

# MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1857.

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PART SECOND.

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AUGUSTA:  
STEVENS & BLAINE, PRINTERS TO THE STATE.  
1857.

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# THIRTY-SIXTH LEGISLATURE.

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SENATE.]

[No. 4.]

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## REPORT OF THE JOINT STANDING COMMITTEE ON INDIAN AFFAIRS,

ON THE PETITION OF

JOHN ATTIAN, GOVERNOR OF THE PENOBSCOT INDIANS,

AND MANY OTHERS OF THE TRIBE, ASKING FOR PROTECTION AGAINST  
MONEY BEING DRAWN FROM THE INDIAN FUND BY PERSONS  
NOT AUTHORIZED TO RECEIVE THE SAME.

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ALSO, ON AN ORDER OF THE LEGISLATURE,  
REQUIRING THE COMMITTEE TO REPORT THE AMOUNT PAID IN BOUNTIES  
TO THE PENOBSCOT INDIANS, THE LAST YEAR, TOGETHER WITH THE  
NUMBER OF BUSHELS OF THE SEVERAL AGRICULTURAL PRODUCTS,  
AND WHETHER BOUNTIES HAVE BEEN PAID TO PERSONS NOT  
LEGALLY ENTITLED TO THEM.

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AUGUSTA:  
STEVENS & BLAINE, PRINTERS TO THE STATE.  
1857.



# STATE OF MAINE.

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## REPORT OF THE JOINT STANDING COMMITTEE ON INDIAN AFFAIRS.

THE Joint Standing Committee on Indian Affairs, to whom was referred the petition of John Attian, Governor of the Penobscot Indians, and many others of the tribe, asking for protection against money being drawn from the Indian fund by those not authorized to receive the same: Also an order of the Legislature requiring the Committee to report the amount paid in bounties to the Penobscot Indians the last year, together with the number of bushels of the several agricultural products upon which bounties have been paid; and whether bounties have been paid to persons not legally entitled to them, ask leave to

### R E P O R T :

The obligations of the State of Maine to secure to the Penobscot Indians the just payment of certain annuities, is an obligation imposed by treaty stipulations, first made by the Commonwealth of Massachusetts, and afterwards adopted and assumed by Maine, as will appear by the treaty and resolves annexed marked A.

By the treaty there were four townships of land reserved for the use of the Indians; two of them near the mouth of the Mattawamkeag river, and two on the west branch of the Penobscot river near Nolacemeac lake; together with all the islands in the Penobscot river above Oldtown, and including Oldtown island.

For the lands which by treaty were conveyed to the State, the Indians were to receive, beside certain articles immediately at the time, annually, and every year, so long as they shall remain a nation, and reside within the State, delivered at Oldtown, in the month of October, for the use of said Indians, the following articles :

Five hundred bushels of corn; fifteen barrels of wheat flour; seven barrels of clear pork; one hogshhead of molasses, and one hundred yards of broadcloth, to be of red color one year, and blue the next year, and so on alternately; fifty good blankets; one hundred pounds gun powder; four hundred pounds of shot; six boxes of chocolate; one hundred and fifty pounds of tobacco, and fifty dollars in silver.

The four townships of reserved land, were subsequently purchased of the Indians by the State for the sum of fifty thousand dollars, to be held in the treasury of the State, and the interest of the same to be paid annually by the Governor and Council, through the Indian agent for the benefit of the tribe.

For the purpose of encouraging the Indians to rightly appropriate these annuities, together with their other resources, to their substantial benefit, in the pursuit of agriculture, the State has provided for the payment of bounties on the crops which they may raise. In addition to this the State annually appropriates about four hundred dollars for the purpose of educating the children and youth of the Penobscot Indians.

We have now before us the fact that for the benefit of the Penobscot Indians there is an average annual expenditure from the State treasury of between seven and eight thousand dollars, and much of this sum is theirs by the clearest right of treaty, and for the full and more than full value received, and the balance is bestowed with the best intentions to promote the substantial welfare and prosperity of the Indians.

The Penobscot Indians, under their elder designation of Tarra-tines, in the early history of our country, and when our fathers

were struggling for freedom, were marked for their fidelity and friendship; and their claims to confidence and protection were cheerfully recognized by the government, and its aid solemnly promised. The *local influence* of the Tarratines far outweighed, then, that of the white population in what is now the State of Maine, whereas now it is as nothing in the comparison. The tide of civilization is making less and less, the once potential influence of our Indian brethren, and the first care of the State should be to give all the advantages which may be wrought out of our advanced civilization to these children of the forest, by protecting them from the evils incident to their partial and imperfect civilization, and by throwing open to them the richest possible treasures of wisdom to be found in our best educational systems, and in the best perfected plans of productive industry and true social life. They have been taught by long experience that it is vain for them to expect to continue as a nation by the mere chances of the chase; while, at the same time, they have felt depressed by the effort to confine themselves to farm work. In this divided state, as to their occupation, they have made but little progress in true self-sustaining plans of life, or pursuits of business.

