

**HISTORICAL ANALYSIS OF
THE DELAWARE INDIAN
MOSES TUNDA TATAMY
AND HIS LAND
IN NORTHAMPTON COUNTY,
PENNSYLVANIA**

Prepared for

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I. Introduction

This report provides a historical analysis of Moses Tunda Tatamy,¹ a Delaware Indian diplomat and interpreter, and the land near the Forks of the Delaware River in present Northampton County, Pennsylvania (Tatamy's Place in what was then Bucks County), for which he held a patent beginning in 1738. The 315-acre tract granted to Tatamy by the proprietors of colonial Pennsylvania² in that year is the subject of litigation brought by the Delaware Nation of Western Oklahoma, a federally recognized tribal entity. The plaintiff in this case claims that Tatamy was a Delaware "Chief" and that his

¹ According to records contemporary to his life, Tatamy's name was pronounced with an accent on the second syllable, a long *a* (Tatâmy). In contrast, the village in Northampton County named after him is today pronounced with an emphasis on the first syllable, a short *a* (Tátamy). See William A. Hunter, "Moses (Tunda) Tatamy, Delaware Indian Diplomat," in Robert S. Grumet, ed., *Northeastern Indian Lives, 1632-1816* (Amherst: University of Massachusetts Press, 1996), p. 272. **Exhibit 1.**

² In 1681, King Charles II of England granted a charter to William Penn conferring on him proprietary rights to a large tract of land in America, which the King named Pennsylvania. Penn thus became both "landlord and ruler" of this domain, which is hereinafter referred to in this report as a "province." Throughout this report the upper case spelling of "Province" is used to refer to the provincial government of the proprietors. Oliver Perry Chitwood, *A History of Colonial America* (New York: Harper and Row, 1961) p. 204. **Exhibit 2.** Following Penn's death in 1718, his sons John, Thomas, and Richard inherited the proprietorship of Pennsylvania. See Tuomi J. Forrest, "William Penn, Visionary Proprietor," American Studies website of the University of Virginia <<http://xroads.virginia.edu/~CAP/PENN/pnintro.html>>, p. 3. **Exhibit 3.** Under provisions of the Charter of Privileges established in 1701, a Governor/Proprietor, an appointed council that advised the Governor, and a one-house assembly that held the right to initiate legislation governed Pennsylvania. This document implied that only a proprietor or an "Assign" of a proprietor could serve as governor of the province. See The Avalon Project at Yale Law School, "Charter of Privileges Granted by William Penn, esq. to the Inhabitants of Pennsylvania and Territories, October 28, 1701," <<http://www.yale.edu/lawweb/avalon/states/pa07.htm>>, pp. 1-7. **Exhibit 4.**

land was granted to him for the use of other Delaware tribal members. The plaintiff claims further that Tatamy's land was illegally taken from him in violation of the Trade and Intercourse Act ("Indian Non-Intercourse Act"). In addition, the Delaware Nation claims to be the successor in interest to "Tatamy's descendants and his band" and requests the U.S. District Court for the Eastern District of Pennsylvania to rule that Tatamy's land is now "a tribal reservation of the Delaware Nation."³

This report describes what is known about the life of Moses Tunda Tatamy (hereinafter referred to as Tatamy), pointing out that he was not considered a Delaware "Chief" in the traditional sense of being a tribal leader by approbation of his people. Rather, it shows that he distinguished himself as an interpreter and messenger who served most often as an agent of non-Indian officials and missionaries, as opposed to having a leadership role as a representative or spokesman for the Delaware. No contemporary 18th century records referred to Tatamy as a "Chief" and neither does his most extensive biographer.

Through the process of examining the extant documentation related to the history of Tatamy's title to the subject land (Tatamy's Place), this report

³ U.S. District Court for the Eastern District of Pennsylvania, *The Delaware Nation v. Commonwealth of Pennsylvania, et al.*, Complaint for Declaratory and other Injunctive Relief and for Monetary Damages, January 15, 2004, pp. 14, 22-23. **Exhibit 5.**

concludes that none of the documents ever established a tribal right to the use or occupancy of the land. The Delaware Indians had ceded all of their rights to lands in The Forks area prior to the date in 1738 when the proprietors granted Tatamy a patent for his land. In 1732 Delaware tribal representatives deeded their lands between the branches of the Delaware River to the Pennsylvania proprietors. In 1737, other tribal leaders reaffirmed the Delaware's cession of their rights of ownership to lands in The Forks area (including lands both north and south of the actual forks of the Delaware River) by confirming the so-called "Walking Purchase" deed of 1686.

The patent of 1738 conveyed to Tatamy a right of use but not a right of ownership. It was granted in recognition of Tatamy's service to the Province of Pennsylvania, with a provision for a possible extension of the right of use to Tatamy's children. Ultimate title to the land remained with the proprietors, who held the right to reclaim the land if an annual quit rent or tax was not paid to them. It is clear from the patent that the proprietors neither envisioned nor intended this granted land to be a reserved and untaxed area (as Indian reservations are usually defined) for the settlement of Delaware Indians in

common. Only Tatamy and his children were given the right to settle on the land and neither he nor they could convey the property to others.⁴

In the wake of the tensions that followed the Delaware's final cession of rights to land at The Forks in 1737 through confirmation of the Walking Purchase, Tatamy purchased fee title to his granted lands in 1742. The conditional fee patent issued by the proprietors gave Tatamy the right to sell, mortgage, or otherwise alienate the property (Tatamy's Place). The right of use and inheritance of the property was not limited to his children. Rather it was extended to his "Heirs and Assigns."⁵ There is no indication that either the proprietors or Tatamy intended this property to be held or used in common by other Delaware Indians. While it is conceivable under the stipulations of the patent that Tatamy could have assigned the land to other Delaware tribal members or allowed them to reside there, there is no indication in the historical record that this was ever done.

After the Iroquois (Six Nations) ordered the Delaware to vacate The Forks area in 1742, Tatamy petitioned the Governor of Pennsylvania for permission to remain on his land. The Governor granted his conditional permission to Tatamy and his family, subject to the approval of the Iroquois.

⁴ Tundy Tatamy, Patent, 8 July 1738, Patent Book, A-8, 405-406, Record Group 17, Pennsylvania State Archives, Harrisburg, PA. **Exhibit 35.**

⁵ Moses Tatamy, Patent, 27 January 1742, Patent Book, A-9, pp. 530-532, Record Group 17, Pennsylvania State Archives, Harrisburg, PA., **Exhibit 37.**

However, the Governor made it clear that no other Delaware Indians were “to be included in this permission.”⁶

Tatamy’s title to his fee-patented land was held subject to payment of an annual quit rent to the proprietors and was also liable to foreclosure for nonpayment of debt. In 1745 the Bucks County Court seized the property for payment of Tatamy’s indebtedness to two individuals. The land was subsequently conveyed to a third party. This legal seizure and conveyance of the property under the laws of the province of Pennsylvania terminated the rights of Tatamy, his heirs, and any other successor in interest to Tatamy’s Place. No tribal rights had been established in the land. Consequently, the Trade and Intercourse Act of 1790 (Indian Non-Intercourse Act), which did not in any case apply to Indian relations prior to the establishment of the United States, is not relevant to the conveyance of Tatamy’s land.⁷ If the Delaware retained any rights to tribal land at The Forks following the 1732

⁶ Council held at Philadelphia, 20 November 1742, *Minutes of the Provincial Council of Pennsylvania*, vol. 4, pp. 624-625, **Exhibit 53**.

