribal council house is at Sag Harbor, where "King Dank" Pharaoh, a descendant of the royal line, has his domicile. Living at the settlements at Free-town and Eastville, suburbs of the incorporated villages of Easthampton and Sag Harbor, are less than 25 copper-colored Indians who assert adherence to the tribe and recognize the chieftainship of Wyandank. "Dank's" queen is a well educated negro, a native of Sag Harbor, and a daughter of Professor James Van Houten, a Southern negro, who saw service with the Federal troops in the Civil War and who was a musical genius and for years led an orchestra supplying dance music on public occasions throughout Suffolk County. King Dank is childless. He has a sister, Pocohontas, who lives in New England. An aunt, Dowager Queen Maria, and her folks live at Easthampton. Princess Olive died this month and her burial was the occasion of a gathering of Montauk Indians and a great ceremonial held in Easthampton with services at St. Luke's P. E. Church, for Olive was a Christian and a consistent churchwoman. To show how far away the Indians have drifted from the Montauk hunting grounds interment was made at Cedar Lawn Cemetery, Easthampton, instead of at the promontory near Old Field and Fort Pond Bay.

The Easthampton settlers have never had any serious clashes with the Montauk Indians. The history of settlement of the colony is not associated with bloodshed and battle. The Montauk descendants now living are for the most part well behaved persons who lead the ordinary life of their neighbors. But all are very poor, it is claimed, having impoverished themselves in their many years of effort to regain the Montauk lands. "King Dank is a carpenter and a good artisan at other trades.

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