It may be well to inquire, therefore, whether it would not better promote the object of the solicitude and benevolence of the State, in reference to the Indians, to give them a greater variety of pursuits, by interesting them more fully in the mechanic arts, and other labors of life, with their greater excitements and hope of reward. It is felt, by the Indians of the Penobscot tribe, that the time may come, when they shall cease to "remain a nation," and it is said that various devices have been resorted to, to prevent the recurrence of such an event, since in such case the annual payments pledged by the State might rightfully be withheld.

It is one of the most painful spectacles to see a people or tribe, so defective in their own social organization, or so embarrassed by their intercourse with a dominant race, as to be liable to decay physically, or to be forced downward, on a sliding scale, to intel-

lectual, moral and social inferiority. The latter of these conditions the Penobscot Indians are liable to reach, unless the moral forces of our christian civilization shall lift them out of that condition, so graphically, and yet so painfully described by one of their number, who said—"Penobscot Indian all one sheep; white man, he skin "em."

From the earliest history of the intercourse between the pale faces and the red men, even down to the present time, the striking fact appears of the demoralizing and crushing effects of intoxicating liquors upon the red man, unfitting him for the exercise of rightful sovereignty over himself, and causing him to become an easy prey to the arts and devices of the unscrupulous and selfish white man.

Various laws have been passed, and various methods have been tried, with more or less fidelity, to prevent the evils of intoxication from hurrying the Indians to moral destruction.

The history of the tribes, it is well for us, is unwritten, except in the position and spectacle they once presented to the eye of man and of God, and the position they now hold, and the spectacle they to-day present to us and to heaven.

In the contrast between these two conditions, every true man should find a reason for sympathy, and a motive to lend a helping hand to raise up those who have thus been stricken down. There is a ray of hope in the fact that what the State has attempted in the way of educating the Penobscot Indians, has given encouragement that much more may be accomplished through these means.

Our true policy, as well as our christian duty, is to throw around the mind of the Indian the light of knowledge, and to direct him so that he may be able now, after his sad experience, to seize upon and appropriate to his own use some of the advantages resulting from the superior skill and broader civilization of the whites.

The provisions for the education of the Indians seem to be satisfactory, and the results to justify the expenditures which the State has made.



The number of pupils returned as attending school is fifty-two; while the whole number of persons claiming to belong to the tribe, is reported to be four hundred and nineteen. This enumeration probably includes more or less French people who are, or have been connected by marriage with the Indians.

The school fund for the Indians is not under the control of the Indian agent, but under that of the superintending school committee of Oldtown, who have maintained schools at Oldtown Island and Mattanawcook Island, in order to accommodate the Indians residing at or near those places.

The pupils who have attended have varied in age from four to twenty-six years, and the school is kept both in the day time and in the evening. Of those who have attended school for the last term, two read in the Fourth Reader, Town's series; five in Third Reader, eighteen in Second Reader, fifteen in First Reader; and the remainder learning the alphabet and syllables. Twelve understood well the fundamental rules of arithmetic; twenty-five have been through simple addition; one is studying English grammar; all receive oral instruction in Geography from maps; fifteen write legibly, and twenty are just commencing. Several of the pupils attending school at Oldtown, are children and youths of families living on different islands.

The usual benefits derived from school and a diffusion of intelligence is easily perceptible among the Indians, and manifest themselves in their general improved condition of the Indians, and their greater ability to take care of themselves, and their ambition to compete, in the battle of life, with their white neighbors, by self-relying attention to their own resources.

It is a most gratifying fact, that recently the parents of these Indian pupils manifest much of interest in the school, and an ambition to have their children attend regularly and make the most progress, which now compares very favorably with the progress usually made by white children, and some of them make rapid progress.

This Indian school has now been established some five years, and its influence is seen in the greater attention of those who have received instruction, to what man has done and is now doing around them for increasing the comforts of life and for illuminating the mind by truth and for enlarging the heart by the love of goodness.

Through such instrumentalities we may hope, that in the future, more or less remote, these children of nature may be able to throw off from them their wild, roving, begging and savage dispositions and habits, and awake to the true dignity of sentient beings; and to make earnest efforts to reach a higher plane of thought and feeling, and to serve higher uses for themselves and humanity, and to live lives here on the earth, worthy of beings destined to an immortal life in the bright regions of another and an eternal world.