⁷ Section IV of this statute provided that “no sale of lands made by any Indians, or any nation or tribe of Indians within the United States, shall be valid to any person or persons, or to any state, whether having the right of pre-emption to such lands or not, unless the same shall be made and duly executed at some public treaty, held under authority of the United States.” See “An Act to Regulate Trade and Intercourse with the Indian Tribes,” July 22, 1790 (*Statutes at Large* 1, pp. 137-38) in Wilcomb E. Washburn, comp. and ed., *The American Indian and the United States: A Documentary History*, Vol. III of VI (New York: Random House, 1973), pp. 2151-53. **Exhibit 6**. However, no stipulation of the act applied it retroactively. This law does not apply to Tatamy’s land because that property was seized by Bucks County in 1745 under the provisions of provincial law and the United States government had no jurisdiction because it was not yet established.

land cession and the confirmation of the Walking Purchase Deed in 1737, those rights were extinguished by the United States in 1795 under the terms of the Treaty of Greenville, by which the Delaware and eleven other tribal groups ceded title to all lands east of the Cuyahoga River in Ohio.

Tatamy may have remained at Tatamy's Place after he lost title to the land, but in 1755 he moved to New Jersey, where he subsequently died in 1761. No evidence has been found to indicate that Tatamy's descendants lived on his former property into the 19th century as the Delaware Nation has maintained. If his heirs did so, it was at the discretion of the legal property owners at that time and not in any inherited or aboriginal right.

This report concludes further that even if a tribal right had been established in Tatamy's patents, the Delaware Nation has not documented its standing as a rightful successor in interest either to that specific right or to any rights of the Indians at the Forks of the Delaware generally. The plaintiff has not presented evidence of a direct historical and/or genealogical connection that specifically links Tatamy, his heirs, or any of the Indians at The Forks, to the Delaware Nation of Western Oklahoma.

The last known heirs of Tatamy uncovered by our research were still residing in Pennsylvania in the late 18th century.⁸ The Delaware Nation has not revealed any evidence that descendants of Tatamy have ever been members of its tribal entity.

The historical Delaware never constituted a single tribal political entity, but was in contrast a grouping of several bands that shared a similar culture and language, while functioning more or less independently. Tatamy was originally from New Jersey, but the historical record is not clear regarding his band of origin. After being displaced from their aboriginal homelands, the various Delaware bands were dispersed to many scattered regions, including southern Ontario, western New York, Wisconsin, Missouri, and Oklahoma. The Delaware Nation has not provided evidence that the specific Delaware bands of Tatamy's origin, or of his later association at The Forks, or of the possible later affiliation of his descendants, are part and parcel of the same bands that migrated to Oklahoma and became part of what has evolved as the modern Delaware Nation tribal entity.

⁸ Estate of Nicholas Tatamy, 18 February 1784, No. 1050, Register of Wills, Northampton

II. The Delaware Indians in Historical Context

The name Delaware is an English term that has been applied historically to the descendants of several bands of Indians that shared similar linguistic and cultural characteristics. At the start of the 17th century, these bands occupied the Delaware River valley and adjacent areas.⁹ Their homeland included New Jersey and Delaware, southeastern Pennsylvania between the Susquehanna and Delaware rivers, and a portion of southeastern New York west of the Hudson River. See *Map 1, Delaware Tribal Territory and Western Relocations*, p. 8-A. These Indians called themselves *Lenni Lenape*, which can be translated as a redundant statement reinforcing a meaning of “common people.” The English colonists named them the Delaware Indians because of their proximity to the bay and river of that name, which in turn was derived from the title given to Sir Thomas West. Appointed governor of the Virginia colony at Jamestown in 1610, Sir Thomas was the third “Lord de la Warr.” Captain Samuel Argall of the Jamestown colony named the bay in honor of his governor after discovering it while returning from a voyage further up the Atlantic coast. However, Lord de la Warr returned to England

County, PA, Easton, Pennsylvania, **Exhibit 70**.

⁹ Ives Goddard, “Delaware,” in *Handbook of North American Indians*, vol. 7, *Northeast* (Washington: Smithsonian Institution, 1978), pp. 213-215 (see especially Fig. 1, 17th-century tribal territories and western relocations, p. 214), **Exhibit 7**.

without ever seeing the geographic features or Indians that continued to bear his title.¹⁰

Depending on their location, the Delaware bands spoke dialects of either the *Munsee* or the *Unami* language of the Eastern Algonquian linguistic family.¹¹ See Map 2, *Delaware Bands and Dialects in the 17th Century*, p. 9-

A. According to anthropologist Ives Goddard of the Smithsonian Institution:

. . . it is likely that the major linguistic and political demarcation line within the Delaware area followed at least roughly the one recognized at the treaty of Easton in 1758 as separating the claims of the Munsees and Unamis: from the Delaware Water Gap to the falls of the Lamington River and thence downriver to the sea via the North Branch of the Raritan and the Raritan (but presumably dipping south of the Navasinks on the east [*authors' note: the Navasinks occupied the highlands south of Sandy Hook Bay in New Jersey*])).¹²

As a tribal name, Delaware was first applied to the Schuylkill Indians that occupied the lower Delaware and was used to distinguish them from the Forks Indians, who lived in the area of the confluence of the Delaware and Lehigh rivers near present Easton, Pennsylvania. In time, the name Delaware was applied to the Forks Indians as well. The name was extended eventually to identify all of the various bands of *Munsee* and *Unami* speakers, but not

¹⁰ C. A. Weslager, *The Delaware Indians: A History* (New Brunswick, New Jersey: Rutgers University Press, 1972), pp. 31, 33, **Exhibit 8**.

¹¹ Goddard, "Delaware," pp. 213-216 (see especially Fig. 2, 17th-century bands and dialects, p. 215), **Exhibit 7**.

¹² *Ibid.*, pp. 215-216.

until after the pressure of Euro-American settlement caused them to migrate westward from their aboriginal homelands.¹³

The Delaware never constituted a single tribal political entity. There was never a united “Delaware Nation” in the political sense. The tribal population was dispersed into small communities along the Delaware and tributary waterways and each community was politically independent and had its own leaders. Frequently, communities in close proximity constituted a band and the most influential of the various community leaders served as the nominal Chief of the band.¹⁴

Describing Delaware political organization is complicated by the variances within communities and bands and their inter-group relationships. Local bands were sometimes autonomous, but some united with other bands for reasons of subsistence, warfare, or diplomacy. Intermarriage and visiting between bands were also common. Goddard, in further describing these interacting groups, stated that “these agglomerations of interacting local groups were in effect nascent tribes, though they lacked stable centralized leadership and the structure of their political organization is unknown.”¹⁵

¹³ Ibid., 213, 235.

¹⁴ Weslager, *The Delaware Indians*, pp. 32-33, **Exhibit 8**.

¹⁵ Goddard, “Delaware,” p. 216, **Exhibit 7**.

Each local group had a primary leader or Chief who was of a particular family line. This leader was merely “the first among equals” of the group’s headmen. He provided ceremonial leadership and mediation, but lacked coercive authority. Some group leaders exercised few powers beyond their persuasive influence. They served as tribal spokesmen in interactions with Euro-Americans, but could not control their own warriors. Other Chiefs, such as Oratamin of the Hackensack and Tappan bands, exercised influence and authority over consolidated groups.¹⁶

C.A. Weslager, a leading authority on the history of the Delaware, wrote that:

There was no *tribe* in the modern understanding of the term, which is generally accepted to mean a body of people occupying a definite territory, speaking a common language, having its own social, political and religious organization, and its own leaders. In this context a tribe might be composed of a number of lineages, but possessing a cohesiveness that was conspicuously lacking in the unfederated Delaware communities . . .

