

In witness whereof, the said Timothy Pickering, and the sachems and war chiefs of the said Six Nations, have hereto set their hands and seals.

Done at Konondaigua, in the State of New York, the eleventh day of November, in the year one thousand seven hundred and ninety-four.

Timothy Pickering,
Onoyeahnee, his x mark,
Konneatorteeooh, his x mark, or Hand-
some Lake,
Tokenhyouhau, his x mark, alias Captain
Key,
Oneshaucee, his x mark,
Hendrick Aupaumut,
David Neesoonhuk, his x mark,
Kanatsoyh, alias Nicholas Kusik,
Sohhontequent, his x mark,
Ooduhsait, his x mark,
Konoohqung, his x mark,
Tossonggaolulus, his x mark,
John Skenendoa, his x mark,
Oneatorleeooh, his x mark,
Kussauwatau, his x mark,
Byootenyootauook, his x mark,
Kohnyeaugong, his x mark, alias Jake
Stroud,

Shaguiesa, his x mark,
Teeroos, his x mark, alias Captain Prantup,
Sooshaoowau, his x mark,
Henry Young Brant, his x mark,
Sonhyoowauna, his x mark, or Big Sky,
Onaahhah, his x mark,
Hotoshahenh, his x mark,
Kaukondanaiya, his x mark,
Nondiyauka, his x mark,
Kossishtowau, his x mark,
Oojaugenta, his x mark, or Fish Carrier,
Toheonggo, his x mark,
Ootaguasso, his x mark,
Joonondauwaonch, his x mark,
Kiyauhaonh, his x mark,
Ootaujeaugenh, his x mark, or Broken
Axe,
Tauhoondos, his x mark, or Open the
Way,
Twaukewasha, his x mark,

Sequidongquee, his x mark, alias Little
Beard,
Kodjeote, his x mark, or Half Town,
Kenjauaugus, his x mark, or Stinking Fish,
Soonohquaukau, his x mark,
Twenniyana, his x mark,
Jishkaaga, his x mark, or Green Grass-
hopper, alias Little Billy,
Tuggehshotta, his x mark,
Tehongyagauna, his x mark,
Tehongyoowush, his x mark,
Konneyoowesot, his x mark,
Tioohquottakauna, his x mark, or Woods
on Fire,
Taoundaudeesh, his x mark,
Honayawus, his x mark, alias Farmer's
Brother,

Soggooyawauthau, his x mark, alias Red
Jacket,
Konyootaiyoo, his x mark,
Sauhtakaongyees, his x mark, or Two
Skies of a length,
Ounnashattakau, his x mark,
Kaungyanehquee, his x mark,
Sooyooowau, his x mark,
Kaujeagaonh, his x mark, or Heap of
Dogs,
Soonooohshoowau, his x mark,
Thaoowaunias, his x mark,
Soonongjoowau, his x mark,
Kiantwhauka, his x mark, alias Corn-
planter,
Kaunehshonggoo, his x mark,

Witnesses:

Israel Chapin.
William Shepard, jr.
James Smedley.
John Wickham.
Augustus Porter.
James K. Garnsey.

Witnesses:

William Ewing.
Israel Chapin, jr.
Horatio Jones,
Joseph Smith,
Jasper Parish,
Interpreters.
Henry Abecele.

A Statement in Support of the Seneca Nation - January 24, 1957

The Association on American Indian Affairs (in New York), the Indian Rights Association (in Philadelphia), the Friends Committee on National Legislation (in Washington), and the Indian Committees of the New York and Philadelphia Annual Meetings of Friends are united in their opposition to the erection of the so-called Kinzua Dam.

This dam is contemplated in the design and planning of the so-called Allegheny River Reservoir Project of the Corps of Engineers, United States Army.

Construction of the dam would subject to flooding nearly all of the Cornplanter Reservation in Pennsylvania and a considerable part (about 9,000 acres) of the Allegany Reservation in New York State. It would mean the removal and destruction of the homes of about 250 families (approximately 1,000 individuals) of the Seneca Nation residing on the Allegany Reservation. Not only would the homes be removed and destroyed but also the community, which has great significance for the Allegany Senecas, would be broken up.

The removal and destruction of these Seneca homes would be in direct violation of the treaty of 1794 which states:

"Now, the United States acknowledge all the land within the aforementioned boundaries, to be the property of the Seneca nation; and the United States will never claim the same, nor disturb the Seneca nation, nor any of the Six Nations, or of their Indian friends residing thereon and united with them, in the free use and enjoyment thereof: but it shall remain theirs, until they choose to sell the same to the people of the United States, who have the right to purchase."

The Seneca Nation, by official action of their council, has gone on record in opposition to the project. The Nation, the Association on American Indian

Affairs and the Indian Rights Association separately petitioned the Governor of New York State to help prevent the destruction of Seneca homes and the violation of Seneca treaty rights; and on January 14 Governor Harriman appealed to the Army Engineers on behalf of New York State's Indian citizens. Governor Harriman asked the Engineers to "take a new look" at the area "to determine whether other flood control measures might solve the problem without forcing the Indians to leave their homes."

Through their officers the Nation also requests the assistance of friendly organizations and individuals to help protect their homes.