There is no real necessity, in nature, and there ought not be any necessity in the influences of society, to keep the Indian's race in a depressed, intellectual and moral condition.

Two letters written by members of the school, will serve as specimens of penmanship, and of the first glimmerings of literature by the youth of the Penobscot Indians. They are copied in Appendix B.

The bounties offered by the State for the encouragement of agriculture are difficult, doubtless, to manage, but they should be so expended as to secure the most favorable results.

The gross returns for the last year, on bounties, show that the Indians have been bountifully favored of all bounteous heaven, with larger crops than they have sometimes been supposed capable of producing under their nomadic habits, and their little skill in farming, and their untaxed energies in industry.

The record of their successes, may yet give brilliancy to some practical thesis on the great art of farming—and the tribe may yet appropriately furnish a leading member of the Board of Agriculture.

From the returns it seems that bounties were paid last year on the following articles, viz : —

693	bushels of wheat.
15	“ “ rye.
3,343	“ “ oats.
9,716	“ “ potatoes.
693	“ “ beans.
371½	“ “ peas.
168	“ “ buckwheat.
155	“ “ barley.
1,397	“ “ vegetables.

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Total, 16,551½ bushels of agricultural productions.

This quantity of productions was, we learn, incidentally ascertained by estimation of the crops in the field, and not by actual measurement. The present destitute condition of the Indians, seems to point to either a large shrinkage of their productions, or to a previous lavish consumption.

The aggregate bounties on the above, was (\$1,145 64) eleven hundred forty-five dollars and 64-100.

The whole number of Indians, to whom bounty was paid, is one hundred and six.

It is reported that the white traders with the Indians in olden times, purchased furs by the laying on of the hand as a pound weight; and it is possible, perhaps, in the transition to a more sophisticated state of society, that the hand with its weight has taken a different direction, and gone into the treasury on a system of constructive crops in lieu of real ones.

In order to remedy some of the complaints made by the Indians, and to provide more fully for a just and honest management of the Indian department, such as honest men will not complain of; and the complaint, should there be any of all others, only proves the

necessity of such change, the committee would report the accompanying bill, and recommend its passage.

All which is respectfully submitted.

ABNER R. HALLOWELL, *Chairman.*

## APPENDIX

(A.)

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### STATE OF MAINE.

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IN COUNCIL, }  
March 20, 1843. }

*Ordered*, That the secretary of state be requested to cause the treaties, bonds and other documents, now on file in the secretary's office, in relation to the Penobscot and Passamaquoddy tribes of Indians, necessary to be preserved as evidence of their title to their lands, and their claim against the state, to be printed with the resolves for the year 1843.

CYRUS MOORE, *per order*.

Read and passed.

ATTEST:

P. C. JOHNSON, *Sec'y of State*.

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### Treaty made by the Commonwealth of Massachusetts with the Penobscot tribe of Indians, June 29, 1818.

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This writing indented and made this twenty-ninth day of June, one thousand eight hundred and eighteen, between Edward H. Robbins, Daniel Davis and Mark Langdon Hill, Esqs., commissioners appointed by his excellency John Brooks, governor of the commonwealth of Massachusetts, by and with the advice of council, in conformity to a resolve of the legislature of said commonwealth, passed the thirteenth day of February, A. D. one thousand eight hundred and eighteen, to treat with the Penobscot tribe of Indians upon the subject expressed in said resolve, on the one part; and

the said Penobscot tribe of Indians, by the undersigned chiefs, captains and men of said tribe, representing the whole thereof, on the other part, Witnesseth, That the said Penobscot tribe of Indians, in consideration of the payments by them now received of said commissioners, amounting to four hundred dollars, and of the payments hereby secured and engaged to be made to them by said commonwealth, do hereby grant, sell, convey, release and quitclaim, to the commonwealth of Massachusetts, all their, the said tribes, right, title, interest and estate, in and to all the lands they claim, occupy and possess by any means whatever on both sides of the Penobscot river, and the branches thereof, above the tract of thirty miles in length on both sides of said river, which said tribe conveyed and released to said commonwealth by their deed of the eighth of August, one thousand seven hundred and ninety-six, excepting and reserving from this sale and conveyance, for the perpetual use of said tribe of Indians, four townships of land of six miles square each, in the following places, viz :