One might compare Delaware Indian society to a number of small rural towns in modern America scattered over the landscape, but lacking county, state, or federal affiliation, each responsible for its own government and the welfare of its citizens. The main difference was that in Delaware Indian towns there was a high percentage of persons related to each other, and the frequent movements of the people and perambulations of their communities gave the population a group mobility generally lacking in modern American towns. The inhabitants of the Delaware Indian towns spoke dialects of the common language and had a sufficient feeling of common identity to call

¹⁶ Ibid.

themselves Lenni Lenape, just as modern dwellers in small towns refer to themselves as Americans.¹⁷

The migration patterns of the various Delaware bands, away from their homelands in response to the pressures of Euro-American contact and settlement, were particularly complex. The groups gradually dispersed to many scattered regions, including “southern Ontario, western New York, Wisconsin, Kansas, and Oklahoma.”¹⁸ Both political and linguistic groups repeatedly divided and amalgamated in “complicated and incompletely known ways.”¹⁹ Adding to the confusion is the fact that many band members and families were perpetually on the move.²⁰ The complexity of the Delaware diaspora makes it difficult, if not impossible, to determine what modern Delaware tribal entity might reasonably claim to be the successor in interest to any specific portion of the homelands originally occupied by the various *Munsee* and *Unami* speaking groups now identified as Delaware.

The settlements to which the Delaware moved from their homelands in the 18th century are shown on *Map 1, Delaware Tribal Territory and Western Relocations*, p. 8-A. The general pattern of Delaware migrations is depicted on *Map 3, Delaware Migrations*, p. 12-A. The more specific locations to

¹⁷ Weslager, *The Delaware Indians*, p. 42, **Exhibit 8**.

¹⁸ Goddard, “Delaware,” p. 213, **Exhibit 7**.

¹⁹ *Ibid.*

²⁰ *Ibid.*

which the Delaware emigrated are depicted on *Map 4, Western Relocations of the Delaware*, p. 13-A.

In the face of the pressures of Euro-American resource depletion, warfare, and settlement, many of the Delaware from New Jersey, including the Tatamy family, sought haven with other Delaware Indians across the Delaware River in Pennsylvania in the area known as “The Forks.” This is the area of the confluence of the Delaware and Lehigh rivers near present Easton, Pennsylvania. Historian C.A. Weslager described “The Forks” area as including the territory between the Delaware and Lehigh rivers extending west to the Blue Mountains. He noted further that the term “The Forks” was “also loosely applied to the territory north from Tohickon Creek (also spelled Tohiccon) to the Kittatinny Mountains.”²¹ For the location of The Forks see *Map 5, The Forks of the Delaware in Pennsylvania*, p. 13-B. Tohickon Creek is near present Point Pleasant in Bucks County, Pennsylvania. For the location of Tohickon Creek and Point Pleasant see *Map 6, Bucks County Pennsylvania, 1876*, p. 13-C. The area depicted on Map 6, lies south of the Forks area illustrated on Map 5. At the time that Tatamy obtained his land at The Forks, that area was also part of Bucks County.

²¹ Weslager, *The Delaware Indians*, p. 178, **Exhibit 8**.

Tatamy himself provided good evidence of the Delaware geographic divisions in an undated deposition related to tribal ownership of lands in the vicinity of Easton. He stated that Chief Nutimus had said that

the Land below Tohiccon [Tohickon Creek] belonged to the Unami Indians & that they never claimed a Right to any Land over that Creek, but that Tohiccon & upward belonged to the Unalimi or UpRiver Indians of which he [Nutimus] was the chief.²²

In this context, Tatamy was using the term *Unalimi* to refer to what Goddard has described as the *Northern Unami* speakers in the area of The Forks.²³

The Forks Indians were an amalgamation of Delaware tribal members native to that area and Delaware emigrants from New Jersey, such as Tatamy and the Delaware Chief Nutimus. Most of the emigrant Delaware were from the area of the falls of the Delaware River near Trenton. This is one of the possible areas of Tatamy's origin, as is explored in further detail below. The Delaware near the falls originally spoke a dialect of *Unami* called *Unalachtigo*.²⁴

Beginning in 1683, prior to the time that most of the New Jersey Delaware migrated to Pennsylvania, William Penn, the Quaker founder of Pennsylvania, and his agents negotiated at least seventeen land purchases from

²² Weslager, *The Delaware Indians*, p. 47, **Exhibit 8**.

²³ Goddard, "The Delaware," p. 236, **Exhibit 7**.

Indians living near the lower Delaware River.²⁵ Penn became the proprietor and governor of what became known as the “Province of Pennsylvania” by virtue of a provincial grant and charter he received from King Charles II of England in 1681.²⁶ Both as proprietor and Lord of the Province, Penn gained a reputation for his comparatively just treatment of the Indians, insisting on paying them fairly in fulfilling the legal obligation of his charter of formally acquiring their aboriginal or tenancy rights. The majority of these purchases were of narrow, often overlapping strips of land. However, some extended back into the country for considerable distances. For example, when a 1685 deed, providing for an extended boundary that was a distance of two days’ travel by horse, was measured in 1688, it was found to extend approximately 70 miles from Philadelphia to the Susquehanna River.²⁷

In 1686, Penn and his agents allegedly negotiated a settlement with the Delaware for the purchase of land encompassing The Forks area and

²⁴ Goddard, “The Delaware,” pp. 215, 236; Ives Goddard, “Eastern Algonquian Languages,” in *Handbook of North American Indians*, vol. 7, *Northeast* (Washington: Smithsonian Institution, 1978), p. 73, **Exhibit 9**.

²⁵ Pennsylvania Historical and Museum Commission, “The Walking Purchase,” <<http://www.phmc.state.pa.us/ppet/walking/page1.asp?secid=31.html>>, part 1, p. 1, **Exhibit 10**.

²⁶ The Avalon Project at Yale Law School, “Charter for the Province of Pennsylvania-1681,” <<http://www.yale.edu/lawweb/avalon/states/pa01.htm>>, pp. 1-11, **Exhibit 11**; Pennsylvania Historical and Museum Commission, “William Penn,” <<http://www.phmc.state.pa.us/ppet/penn/page1.asp?secid+31.html>>, part 1, pp. 1-3, **Exhibit 12**.

²⁷ Pennsylvania Historical and Museum Commission, “The Walking Purchase,” part 1, p. 1, **Exhibit 10**.

extending into the country as far as a man could go in a day and a half. The precise distance of the boundary of this so-called “Walking Purchase” was not measured at the time and the agreement, if written as a legal document, has never been found. However, the Walking Purchase gained immense significance for the Delaware over fifty years later when, in 1737, Penn’s sons and his secretary succeeded in persuading new Delaware leaders, who had no knowledge of the agreement, to confirm the purchase. This resulted in the final cession of Delaware lands in The Forks area.²⁸

III. Tatamy and the Basis of his Distinction

Moses Tunda Tatamy (a.k.a. Moses Fonda Tatemy, Tatemy, Tadema, Tatema, Titami, Totami, Old Moses, and Tundy), who came to own and occupy the lands at The Forks, was born east of the Delaware River in New Jersey around 1695.²⁹ The Reverend David Brainerd stated that Tatamy was “about fifty years of age” when he baptized him into the Presbyterian faith in 1745.³⁰ As described in more detail below, scholarly sources do not agree on

²⁸ Ibid., part 2, pp. 1-2

²⁹ Frederick Webb Hodge, ed., *Handbook of American Indians North of Mexico*, Vol. II (New York: Rowman and Littlefield, Inc., 1965), reprint of Smithsonian Institution, Bureau of American Ethnology, Bulletin 30 (1906), p. 696, **Exhibit 13**.

³⁰ Sereno Edwards Dwight, *Memoirs of the Rev. David Brainerd; Missionary to the Indians On the Borders of New-York, New-Jersey, and Pennsylvania: Chiefly Taken From His Own Dairy By Rev. Jonathan Edwards* (New Haven: by S. Converse, 1822; reprint, St. Clair Shores, MI: Scholarly Press, 1970), pp. 208-215 (page citations are to the reprint edition), **Exhibit 14**.

the area of New Jersey that was Tatamy's place of origin. Thus it is not possible to precisely identify the Delaware band into which Tatamy was born.