This Allegany Reservation is the homeland of these Seneca Indians. It has many intangible values for them. There is no known area of comparable land available to which they could be moved that would give them the tax-free land status which they now enjoy and which would enable them to preserve their vital community interests.

Seneca occupation of this land rests upon aboriginal rights and antedates the Colony of New York as well as the organization of the United States.

We are united in urging Congress to support the treaty made with these Indians in 1794 which set up this reservation "for the free use and enjoyment . . . to remain theirs until they choose to sell it . . ." and to refuse to give the authority for the destruction of these Indian homes. In his budget message, President Eisenhower asked Congress to appropriate \$1,000,000 this year to complete plans for the dam and begin construction.

We urge other organizations and individuals to use their influence to have Congress refuse to appropriate the one hundred million dollars required for the construction of the Kinzua Dam, which would effect a direct violation of our Nation's treaty with the Seneca Nation.

A New Look at the Allegheny River Reservoir Project

By DR. CHARLES RUSSELL

The Allegheny River rises in several small streams in western New York and Pennsylvania and flows south and west, joining with the Monongahela at Pittsburgh to form the Ohio. This group of streams is subject to flooding, and high water has often brought disaster along its course. In 1936, after a big flood, the United States Corps of Engineers surveyed the stream for a projected Allegheny River Reservoir Project and made recommendations. These included certain dikes and diversion dams, and a proposal for a large dam near Kinzua, Pennsylvania, about 12 miles east of Warren and 25 or more miles south of Salamanca, New York. After the war modifications were made in the plans, successively larger dams were recommended, and finally, in his January 17, 1957 message to Congress, President Eisenhower asked for one million dollars to complete the surveys and begin construction of a 210-foot dam at Kinzua, under appropriations for the Allegheny River Reservoir Project. The dam is estimated to cost, eventually, more than one hundred million dollars.

On an engineer's map this dam appears to be in a relatively unpopulated and unimportant area, and also appears to flood one, since the lake to be formed would cover only a narrow strip of what is now river bottom land north of the dam in Pennsylvania and more than 9000 acres within Allegany State Park in New York.

This area is, however, neither uninhabited nor unimportant. It contains, on the Pennsylvania side, all the lands allocated in perpetual occupancy by solemn treaty in 1796 to the great Indian Chief, Cornplanter, and his descendants. The descendants of Cornplanter are still living there and the lake to be formed by the dam would completely destroy their homes, their property, and their rights. On the New York side the lake back of the dam would flood over 9000 acres of rich bottom land of the Seneca Indian Nation, on which more than 250 families of more than 1000 people now reside. These lands are also held by solemn treaty of perpetual occupancy by the United States under direction of President Washington. These Indians have not consented to this loss of their homes and property but under a motive of emergency the Government of the United States has filed against the Seneca Indian Nation in the District Court of Western New York condemnation proceedings and a declaration of taking of these lands.

The Government's reasons justifying the building of this huge dam and abrogating these treaties are mainly four: flood control, neutralization of the waters in the lower river to restore fish life, the conservation and increase in water life in the lake area, and the extension of recreational resources. There is so much question as to the validity of these reasons that many believe there

are potent reasons as yet undisclosed. They urge that further study of the project be made either to make possible a clear decision on the real purposes, or, if these given are the real purposes, to find better solutions than these now proposed.

Flood control in the region of the headwaters of the Allegheny will not be improved by the construction of the dam; and measures to protect places such as Olean, Portville and Salamanca have already been taken by the construction of diversion dams and protective dikes. The effect of flood waters that pass Kinzua at and below Pittsburgh are considered by some experts as negligible, being no more than 2% of the flood crest there, since careful measurements over the past 50 years show that the flood waters caused by the rise of the Monongahela and the various tributaries of the Allegheny below Kinzua have receded at Pittsburgh before the Kinzua flood crest has travelled the 200 miles of its lower course. As has been said by one expert, "to build a dam 210 feet high at a cost of 100 million dollars to control less than 2% of the flood flow at Pittsburgh does not seem to be either good engineering or sound economics."

To effect flood control it is proposed to lower the lake 36 feet during the summer to provide for flood water storage, and it is argued that this gradual outflow of water will provide lime salts sufficient to neutralize the acidity of the mine drainage waters of the lower stretches of the river and thus restore and maintain the fish life there. Competent authority says that this is extremely doubtful as there appears to be too little available soluble lime salts in the Allegheny River to neutralize even one of the offending tributaries, the Kisabiminetas.

As an argument for the conservation and increase in fish life and for the extension of recreation facilities some proponents of the dam point to the more than 70 miles of shore that would be created by the lake, the huge water storage for maintaining fish life, the creation of a wild life preserve, and the boating, sailing, swimming, and other recreation activities to be created which would provide employment for the displaced and homeless Indians. It takes little imagination to see that the alternating rise and fall of the lake will result in miles upon miles of ghastly mud flats completely surrounding the lake and would make it a place to be shunned during the summer when its recreational value should be highest. Those who know that the present river constitutes one of the finest game fish and wild life areas in the eastern United States also know that the proposed lake would completely destroy it.

It would seem that an honest reappraisal of this project would find a better way to effect all of its purposes.