The first beginning on the east bank of the Penobscot river, opposite the five islands, so called, and running up said river according to its course, and crossing the mouth of the Mattawamkeag river, an extent of six miles from the place of beginning, and extending back from said river six miles, and to be laid out in conformity to a general plan of arrangement which shall be made in the survey of the adjoining townships on the river—one other of said townships lies on the opposite or western shore of said river, and is to begin as nearly opposite to the place of beginning of the first described township as can be, having regard to the general plan of the townships that may be laid out on the western side of said Penobscot river, and running up said river according to its course, six miles, and extending back from said river six miles. Two other of said townships are to begin at the foot of an island, in west branch of Penobscot river in Nolacemeac lake, and extending on both sides of said lake, bounding on the ninth range of townships, surveyed by Samuel Weston, Esq., which two townships shall

contain six miles square each, to be laid out so as to correspond in courses with the townships which now are, or hereafter may be surveyed on the public lands of the state. And the said tribe do also release and discharge said commonwealth from all demands and claims of any kind and description, in consequence of said tribe's indenture and agreement made with said commonwealth, on the eighth day of August, one thousand seven hundred and ninety-six, by their commissioners, William Sheppard, Nathan Dane, and Daniel Davis, Esquires; and we, the undersigned commissioners on our part in behalf of said commonwealth, in consideration of the above covenants, and release of the said Penobscot tribe, do covenant with said Penobscot tribe of Indians, that they shall have, enjoy and improve all the four excepted townships described as aforesaid, and all the islands in the Penobscot river above Oldtown, and including said Oldtown island. And the commissioners will purchase for their use as aforesaid, two acres of land in the town of Brewer, adjoining Penobscot river, convenient for their occupation, and provide them with a discreet man of good moral character and industrious habits, to instruct them in the arts of husbandry, and assist them in fencing and tilling their grounds, and raising such articles of production as their lands are suited for, and as will be most beneficial for them, and will erect a store on the island of Oldtown, or contiguous thereto, in which to deposit their yearly supplies, and will now make some necessary repairs on their church, and pay and deliver to said Indians for their absolute use, within ninety days from this date, at said island of Oldtown, the following articles, viz: one six pound cannon, one swivel, fifty knives, six brass kettles, two hundred yards of calico, two drums, four fifes, one box pipes, three hundred yards of ribton, and that annually, and every year, so long as they shall remain a nation, and reside within the commonwealth of Massachusetts, said commonwealth will deliver for the use of said Penobscot tribe of Indians at Oldtown aforesaid, in the month of October, the following articles, viz: five hundred bushels of corn, fifteen barrels of wheat flour, seven

barrels of clear pork, one hogshead of molasses, and one hundred yards of double breadth broadcloth, to be of red color one year, and blue the next year, and so on alternately, fifty good blankets, one hundred pounds of gunpowder, four hundred pounds of shot, six boxes of chocolate, one hundred and fifty pounds of tobacco, and fifty dollars in silver. The delivery of the articles last aforesaid to commence in October next, and to be divided and distributed at four different times in each year among said tribe, in such manner as that their wants shall be most essentially supplied, and their business most effectually supported. And it is further agreed by and on the part of said tribe, that the said commonwealth shall have a right at all times hereafter to make and keep open all necessary roads, through any lands hereby reserved for the future use of said tribe. And that the citizens of said commonwealth shall have a right to pass and repass any of the rivers, streams, and ponds, which run through any of the lands hereby reserved, for the purpose of transporting their timber and other articles through the same.

In witness whereof, the parties aforesaid have hereunto set our hands and seal.

Edw'd H. Robbins. (Seal.)

Dan'l Davis. (Seal.)

Mark Langdon Hill. (Seal.)

<sup>his</sup>  
John ✕ Etien, Governor. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
John ✕ Neptune, Lt. Governor. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
Francis ✕ Lolon. (Seal.)  
<sub>mark.</sub>

Nicholas Neptune. (Seal.)

<sup>his</sup>  
Sack ✕ Joseph, Captain. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
John ✕ Nicholas, Captain. (Seal.)  
<sub>mark.</sub>



Etien <sup>his</sup> X Mitchell, Captain. (Seal.)  
mark.

Piel <sup>his</sup> X Marie. (Seal.)  
mark.

Piel <sup>his</sup> X Peruit, Colo. (Seal.)  
mark.

Piel <sup>his</sup> X Tomah. (Seal.)  
mark.

*Signed, sealed and delivered }  
in the presence of us : }*

Lothrop Lewis,  
Jno. Blake,  
Joseph Lee,  
Eben'r Webster,  
Joseph Whipple.

PENOBSCOT, ss.—June 20, 1818. Personally appeared the  
aforenamed Edward H. Robbins, Daniel Davis, and Mark Lang-  
don Hill, Esquires, and John Etien, John Neptune, FrancisOLON,  
Nicholas Neptune, Sock Joseph, John Nicholas, Etien Mitchell,  
Piel Marie, Piel Penuil, and Piel Tomah, subscribers to the fore-  
going instrument, and severally acknowledged the same to be their  
free act and deed.