Tatamy distinguished himself as a result of his command of both English and the various Delaware dialects. As an interpreter and messenger he assisted Protestant missionaries, the colonial governments of both Pennsylvania and New Jersey, various Indian delegations, and Quaker politicians such as Israel Pemberton.³¹ Although the plaintiffs in this case and several other modern sources refer to Tatamy as a "Chief," no evidence has been found to indicate that he was considered a tribal leader of any specific Delaware band in the traditional sense. No contemporary 18th century records refer to him as a Chief and neither does historian William A. Hunter, who

³¹ See, for example, Dwight, *ibid*, pp. 210-214, **Exhibit 14**, for services to the Presbyterian missionary David Brainerd; Samuel Parrish, *Some Chapters in the History of the Friendly Association For Regaining and Preserving Peace with the Indians by Pacific Measures* (Philadelphia: Friends' Historical Association, 1877), p. 48, for payment from the Quakers for services rendered, **Exhibit 15**; June 1758, *Minutes of the Provincial Council of Pennsylvania, From the Organization to the Termination of the Proprietary Government*, vol. 8 (Harrisburg: Theo. Fenn & Co., 1852), pp. 140-141, for services as a messenger for the Governor of New Jersey, **Exhibit 16**; At a Council at the State House, 15 September 1758, *Minutes of the Provincial Council of Pennsylvania*, vol. 8, pp. 497-501, for service to the Province of Pennsylvania on a diplomatic mission to Ohio, **Exhibit 17**. For Tatamy's relationship with Israel Pemberton see Richard Peters to the Proprietors, 14 February 1757, Gratz Collection, Historical Society of Pennsylvania, Philadelphia, PA., **Exhibit 18**; Tatamy to Israel Pemberton, 6 June 1757, Friendly Association for Regaining and Preserving Peace with the Indians by Pacific Measures- Pymic Indices, vol. 1, Quaker and Special Collections, Magill Library, Haverford College, Haverford, PA., **Exhibit 19**; Tom Sores, Moses Tatamy, Stephen Calvin, Isaac Still, and John Pumpshire to Israel Pemberton, 8 March 1758, Friendly Association Pymic Indices, vol. 1, Haverford College, **Exhibit 20**; Israel Pemberton to Charles Read, 16 March 1758, vol. 4, Friendly Association, Pymic Indices, vol. 4, Haverford College, **Exhibit 21**; Benjamin Lightfoot to Israel Pemberton, 7 September 1760, Friendly Association Pymic Indices, vol. 4, 1-3, Haverford College, **Exhibit 22**; Tatamy to Israel Pemberton, 24 November 1760, Friendly Association Pymic Indices, vol. 4, 1, Haverford College, **Exhibit 23**.

wrote Tatamy's most extensive biography. Hunter more accurately describes him instead as a "Delaware Indian Diplomat."³² In comparison, the Delaware leader Teedyuscung, whom Tatamy often served as an interpreter, was regularly referred to in contemporary documents as the "Chief" or the "King" of the Delaware.³³ Tatamy himself acknowledged Nutimus to be the "chief" of the Delaware above Tohickon Creek.³⁴

Tatamy served most often as an agent of non-Indian officials and missionaries, rather than as a representative or spokesman for the Delaware. However, at an Indian conference held at Crosswicks, New Jersey in 1758, Tatamy and five others were granted power of attorney by leaders of various Delaware bands to transact all of their future business with the government of New Jersey.³⁵ This designation likely evolved to Tatamy as a result of his interpretive skills and good standing with the New Jersey government. At least three of the other four designated executors, Stephen Calvin, Isaac Still,

³² Hunter, "Moses (Tunda) Tatamy," p. 257, **Exhibit 1**.

³³ See, for example, Tatamy to Israel Pemberton, 6 June 1757, Friendly Association Pymic Indices, vol. 1, Haverford College, **Exhibit 19**; Conrad Weiser's Memorandum of Conference at Easton 1757, in Samuel Hazard, ed., *Pennsylvania Archives: Selected and Arranged from Original Documents in the Office of the Secretary of the Commonwealth, Conformably to Acts of the General Assembly, February 1851 & March 1, 1852*, vol. 3 (Philadelphia: Joseph Severns & Co., 1852), p. 216, **Exhibit 24**; Conferences with Indians in N.J., 21-24 February 1758, in Hazard, ed., *Pennsylvania Archives*, vol. 3, p. 311, **Exhibit 25**; Council held at Philadelphia, 29 March 1760, *Minutes of the Provincial Council of Pennsylvania*, vol. 8, pp. 463-472, **Exhibit 26**. Historian Anthony F.C. Wallace also entitled his biography of Teedyuscung *King of the Delawares: Teedyuscung, 1700-1763* (Philadelphia: University of Pennsylvania, 1949), **Exhibit 27**.

³⁴ Weslager, *The Delaware Indians*, p. 47, **Exhibit 8**.

and John Pompshire also served regularly as interpreters at Indian conferences and messengers for the government.³⁶ Yet, Tatamy was never described as a Delaware Chief during negotiations with the New Jersey officials.

Tatamy was described as a Chief in subsequent historical references in the manner that notable Indians were commonly characterized (i.e., based on their notoriety and/or advanced age and not on any role as an actual tribal political leader). Writing in 1819, for example, John Heckewelder, the Moravian missionary and historian, described Tatamy as “the great, good, beloved and peaceful chief” and “the good and highly respected chief . . . a man of such an easy and friendly address, that he could not but be loved by all who knew him.”³⁷

The Reverend David Brainerd, the itinerant Presbyterian preacher and missionary, who baptized Tatamy and his wife and children in 1745, described Tatamy’s character as follows:

³⁵ Conferences with Indians in N.J., 21-24 February 1758, in Hazard, ed., *Pennsylvania Archives*, vol. 3, p. 344-346, **Exhibit 25**.

³⁶ Ibid. See, for example, 6 May 1757 (p. 174) and August 1757 (p. 209) in Julian F. Boyd, comp., *Indian Treaties Printed by Benjamin Franklin, 1736-1762* (Philadelphia: The Historical Society of Pennsylvania, 1938), **Exhibit 28**; Council held at Philadelphia, 1 December 1757, *Minutes of the Provincial Council of Pennsylvania*, vol. 7, pp. 770-771, **Exhibit 29**; Israel Pemberton to Charles Reed, 16 March 1758, Friendly Association, Pymic Indices, vol. 4, Haverford College, **Exhibit 21**; Minutes of 12 June 1758, *Minutes of the Provincial Council of Pennsylvania*, vol. 8, p. 133, **Exhibit 30**; Conference held at Burlington, 7 August 1758, *Minutes of the Provincial Council of Pennsylvania*, vol. 8, p. 156, **Exhibit 31**; Passport for Fred. Post, Teedyuscung, &c, in Hazard, ed., *Pennsylvania Archives*, vol. 3, pp. 720-721, **Exhibit 32**; Council held at the State House, 15 September 1760, *Minutes of the Provincial Council of Pennsylvania*, vol. 8, p. 497, **Exhibit 17**.

Lord's day July 21...Afterwards I baptized my *interpreter* and his *wife*, who were the first whom I baptized among the Indians...They are both persons of some *experimental* knowledge in religion...both have passed a *great* and I cannot but hope, a saving, change. I should give some brief relation of this man's exercises and experience, since he has been with me; especially since he is employed as my *Interpreter*. When I first employed him in this business, in the beginning of the summer of 1744, he was well fitted for this work in regard to his acquaintance with the Indian and English languages, as well as with the manners of both nations; and in regard to his desire that the Indians should conform to the manners and customs of the English, and especially to their manner of living. But he seemed to have little or no impressions of religion upon his mind, and in that respect was very *unfit* for his work; being incapable of understanding and communicating to others many things of importance, so that I labored under great disadvantages in addressing the Indians, for want of his having an *experimental*; as well as a more *doctrinal*, acquaintance with divine truths; and at times, my spirits sunk, and were very much discouraged under this difficulty; especially when I observed that divine truths had made little or no impressions upon his mind for many weeks together. He indeed behaved *soberly* after I employed him; although before, he had been a *hard drinker*; and seemed honestly engaged, as far as he was capable, in the performance of his work. Especially he appeared very desirous that the Indians should renounce their heathenish notions and practices, and conform to the customs of the christian world. But still he seemed to have no concern about his own soul, until he had been with me a considerable time.³⁸

Brainerd then recalled how following an illness Tatamy became

“awakened to a concern for his soul.” He wrote further that:

His change is *abiding*, and his life, so far as I know, *unblemished* to this day, though it is now more than six months

³⁷ David Wynbeek, *David Brainerd: Beloved Yankee* (Grand Rapids, MI: Wm. B. Eerdmans Publishing Co., 1961), p. 99, **Exhibit 33**.

