

**INDIANS' HEIRS RESENT  
INVASION OF BURIAL PLOT**

**Opening of Roadway Through  
Plot at Little Neck Threatens  
to Make Trouble.**

**GRAVEYARD FENCE CUT DOWN.**

**Land Is Claimed by Descendants of  
Aborigines and Also by Farmer  
Charles W. Cornell.**

(Special to the Eagle.)

Little Neck, L. I., August 5.—The efforts of Charles W. Cornell, a prosperous farmer of this village, to build up and improve a portion of the place have brought him into conflict with the Waters family of this village, the last remnant of a well-known Indian family. The dispute is between representatives of the family and Cornell over the ownership of a small strip of land forming part of a picturesque Indian graveyard. Last Tuesday two Polish farm hands in the employ of Mr. Cornell, armed with axes, went to the little patch of ground, about an acre in extent, and commenced chopping down a fence facing on Broadway, surrounding the private burying ground of the Waters family, and in which rest the remains of Shinnecock, Montauk and Narragansett Indians. After cutting down about 11 feet of the fence on Broadway, the laborers went to the rear of the plot and cut down 11 more feet of fence, making a passage way through the cemetery from Broadway to a section of land about an acre in extent on which Mr. Cornell has about completed the erection of five modern dwellings. After completing the passage-way, Mr. Cornell had several teams pass through the opening, driving material for his houses. Since that time the way has been used by residents of the section of the village in which it is located, as it affords a convenient short cut from the section known as the "Commons" to the stores in the village.

The cutting down of the fence aroused the ire of the descendants of John Waters, the old Indian, the last of his race, who died about a year ago. One Waters and Susan Waters, daughters of John Waters, and Stephen Waters, a son, have made a protest against the proceedings, and they are contemplating taking legal action to cut them.

This cemetery is part of a tract of fifteen acres which have been the birthright of the Waters Indians for over 12 years. It was first conveyed by Stephen Van Wert to a Montauk Indian woman known as Sylvia Hobbs. She had been a faithful servant in the Van Wert family, and in recognition of her services the land was conveyed to her. She had a daughter, Martha Hobbs, who was a full-blooded Montauk Indian. When Sylvia Hobbs died she left the land to her daughter, Martha Hobbs married James Waters, a full-blooded Narragansett Indian. They had three children—John Waters, Charles Waters and Mary Waters, to whom the land was left in common.

Some nine years ago these three children, who by that time had grown children of their own, engaged Judge Harrison K. Moore to bring a partition suit for the division of the property among them. This was done. In the part set out to Charles Waters was the little graveyard. He always claimed afterward that the graveyard belonged to him, but John Waters and his sister claimed that they had a right to bury there. John Waters, on the death of his wife six years ago, successfully defended this right in the courts, and his wife was buried there among the graves of her family.

It now appears that Mr. Cornell has taken the strip by reason of a purchase made through the descendants of Charles Waters. When questioned about the matter Mr. Cornell said: "Several years ago we purchased from the wife of Charles Waters and her children the acre of ground on which we are now building houses, and we also purchased the strip of land 11 feet wide through the cemetery. We did this on the advice of counsel. We have only now started our right because we had need of the land as a passage for our houses."

The descendants of John Waters claim that their right in the graveyard has been trespassed upon by the action of Mr. Cornell. They claim that there are graves of many of their family in the strip and that the wagons in passing to and fro have gone over these graves. They have protested to Mr. Cornell and demanded that he again close up the fence.

"We have opened up this lane and we propose to keep it open," declared Mr. Cornell. "I suppose we will be taken into the courts over the matter, but we have been advised most carefully in the matter, and we believe we are right. We will continue to hold the land until we are ordered to do otherwise by the courts."

The cutting down of the fence has caused much excitement in this village, and all the residents are waiting to see what the outcome will be.

Clipped By:



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