BEFORE ME,

WILLIAM D. WILLIAMSON,  
*Justice of the Peace.*

PENOBSCOT, ss. Received July 1st, 1818, and recorded in book  
No. 4, page 195, and examined by

JOHN WILKINS, *Register.*

Copy examined.

A. BRADFORD, *Secretary*  
of Commonwealth of Massachusetts.

## Treaty made with the Penobscot Tribe of Indians, August 17, 1820.

*Whereas*, The State of Maine by her commissioner, Lothrop Lewis, Esq., has engaged to assume and perform all the duties and obligations of the commonwealth of Massachusetts towards us and our said tribe, whether the same arise from any writing of indenture, treaty or otherwise at present existing; and *whereas* said State of Maine has obtained our consent and that of our said tribe to said assumption and arrangement—now know all people to whom these presents shall come, that we whose hands and seals are hereunto affixed, for and in behalf of ourselves and the Penobscot tribe of Indians, so called, to which we belong and which we represent, in consideration of the premises, do hereby release to said commonwealth of Massachusetts all claims and stipulations of what name or nature soever, which we or all or any of us or our said tribe have on or against said commonwealth, arising under any writing of indenture, treaty, or otherwise, existing between said commonwealth of Massachusetts, and said Penobscot tribe of Indians.

In witness whereof, we, the undersigned chiefs, captains and men of said tribe, representing the whole thereof, have hereunto set our hands and seals this seventeenth day of August, in the year of our Lord one thousand eight hundred and twenty.

Governor John <sup>his</sup> ~~X~~ Etien. (L. S.)  
mark.

Lieut. Governor John <sup>his</sup> ~~X~~ Neptune. (L. S.)  
mark.

Francis <sup>his</sup> ~~X~~ Lolan, Captain. (L. S.)  
mark.

Captain Etien <sup>his</sup> ~~X~~ Mitchell. (L. S.)  
mark.

# APPENDIX.

17

Piel <sup>his</sup> $\bowtie$ Mitchell, Capt. mark.	(L. S.)
Sock <sup>his</sup> $\bowtie$ Sosep, Capt. mark.	(L. S.)
Piel <sup>his</sup> $\bowtie$ Marie, Capt. mark.	(L. S.)
Suasin <sup>his</sup> $\bowtie$ Neptune, Capt. mark.	(L. S.)
Awasoos <sup>his</sup> $\bowtie$ Mitchell, Capt. mark.	(L. S.)
John <sup>his</sup> $\bowtie$ Ossou, Capt. mark.	(L. S.)
Joseph <sup>his</sup> $\bowtie$ Marie Neptune, Esq. mark.	(L. S.)
Joseph <sup>his</sup> $\bowtie$ Lion. mark.	(L. S.)
Glocian <sup>his</sup> $\bowtie$ Awasoos. mark.	(L. S.)
Capt. Nicholas <sup>his</sup> $\bowtie$ Tomah. mark.	(L. S.)
Sabattis <sup>his</sup> $\bowtie$ Tomah. mark.	(L. S.)

*Signed, sealed and delivered }  
in presence of us :*

William D. Williamson,  
Joseph Treat,  
Ebenezer Webster,  
William Emerson,  
Stephen L. Lewis,  
John Blake,  
Eben Webster.

PENOBSCOT, SS.—August 17, 1820. Personally appeared the

aforenamed John Etien, John Neptune, Francis Lolon, Etien Mitchell, Piel Mitchell, Sock Joseph, Piel Marie, Suassin Neptune, Awasoos Mitchell, John Ossou, Joseph Marie Neptune, Joseph Lion, Glocian Awasoos, Nicholas Tomah and Sabattis Tomah, subscribers to the foregoing instrument, and severally acknowledged the same to be their free act and deed.

BEFORE ME,

WM. D. WILLIAMSON, *Justice Peace.*

COMMONWEALTH OF MASSACHUSETTS, }  
Secretary's Office, May 19, 1823. }

I hereby certify that the original instrument of release from the chiefs, captains and others of the Penobscot tribe of Indians, for and in behalf of themselves and of the said tribe, of which the above and foregoing is a true copy, has been this day received and filed in this office.

ALDEN BRADFORD,  
*Secretary of the Commonwealth.*

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## Treaty made with the Penobscot Tribe of Indias, August 17, 1820.