³⁸ Dwight, *Memoirs of the Rev. David Brainerd*, pp. 210-11, **Exhibit 14**.

since he experienced this change; in which space of time he has been as much exposed to *strong* drink, as possible, in divers places where it has been moving as free as water; and yet has never, that I know of, discovered any hankering desire after it . . . He has been a great comfort to me [and] he has, I am persuaded, already been, and I trust will yet be, a blessing to the other Indians.³⁹

In baptizing his interpreter, Brainerd noted that “His name is *Moses Finda Fataury*, He is about fifty years of age, and is pretty well acquainted with the pagan notions and customs of his countrymen...” Five days later, Brainerd baptized Tatamy’s children without recording their names.⁴⁰ According to Brainerd’s accounts, Tatamy had five children, but only four are revealed by name in the historical record (see below).⁴¹ For the location of Brainerd’s missionary base at The Forks in 1744 in relation to the lands then held by Tatamy see *Map 5, The Forks of the Delaware in Pennsylvania, p. 13-B*.

IV. History of Tatamy’s Land in the Context of the Removal of the Delaware from The Forks

Tatamy first appeared in the public records of Pennsylvania in 1732 when he applied to the proprietors (referred to as the “proprietaries” in original documents) for a grant of land. The proprietors held the power to

³⁹ Wynbeek, *David Brainerd: Beloved Yankee*, p. 152, **Exhibit 33**.

⁴⁰ Dwight, *Memoirs of the Rev. David Brainerd*, p. 214, **Exhibit 14**.

⁴¹ Wynbeek, *David Brainerd: Beloved Yankee*, p. 152, **Exhibit 33**.

grant or sell all lands within the province at their discretion. Following the death of William Penn in 1718, his sons John, Thomas, and Richard Penn succeeded him as proprietors of the province.⁴² The application for a land grant stated that “Tatamy an Indian has improved a piece of Land of about 300 acres on The Forks of the Delaware, he is known to Wm Allen & Jere: Langhorne. . .”⁴³ The patent that was eventually granted to Tatamy for this land noted that he “for some Years past hath settled and dwelt” on the tract.⁴⁴ For the location of “Tatamy’s Place,” see *Map 5, The Forks of the Delaware in Pennsylvania*, p. 13-B, *Map 7, Portion of Forks Township*, p. 22-A, and *Map 8, Patented Tracts in The Forks of the Delaware*, p. 22-B. The two men that endorsed the application were prominent within the province. Jeremiah Langhorne, a Quaker, had been the chief justice of Pennsylvania since 1726 and was one of the early landowners in The Forks area.⁴⁵ The proprietors had issued him a patent for one of these tracts on June 1, 1737 (see *Map 8, Patented Tracts in The Forks of the Delaware*, p. 22-B). This date was after the Delaware cession of land at The Forks in 1732 and almost three months prior to the confirmation of the Walking Purchase (see below).

⁴² Pennsylvania Historical and Museum Commission, “The Walking Purchase,” part 1, pp. 1-2, **Exhibit 10**.

⁴³ Moses Tatamy, Warrant Application Transcript, March 1732, Warrant Application Books, 1732-1767, roll 31.1, vol. 123, RG 17, Pennsylvania State Archives, Harrisburg, PA. **Exhibit 34**.

William Allen, a Presbyterian, was an assemblyman and the father-in-law of proprietor John Penn through the marriage of his daughter Ann.⁴⁶ Allen came to hold several tracts of land at The Forks, including acreage adjacent to the land Tatamy had improved⁴⁷ (see *Map 8, Patented Tracts in The Forks of the Delaware*, p. 22-B). Both Allen Township in what is now Northampton County and Allentown, the county seat of Lehigh County, were named in his honor.⁴⁸ It was Allen, who also served as Pennsylvania's chief justice from 1750 to 1774, who eventually obtained title to Tatamy's land at The Forks.⁴⁹

The land-locked tract that Tatamy occupied and eventually came to own was "near Stockertown in Forks Township."⁵⁰ An old Indian trail that led to the Minisink or Munsee Delaware in the upper valley of the Delaware was

⁴⁴Tundy Tatamy, Patent, 8 July 1738, Patent Book, A-8, 405-406, Record Group 17, Pennsylvania State Archives, Harrisburg, PA, **Exhibit 35**.

⁴⁵ Hunter, "Moses (Tunda) Tatamy," p. 259, **Exhibit 1**.

⁴⁶ Ibid.; Rev. John C. Clyde, *Genealogies, Necrology, and Reminiscences of the "Irish Settlement," A Record of those Scotch-Irish Presbyterian Families who were the First Settlers in the "Forks of Delaware," now Northampton county, Pennsylvania* (published by the author, 1879), pp. 11, 225, **Exhibit 36**.

⁴⁷ Hunter, "Moses (Tunda) Tatamy," p. 259, **Exhibit 1**; Moses Tatamy, Patent, 27 January 1742, Patent Book, A-9, pp. 530-532, Record Group 17, Pennsylvania State Archives, Harrisburg, PA, **Exhibit 37**.

⁴⁸ Clyde, *Genealogies, Necrology, and Reminiscences of the "Irish Settlement,"* p. 10, **Exhibit 36**.

⁴⁹ Hunter, "Moses (Tunda) Tatamy," p. 259, **Exhibit 1**; Receipt, William Allen, Esq., to Melchior Stecher, 8 June 1760, Northampton County (PA) Records of Deeds, vol. E-2, p. 653, **Exhibit 38**.

⁵⁰ William C. Reichel, ed., *Memorials of the Moravian Church*, vol. I (Philadelphia: John Penington & Son, 1870), p. 26, **Exhibit 39**.

located near Tatamy's dwelling on his occupied lands.⁵¹ The lands were also near a creek, which was described in 1752 as Tatamy's Creek. This creek, also known in early times as Lehietan Creek and Lefevre's Creek and later known as Bush Kill Creek, came to serve as one of the boundaries of the Town of Easton.⁵² It ran through a tract adjoining Tatamy's land to the west that was deeded by the proprietors to John Lefevre in 1745 (see *Map 8, Patented Tracts in The Forks of the Delaware*, p. 22-B). Lefevre, of French ancestry, operated a tavern (for food and lodging) on this property, which was described as being "the nearest public house to Easton."⁵³ For the location of Lefevre's land and tavern in proximity to Tatamy's Place and what is described as Lefevre's Creek and the trail/road leading north see *Map 5, The Forks of The Delaware in Pennsylvania*, p. 13-B.

Perhaps Tatamy requested a grant of land in anticipation of the proprietors obtaining a formal deed from the Delaware for land at the Forks. In September 1732, about six months after Tatamy applied for a land grant, Delaware tribal representatives deeded to the proprietors "all Land whatsoever

⁵¹ Ibid., p. 27; M.S. Henry, *History of the Lehigh Valley* (Easton, PA: Bixler and Corwin, 1860), p. 49, **Exhibit 40**.

⁵² Henry, *ibid.*, pp. 49-50; George P. Donehoo, *A History of the Indian Villages and Place Names in Pennsylvania* (Harrisburg, PA: The Telegraph Press, 1977), p. 222, **Exhibit 41**.

⁵³ Henry, *ibid.*, p. 49, **Exhibit 40**.

lying . . . between the branches of [the] Delaware River.”⁵⁴ The proprietors’ order to survey the lands requested by Tatamy was executed in October 1733.⁵⁵ Subsequently, on December 30, 1736, the proprietors issued a warrant order to the Surveyor General to return the survey to their Secretary’s office for the purpose of implementing the grant.⁵⁶ In this order and in the eventual patent, the proprietors described Tatamy as “one of our Indian friends.”⁵⁷ This recognition likely reflects Tatamy’s service to provincial authorities as an interpreter and messenger. As the “true and absolute Proprietaries and Governors in Chief of the Province of Pennsylvania,” John, Thomas, and Richard Penn issued a patent to Tatamy for his requested land on July 8, 1738. This document stated that the use of the land was being granted “in consideration of the Friendship we bear and the Regard we have always expressed for the Indians of this our Province.”⁵⁸ It stated further some of the conditions of the grant:

We have granted and do hereby grant unto the said Tundy
Tatamy for and during his Natural Life and the Life or Lives of

⁵⁴ “Indian Deed-Sasoonan &c, 1732,” in Hazard, ed., *Pennsylvania Archives*, vol. I, pp. 344-45, **Exhibit 42**.

⁵⁵ Tundy Tatamy, Patent, 8 July 1738, Patent Book, A-8, 405-406, Record Group 17, Pennsylvania State Archives, Harrisburg, PA, **Exhibit 35**; Survey of Tatamy’s Tract, 12 May 1737, Microfilmed Survey Books, A-24, 109, Record Group 17, Pennsylvania State Archives, Harrisburg, PA, **Exhibit 43**; Tundy Tatamy, Application for Grant, 13 December 1736, Bucks County, PA- Warrants, T-14, Record Group 17, Pennsylvania State Archives, Harrisburg, PA, **Exhibit 44**.

⁵⁶ Tundy Tatamy, Application for Grant, 13 December 1736, *ibid.*, **Exhibit 44**.

⁵⁷ *Ibid.*, **Exhibit 44**.

⁵⁸ Tundy Tatamy, Patent, 8 July 1738, Patent Book, A-8, pp. 405-406, Record Group 17, Pennsylvania State Archives, Harrisburg, PA, **Exhibit 35**.

his Child or Children to all generations full and free crave and liberty for him and them to Possess use occupy and enjoy the said Tract of three hundred and fifteen Acres of Land and Premises and the Privilege of Tilling Planting Plowing and Sowing such Parts thereof as he or they shall or may have occasion to make use of hereby prohibiting any other Settlements to be made on the said Tract of Land but such only as the said Tundy Tatamy and his Child or Children may think to make fit and settle thereon,

And if the said Tundy Tatamy should Die without Child or Children of his own living at the Time of his Decease to succeed him on the above granted Land and Premises *or that he or they shall at any time by the space of one whole year desert or leave the said Tract of Land void and untilled that then the same and every Part thereof is hereby reserved to revert to us and our Heirs as our Proper Estate...*⁵⁹

The patent confirming the grant of 315 acres to Tatamy represented a conditional tenancy agreement. It conveyed a right of use but not a right of ownership of the land. The provincial title remained with the proprietors, while the King of England retained ultimate title as ‘landlord’ of the realm. The Penn brothers, as absolute proprietors, were the Lords (“tenant chiefs”) of the land in free and common socage. The King’s requirement upon William Penn and his successors was not in “capite” or by “knight’s service,” but rather by a symbolic annual fealty payment of two beaver pelts, plus the usual one-fifth share of precious minerals, etc. The annual quit-rent levy upon all landholders in the province was not only a tax, but was also an explicit

⁵⁹ Ibid.

acknowledgment by the payees of their status as tenants of the Lords.⁶⁰

Tatamy was granted the right to a conditional life holding with a contingent provision for an extension of rights to the land to children that might survive him. No provision was made for spousal rights.⁶¹

This exclusion may have been a measure to ensure that after Tatamy's death a subsequent husband of his spouse would not be able to lay claim to the acreage. The land granted to Tatamy was also subject to an annual quit rent or tax to the proprietors. The deed provided for a payment of "one half penny sterling for every acre" by March 1 of each year. The proprietors held the right to reclaim the land if the quit rent was not paid within 90 days of its due date.

It is clear from the patent that the proprietors neither envisioned nor intended this land grant to be a reserved and untaxed area (as Indian reservations are usually defined) for the settlement of Delaware Indians in common. Only Tatamy and his children were given the right to settle on the land and neither he nor his heirs could convey the property to others. It is also

⁶⁰ Marshall Harris, *Origins of the Land Tenure System in the United States* (Ames: The Iowa State College Press, 1953), pp. 122-23, **Exhibit 45**.

⁶¹ Tundy Tatamy, Patent, 8 July 1738, Patent Book, A-8, pp. 405-406, Record Group 17, Pennsylvania State Archives, Harrisburg, PA, **Exhibit 35**.

apparent from the patent's "use or lose" provisions that the proprietors never intended the land to be held unoccupied by either Tatamy or his heirs.⁶²

⁶² Ibid.

Only a small number of Indians became private landholders under the laws of provincial Pennsylvania, and Tatamy was probably the first to do so.⁶³ In 1732, six years prior to Tatamy's receipt of a patent for his private land in 1738, Delaware tribal representatives deeded their lands "between the branches of [the] Delaware River" to the Pennsylvania proprietors.⁶⁴ This ceded area included the land on which Tatamy's tract was patented. In 1737, Nutimus and other leaders reaffirmed the Delaware's cession of their rights of ownership to lands in The Forks area (including those both north and south of the forks of the Delaware River) by confirming the "Walking Purchase" of 1686.⁶⁵

Following the death of William Penn in 1718, his secretary James Logan sought to have Penn's earlier Indian land purchases confirmed by proper deeds of conveyance. Logan also urged Penn's three sons, the new proprietors of Pennsylvania, to come to America to confer with the Indians and negotiate new land purchases.⁶⁶ In 1729, Logan dispatched his assistant

⁶³ Hunter, "Moses (Tunda) Tatamy," p. 259, **Exhibit 1**.

⁶⁴ "Indian Deed—Sasoonan &c, 1732," in Hazard, *Pennsylvania Archives*, vol. 1, pp. 344-45, **Exhibit 42**.

⁶⁵ Deed, 25 August 1737, Indian Deed Book 1815, roll 606, 100-104, Record Group 26, Pennsylvania State Archives, Harrisburg, PA, **Exhibit 46**.

⁶⁶ Pennsylvania Historical and Museum Commission, "The Walking Purchase," pp. 1-2, **Exhibit 10**; Weslager, *The Delaware Indians*, pp. 173, 183, **Exhibit 8**.

James Steel to England to tell the Penn brothers “The lands . . . on Delaware above Tohickon Creek must be purchased . . .”⁶⁷

On September 7, 1732, Logan and other provincial authorities met with Sasoonan, the leader of the Schuylkill band of the Delaware, and other tribal representatives to negotiate a land cession. In exchange for specified amounts of trade goods and money, the tribal representatives, on behalf of themselves and “all other Indians of the said Nation,” deeded to the proprietors a large tract of land thusly described:

all those Tracts of Land or Lands lying on or near the River Schuylkill, in the said Province, or any of the branches streams fountains or springs thereof, Eastward or Westward, and all the Lands lying in or near any Swamps Marshes fens or Meadows the waters or streams of which flow into or towards the said River Schuylkill, situate lying and being between those Hills called Lechaig Hills, and those called Keekachtanemin Hills, which cross the said River Schuylkill about Thirty Miles above the said Lechaig Hills, and all Land whatsoever lying within the said bounds and between the branches of Delaware River on the Eastern side of said Land, and the branches or streams running into the River Susquehannah on the Western side of said Land (emphasis added).⁶⁸

⁶⁷ James Logan to James Steel, 18 November 1729, Penn Papers, Official Correspondence, vol. II, p. 103, Historical Society of Pennsylvania, Philadelphia, PA, **Exhibit 47**.