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This writing, indented and made this seventeenth day of August, in the year of our Lord one thousand eight hundred and twenty, by and between Lothrop Lewis of Gorham, in the county of Cumberland and state of Maine, Esquire, commissioner, appointed by William King, Esquire, governor of said state, by and with the advice and consent of the council, in conformity to a resolve of the legislature of said state passed the twentieth day of June, in the year of our Lord one thousand eight hundred and twenty, to treat with the Penobscot tribe of Indians in said state, upon the subject expressed in said resolve, on the one part; and the said Penobscot

tribe of Indians, by the undersigned, chiefs, captains and men of said tribe, representing the whole thereof on the other part; *Witnesseth*, That the said Penobscot tribe of Indians, in consideration of the covenants and agreements, hereinafter mentioned, on the part of said commissioner, in behalf of said state, to be performed, kept and fulfilled, do hereby grant, sell, convey, release and quitclaim, to said state, all their, the tribe's right, title, interest and estate, in and to all the lands and possessions, granted, sold and conveyed by us, to the commonwealth of Massachusetts, by our writing of indenture, made with said commonwealth by their commissioners, the honorable Edward H. Robbins, Daniel Davis and Mark L. Hill, Esquires, June the twenty-ninth, in the year of our Lord one thousand eight hundred and eighteen, saving and excepting, the reservations, in said indenture made and expressed. Meaning and intending hereby, to substitute and place, the said state of Maine, in the stead and place, of the said commonwealth of Massachusetts, to all intents and purposes whatsoever, as it regards said indenture last mentioned, with the said tribe of Indians, so that all and singular, the lands, rights, immunities or privileges, whatsoever, which said commonwealth of Massachusetts did, might, or could hold, possess, exercise or enjoy, under or by virtue of said indenture, or treaty, or by any other indenture, treaty or agreement whatsoever, shall be held, possessed, exercised and enjoyed in as full and ample a manner by said state of Maine.

And the undersigned commissioner, on his part, in behalf of said state of Maine, in consideration of the premises, and of the foregoing covenants and engagements of said tribe, does hereby covenant with said tribe, that they shall have and enjoy, all the reservations made to them, by virtue of said treaty of the twenty-ninth of June, eighteen hundred and eighteen. And the undersigned commissioner, in behalf of said state of Maine, does hereby further covenant and agree with said tribe, that, as soon as the commonwealth of Massachusetts, shall have made and fulfilled the stipulations on her part to be done and performed, under and by virtue of the

fifth article of an act, "relating to the separation of the district of Maine from Massachusetts proper, and forming the same into an independent state," passed June the nineteenth, eighteen hundred and nineteen, then the said state of Maine, shall and will, annually, and every year, in the month of October, so long as they shall remain a nation, and reside within the said state of Maine, deliver for the use of the said Penobscot tribe of Indians, at Oldtown, the following articles, to wit: five hundred bushels of corn, fifteen barrels of wheat flour, seven barrels of clear pork, one hogshead of molasses, and one hundred yards of double breadth broadcloth, to be of red color one year, and blue the next year, and so on alternately, fifty good blankets, one hundred pounds of gunpowder, four hundred pounds of shot, six boxes of chocolate, one hundred and fifty pounds of tobacco, and fifty dollars in silver.

It being meant and intended, to assume and perform, all the duties and obligations of the commonwealth of Massachusetts, toward the said Indians, whether the same arise from treaties or otherwise, and to substitute and place, the said state of Maine in this respect, to all intents and purposes whatever, in the stead and place of the commonwealth of Massachusetts, so that said tribe may have continued to them, all the payments, and enjoy all the immunities and privileges, in as full and ample a manner, under this indenture or treaty, as they could have received or enjoyed, under the said treaty, of the twenty-ninth of June, eighteen hundred and eighteen, if this present treaty had not been made. Saving and excepting the two acres of land, which were by the treaty of June twenty-ninth, eighteen hundred and eighteen, to be purchased for the use of said tribe, in the town of Brewer, the performance of which, has been relinquished by the said tribe to the commonwealth of Massachusetts.

Reserving, however, to the government of this state, the power and right to ratify and confirm, at pleasure, the doings of said commissioner in the premises.

In witness whereof, the parties aforesaid, have hereunto set our hands and seals, the day and year within written.

Lothrop Lewis. (Seal.)

<sup>his</sup>  
John  $\bowtie$  Etien, Governor. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
John  $\bowtie$  Neptune, Lt. Governor. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
Captain Francis  $\bowtie$  Lolon. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
Captain Etien  $\bowtie$  Mitchell. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
Captain Piel  $\bowtie$  Mitchell. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
Sock  $\bowtie$  Sosep, Captain. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
Piel  $\bowtie$  Marie, Captain. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
Suasin  $\bowtie$  Neptune, Capt. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
Awasoos  $\bowtie$  Mitchell, Capt. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
John  $\bowtie$  Ossou, Capt. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
Joseph Marie  $\bowtie$  Neptune, Esq. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
Joseph  $\bowtie$  Lion. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
Glocian  $\bowtie$  Awasoos. (Seal.)  
<sub>mark.</sub>

<sup>his</sup>  
Capt. Nicholas  $\bowtie$  Tomah. (Seal.)  
<sub>mark.</sub>

Sabattis <sup>his</sup> X Tomah.  
mark.