⁶⁸ “Indian Deed—Sasoonan &c, 1732,” in Hazard, *Pennsylvania Archives*, vol. 1, pp. 344-46, **Exhibit 42**. This deed was signed by Sasoonan (alias Allumapis), Alalapis, Pesquettom, Ohopamen, Mayeemoe, Partridge, and Tapa Koasset on behalf of the Delaware. Lingahonga subsequently granted his consent by signing a document on July 12, 1742 that was witnessed by Benjamin Franklin, Conrad Weiser, and two others (see *ibid.*, p. 346). On September 24, 1757, William Allen, then Chief Justice of the Province, took sworn testimony from James Hamilton and William Plumstead that they had witnessed the signing of the 1732 deed by the Delaware signatories and that their own signatures on that document were authentic. William Peters also swore before Allen on that date that he had witnessed Lingahonga’s signing of his consent to the deed in 1742 (*ibid.*, pp. 346-347, **Exhibit 42**).

The branches of the Delaware River in the common parlance of that day meant the eastern branch or mainstream of the Delaware proper and its West Branch, which later became known as the Lehigh River (see, for example, *Map 7, A Portion of Forks Township, p. 22-A*). Thus the area described in the 1732 deed as being “between the branches” included the Delaware lands north of the forks of the Delaware and Lehigh rivers. This included the area where Tatamy was granted and then purchased land.

In the same year that the 1732 deed was signed, the proprietors began selling land in The Forks area. For example, a patent to William Allen for a 775-acre tract on the Delaware was filed on April 16, 1732 (see Tract 40 on *Map 8, The Patented Tracts in the Forks of the Delaware, p. 22-B*). In the month before this deed, Allen and Jeremiah Langhorne had endorsed Tatamy’s application to the proprietors for a grant of land at The Forks.⁶⁹ Many other tracts were patented to private owners prior to August 25, 1737, the date on which Nutimus and other Delaware representatives from The Forks confirmed what later became known as the Walking Purchase Deed. These early patents included at least one to Jeremiah Langhorne (see Tract 13 on *Map 8, Patented Tracts in The Fork of the Delaware, p. 22B*). The

⁶⁹ Moses Tatamy, Warrant Application Transcript, March 1732, Warrant Application Books, 1732-1767, roll 31.1, vol. 123, Record Group 17, Pennsylvania State Archives, Harrisburg, PA, **Exhibit 34**.

proprietors also reserved for themselves a 6,500-acre “Indian Tract Manor,” where Delaware tribal members might continue to live at the discretion of the Province.⁷⁰ Situated on the eastern bank of the Lehigh River, the Indian Tract Manor was surveyed in 1735 (see *Map 8, Patented Tracts in The Fork of the Delaware*, p. 22B; the Indian Tract Manor is also shown on *Map 5, The Forks of the Delaware in Pennsylvania*, p. 13-B). Ultimately, however, the plan to settle the Delaware of the area on the Manor tract proved unsuccessful.⁷¹ Most tribal members removed from The Forks in 1742 after the Iroquois ordered them to vacate their former lands.

Nutimus, the leader of the Delaware at The Forks, had not participated in the 1732 land cession and objected to non-Indian settlement in The Forks area.⁷² Like Tatamy, he was from New Jersey, but he claimed his leadership role of the Indians at The Forks based on the fact that his mother and her family were from the Pennsylvania side of the Delaware River.⁷³ Nutimus’ lands were south of the forks of the Delaware, extending from Tohickon

⁷⁰ Pennsylvania Historical and Museum Commission, “The Walking Purchase,” pp. 1-2, **Exhibit 10**.

⁷¹ A.D. Chidsey, Jr., *The Penn Patents in the Forks of the Delaware* (Easton, PA: The Northampton County Historical and Genealogical Society, 1937), p. 25 and Map 1, **Exhibit 48**.

⁷² Weslager, *The Delaware Indians*, pp. 179, 185, 187, **Exhibit 8**.

⁷³ *Ibid.*, p. 188; Moses Tatamie’s Account of Indian Claims taken from his mouth at Easton, 1757, Etting Papers, Miscellaneous Manuscripts, vol. 1, p. 94, Historical Society of Pennsylvania, Philadelphia, PA, **Exhibit 49**.

Creek to the Lehigh River.⁷⁴ Tatamy told provincial authorities in 1757 that Nutimus held this land “in the right of his Grandfather, Tishexkum.” He explained further that Nutimus “lived at first in the Jersey and had lately come over, his Grandfather being dead . . .”⁷⁵

In May 1735, James Logan and the proprietors met with Nutimus and other Delaware representatives at Pennsbury, the Penn family estate in Bucks County. For the location of Pennsbury see *Map 9, Pennsylvania and the Lower Counties of Delaware*, p. 32-A. There they presented the Indian leaders with documentary evidence that the Delaware had sold The Forks region to William Penn in 1686 through what later became known as the Walking Purchase agreement. The boundaries of this agreement extended from present Wrightstown in Bucks County, Pennsylvania as far back into the country as a man could go in a day and a half. This included the lands north of Tohickon Creek, where Nutimus and the other Delaware in The Forks area then resided.⁷⁶ For the boundaries of the Walking Purchase see *Map 9, Pennsylvania and the Lower Counties of Delaware*, p. 32-A.

Because Nutimus had not participated himself in any prior sales to the Pennsylvania proprietors and had no knowledge of a previous sale of The

⁷⁴ Moses Tatamie’s Account of Indian Claims, *ibid.*; Wallace, *King of the Delawares*, pp. 26-27, **Exhibit 27**. Wallace indicates the location of Nutimus’ Town on a map at p. 27.

⁷⁵ Moses Tatamie’s Account of Indian Claims, *ibid.*, **Exhibit 49**.

Forks area, he at first objected to the applicability of the 1686 deed.⁷⁷ After Logan heard that Nutimus reportedly sought the aid of the powerful Iroquois or Six Nations on this issue, he took measures to block any tribal alliances.⁷⁸ At a conference in Philadelphia in 1736, at which the Iroquois ceded claims to land on the lower Susquehanna River, Logan also convinced the Six Nations' representatives to agree to give up any interest they might have to land in southeastern Pennsylvania, including The Forks area.⁷⁹

On August 25, 1737, Nutimus and three other Delaware leaders, Manawkyhiukon, Lappawinjoie, and Teeshacomin, signed an agreement confirming the Walking Purchase Deed.⁸⁰ Through this document and the earlier 1732 deed the Delaware ceded and sold their lands at The Forks to the Province of Pennsylvania. Even if the Delaware had retained any right to land in The Forks area, tribal representatives ceded that right to the United States in 1795 under the terms of the Treaty of Greenville. Under its provisions, the

⁷⁶ Weslager, *The Delaware Indians*, pp. 187-188, **Exhibit 8**.

⁷⁷ Ibid., pp. 185, 187-188; Pennsylvania Historical and Museum Commission, "The Walking Purchase," p. 2, **Exhibit 10**.

⁷⁸ Pennsylvania Historical and Museum Commission, *ibid.*

⁷⁹ Deed, 25 October 1736, Indian Deed Book 1815, roll 606, 74-81, Record Group 26, Pennsylvania State Archives, Harrisburg, PA, **Exhibit 50**.

⁸⁰ Deed, 25 August 1737, Indian Deed Book 1815, roll 606, 100-104, Record Group 26, Pennsylvania State Archives, Harrisburg, PA, **Exhibit 46**.

Delaware and eleven other tribal groups ceded title to all lands east of the Cuyahoga River in Ohio.⁸¹

Tatamy played a minor role in the Walking Purchase confirmation negotiations. The Penn account books indicate that he was paid for his services as a messenger for the proprietors during the confirmation talks.⁸² This makes it clear that Tatamy's primary role, as opposed to that of Nutimus, was that of an agent for the Province rather than as a leader of the Delaware.