(Seal.)

*Signed, sealed and delivered }  
in the presence of us : }*

Wm. D. Williamson,  
William Emerson,  
Joseph Treat,  
Stephen L. Lewis,  
John Blake,  
Eben Webster.

PENOBSCOT, SS.—August 17, 1820. Personally appeared, Lothrop Lewis, John Etien, John Neptune, Francis Lolon, Etien Mitchell, Piel Mitchell, Sock Joseph, Piel Maria, Suasin Neptune, Awasoos Mitchell, John Ossou, Joseph Marie Neptune, Joseph Lion, Glocian Awasoos, Nicholas Tomah, and Sabattis Tomah, subscribers to the foregoing instrument, and acknowledged the same to be their free act and deed.

BEFORE ME,

WILLIAM D. WILLIAMSON, *Justice Peace.*

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*REPORT of Commissioners appointed to purchase the  
lands belonging to the Penobscot tribe of Indians,  
1833.*

---

*To the Governor and Council of the State of Maine,*

*June session, A. D. 1833.*

We, the undersigned commissioners appointed on the part of the state of Maine, to treat with the Penobscot tribe of Indians for the purchase of such lands belonging to said tribe as they are disposed to sell to said state, have attended to the duties of said appoint-



ment and report, that they have succeeded in purchasing the four townships belonging to said Indians, being north of the mouth of the Piscataquis river, as will appear by the deed of the same signed by the governor and chiefs of said tribe, and executed according to their usages, and herewith submitted for your consideration. In discharge of the duties devolving on us in this negotiation, we were aware of the difficulties always attendant on subjects of this character, and especially at this time, disunited as they have long been by factions and party animosity; but we are happy to say that they received the proposition made by us, cordially, convened their council and chiefs, consisting of members of both parties, and after frequent public deliberations for several weeks, and frequent interviews with us by delegates appointed by their convention, and receiving from us full explanation of the subject, we were notified by them to attend their convention, where, after having read the deed of conveyance, by their request, their signatures were then prefixed in presence of the witnesses borne on said instrument. All which is submitted.

A. M. ROBERTS,  
THOMAS BARTLETT, } *Commissioners.*

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*BOND given by the Commissioners to the Penobscot tribe  
of Indians. June, 1843.*

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*Whereas*, We, Amos M. Roberts, of Bangor, and Thomas Bartlett, of Orono, in the county of Penobscot, Esquires, commissioners appointed by the governor of Maine, to purchase for said state such of the lands of the Penobscot tribe of Indians as they might be disposed to sell, having met the governor and principal men of said tribe in the council chamber of said tribe, on the 10th day of June, A. D. 1833, for the purpose of purchasing the lands aforesaid, and having discussed the subject of the meeting in open council, and there obtained the consent of said tribe to sell their

four townships of land to said state, and *whereas*, the governor and lieutenant governor, by his attorney, by him appointed for that purpose, the councillors and captains of said tribe, then and there executed to said state, under their hands and seals, a deed of said four townships, covenanting for themselves and in behalf of said tribe to warrant and defend the same to the state against the claims of said tribe. Now, therefore, we, the commissioners aforesaid, in consideration of the premises have and do hereby covenant with said tribe of Indians, in behalf of the state of Maine, to pay to said tribe the sum of fifty thousand dollars, in the manner following, to wit: said sum of fifty thousand dollars shall be deposited in the state's treasury, and the interest, reckoning from the date hereof, shall annually be paid under the direction of the governor and council of said state, through the Indian agent for the benefit of said tribe: *provided* it should in their opinion, be required for the comfortable support of said tribe; and if at any time, at the annual settlement any part of said interest should remain in the treasury, unexpended, it shall be added to the principal of fifty thousand dollars and become a part thereof, and said sum of fifty thousand dollars, together with such increase as it may from year to year receive, and shall forever remain in the treasury an accumulating fund, for the benefit of said tribe.

In witness whereof, we, the said commissioners, have hereunto set our hands and seals this 10th day of June, A. D. 1833.

*Signed, sealed and delivered* {  
*in presence of* }

(L. S.)

(L. S.)

We hereby certify that the above obligation, is a true copy of the one we gave to the Indians.

A. M. ROBERTS,  
 THOMAS BARTLETT, } *Commissioners.*

Bangor, January, 1834.

## APPENDIX

(B.)

OLDTOWN, January 26, 1857.

MR. PEOL SAWKIS

I attended the first School that was kept on this Island But have not been able to attend near all the time Since on account of Supporting My Self I read at the present time in towns fourth reader. I cipher in Greenleafs Common School Arithmetic. Have been as far as Vulgar fractions. I have Studied Geography. Can give the Names of all the States And their Capitals &c. am Studying Grammar Some this winter. I will Certify that the School is very profitable this winter. And that there is an increase of Scholars at the present time. And I hope there will be an increase of money that we may have a longer School than usual. Please show this to the Governor and Councils of this State, that they may See we are being benefitted from the money which they have So kindly given to us from time to time for the purpose of our getting an education, hoping we are progressing rapidly. this is my own hand writing from your friend

LEWISSOCKABESON.

Nia eli oisia alloi Sockbeson Ni quabemkiskak kis ante thin  
oe li ke nisin nam thesock thipapte.

By request of Mr. Sockabeson, I will certify, that I am teaching the Indian School this present winter. And that he is a member of the school. Also that he is pursuing the studies which he has made mention of in his letter. And that there is a great desire on the part of all the scholars in the school to advance rapidly; and that they have capacities thus to do.

W. C. CROSBY.

OLDTOWN, Jan. 25, 1857.

DEAR BROTHER

I thought I would just send you a specimen of my hand writing, so the people can see that the little Indian boys can learn to write as well as the white boys if they have the same chance. You can tell them I am eleven years old.

Your Brother,

JOHN STANDLEY.

---

Will certify that John Standley wrote the above, who is a half brother to Peol Sockes.

W. C. CROSBY.

# STATE OF MAINE.

---

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND FIFTY-SEVEN.

---

AN ACT to regulate the duties of the Agent of the  
Penobscot Indians.

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*Be it enacted by the Senate and House of Representatives  
in Legislature assembled, as follows :*

SECTION 1. An accurate census of the Penobscot  
2 tribe shall be taken as it existed on the Wednesday  
3 next before the first day of April of each year, in  
4 which shall be stated the name and sex, and age as  
5 near as may be, of each Indian, each family by itself.  
6 No person not an Indian of that tribe shall be in-  
7 cluded therein. It shall be taken by one or more of  
8 the superintending school committee of the town of  
9 Oldtown, certified under oath, and delivered to the  
10 agent as soon after the first day of April as may be.  
11 Corrections of the list by reason of births, deaths or  
12 omissions, may as they come to the knowledge of the

13 committee, be certified to the agent, and he shall cor-  
14 rect his list accordingly. A reasonable compensation  
15 shall be paid to the committee, by the agent and  
16 charged in his account, and allowed to him and paid  
17 out of the State treasury. This list as corrected, shall,  
18 with the accounts, be returned to the Governor and  
19 Council.

SECT. 2. All payments except bounties shall be  
2 made per capita according to the list. The shares of  
3 minor children, under the care of their parents, shall  
4 be made to the mother if living, if not to the father  
5 or other persons with whom they live. Minors over  
6 eighteen years of age, who take care of and support  
7 themselves, may receive their shares in person. If  
8 any Indian fails to claim his share during the year,  
9 it shall, if claimed by him in person in the second  
10 year, be paid, if not so claimed it shall be added to  
11 and divided with the sum to be paid to the tribe.

SECT. 3. Every such adult may receive his propor-  
2 tion of the specific articles, by the treaty stipulations  
3 to be paid to the tribe, in such articles or an equiva-  
4 lent therefor, in other suitable articles of his own

5 selection. The parent or person having the care of  
6 minors shall elect and choose for them, and it shall  
7 be the duty of the agent to make payment in that  
8 manner.

SECT. 4. All articles delivered in any such payments,  
2 or in any other payments for or on account of the  
3 State, shall be of good quality, and charged at a fair  
4 cash price. The agent shall enter in his account  
5 every payment so made, the date, the amount paid,  
6 the name of the person on whose account paid, and  
7 each item of the articles and the price thereof, and  
8 the name of the person to whom delivered. An  
9 accurate transcript of this account verified by his  
10 oath shall be rendered by the agent in the settlement  
11 of the accounts of his agency. If the annuity is paid  
12 in other articles he shall state in his account, what  
13 amount he allowed the Indian for his share of the  
14 annuity. The amount of crop upon which bounties  
15 are paid shall be ascertained by actual measurement  
16 thereof.

SECT. 5. This act shall take effect from the time of  
2 its approval.







STATE OF MAINE.

IN SENATE, }  
Feb. 16, 1857. }

ORDERED, That 350 copies of the foregoing Report, and Bill accompanying,  
be printed for the use of the Legislature.

ATTEST :

JOSEPH B. HALL, *Sec'y*