Beginning in 1740, protests against the Walking Purchase confirmation were made on behalf of the Indians; the Delaware and other Indian allies threatened retaliation.⁸³ Perhaps because he felt these tensions placed his land grant in jeopardy, Tatamy decided to purchase fee title to his granted lands. On January 22, 1741, the proprietors issued a patent that established Tatamy's private ownership of the land under conditional fee title.⁸⁴ The document

⁸¹ A Treaty of Peace between the United States of America and the Tribes of Indians called the Wyandots, Delawares, Shawanoes, Ottawas, Chippewas, Putawatimes, Miami's, Eel-River, Wee'a's, Kickapoos, Piankashaws, and Kaskaskias, August 3, 1795, in *Indian Treaties 1778-1883*, compiled and edited by Charles J. Kappler (Mattituck, NY: Amereon House, 1972), pp. 39-45 [Reprint of the 1904 edition, Washington, D.C.], **Exhibit 51**.

⁸² Hunter. "Moses (Tunda) Tatamy," pp. 259-60, **Exhibit 1**.

⁸³ Pennsylvania Historical and Museum Commission, "The Walking Purchase," p. 3, **Exhibit 10**.

⁸⁴ This patent contained the following language: JOHN PENN, THOMAS PENN AND RICHARD PENN, ESQUIRES, true and absolute Proprietaries and Governors in Chief of ye Province of Pennsylvania and Counties of New Castle, Kent and Sussex on Delaware, To all unto whom these Presents shall come, Greeting:
WHEREAS in pursuance of our Order for that Purpose their was Surveyed and laid out on or about the Tenth day of October in the year of our Lord One thousand Seven Hundred and Thirty three unto Tundy Tatamy one of our Indian friends a certain Tract of Land lying above the Western Branch of Delaware River and within the County of Bucks and by virtue

and in pursuance of a Warrant to our Surveyor General under our Lesser Seal bearing Date the Thirtieth day of December in ye Year 1736 the Survey thereof was accepted by him and duly returned into our Secretary's Office containing the several lines bounds and descriptions following (that is to say).

BEGINNING at a black Oak in a line of William Allen's Land Thence by vacant Land east Two Hundred and fifty two Perches to a Post, thence by James Steel's Land North Two hundred Perches to a Black Oak, Thence by vacant Land west Two hundred and fifty two Perches to a black Oak, thence by William Allen's Land aforesaid South Two hundred perches to the place of Beginning, Containing Three hundred and Fifteen acres as in and by the same Survey may appear.

AND, by our Patent under our great Seal bearing date the Twenty Eighth day of April in the Year 1738 (for the consideration therein mentioned) we did grant and confirm the said Tract of Land to the said Tundy Tatamy for a Settlement and place of Abode for him and his Children under a certain Quit Rent and other Reservations Conditions and Limitations therein comprized and exercised as in and by the same Patent doth appear, AND

WHEREAS the said Tundy Tatamy is now desirous and hath applyed to Us to grant him a Patent for the said Tract of Land and Premises to him and his Heirs in fee simple upon the common term:

NOW KNOW YE that at the Instance and request of the said Tundy Tatamy and in consideration of his Surrendering and delivering up to be Cancelled the said former patent of the said Premises & of the Sum of Forty Eight Pounds Sixteen shillings and Five Pence lawfull Money of Pennsylvania to our use paid by the said Tundy Tatamy (the receipt whereof we hereby acknowledge and thereof do acquit and for ever discharge the said Tundy Tatamy his Heirs and Assigns by these Presents and of the Yearly Quit Rent herein after mentioned and reserved)

WE HAVE given granted released & confirmed and by these Presents for Us our Heirs and Successors Do grant release and confirm unto the said Tundy Tatamy and his Heirs the said Three hundred and fifteen Acres of Land as the same is now set forth - bounded and limited as aforesaid With all Mines Minerals Quarries Meadows Marshes Savannahs Swamps Cripples Woods Underwoods Timber and Trees, Ways Waters Watercourses Liberties Profits Commodities Advantages Hereditaments and Apurtenances on and so ever to the said Three hundred and fifteen Acres of Land belonging or in any wise appertaining and lying within the Bounds & Limits aforesaid Three full and clear fifth part of all Royal Mine free from all Deductions and Reprisals for diging and refining the same and also one fifth part of the Oar of all other Mines delivered at the Pits Mouth only excepted hereby reserved and also free leave right and liberty to and for the said Tundy Tatamy his Heirs and Assigns to Hawk Hunt Fish & Fowl in and upon the hereby granted land and Prima or upon any part thereof

TO HAVE AND TO HOLD the said three Hundred and fifteen Acres of Land and Premises hereby granted (except as before excepted) with their Apurtenances unto the said Tundy Tatamy his Heirs & Assigns to the only Use and Behoof of the said Tundy Tatamy his Heirs and Assigns for Ever TO BE HOLDEN of Us our Heirs and Successors Proprietaries of Pennsylvania as of our Manor of Pennsbury in the County of Bucks aforesaid in free and common Soccage by fealty only in lieu of all other Services Yielding and Paying therefore yearly to us our Heirs and Successors at Pennsbury aforesaid at or upon the first Day of March in every Year from the First Day of March last past One half penny Sterling for

indicated that Tatamy purchased the land for 48 pounds, 16 shillings, and 5 pence. Like the earlier patent for Tatamy's land grant, this fee patent contained a quit rent provision. It required the same payment of "one half penny sterling for every acre . . . at or upon the First Day of March in every Year." Like the previous land grant to Tatamy, the fee patent provided that in the event of a failure to pay the annual quit rent at Pennsbury within 90 days of the due date the proprietors could repossess the property. However, it appears from the record that failure to pay the quit rent was not the reason why Tatamy subsequently lost ownership of the land.⁸⁵

Unlike the prior land grant, the second patent gave Tatamy the right to sell, mortgage, or otherwise alienate the property. The right of use and inheritance of the property was not limited to his children. Rather it was extended to his "Heirs and Assigns." There is no indication that either the proprietors or Tatamy intended this property to be held or used in common by other Delaware Indians. While it is conceivable under the stipulations of the

every Acre of the same or value thereof in Coin Current according as the Exchange shall then be between the said Province and ye City of London to such Person or Persons as shall from Time to Time be appointed to receive the same

AND in case of Nonpayment thereof within Ninety days next after the same shall become due, That then it shall & may be lawfull for Us our Heirs and Successors our & their Receiver or Receivers into and upon the hereby granted Land & Premises to Re-enter & the same to hold and possess until ye Quit Rent and all Arrears thereof Together with the Charges accruing by means of such Nonpayment and Re-entry be fully paid and discharged...(emphasis added), Moses Tatamy, Patent, 27 January 1742, Patent Book, A-9, 530-532, Record Group 17, Pennsylvania State Archives, Harrisburg, PA, **Exhibit 37**.

⁸⁵ Ibid.

patent that Tatamy could have assigned the land to other Delaware Indians, or allowed them to reside there, there is no indication in the record that this was ever done.⁸⁶

At the time that Tatamy obtained fee title to his land, other Delaware Indians were still residing in The Forks area. The proprietors' secretary James Logan again sought to prevent the Iroquois from aligning with the Delaware on the Walking Purchase land issue, reminding the Six Nations of their own 1736 cession of interest in the area. In response the Iroquois took the matter a step beyond this agreement. At a conference in Philadelphia in July 1742, the Six Nations Iroquois leader Canassatego reminded Nutimus and the other Forks Indians that the Delaware were politically subservient to the Iroquois, that they no longer held land at The Forks, and that they must remove to Shamokin or Wyoming (near present Sunbury and Wilkes-Barre, Pennsylvania respectively) under supervision of the Six Nations:

Let this Belt of Wampum serve to Chastize You; You ought to be taken by the Hair of the Head and shak'd severely till you recover your Senses and become Sober; you don't know what Ground you stand on, nor what you are doing. Our Brother Onas' [the Pennsylvania government] Case is very just and plain, and his Intentions to preserve friendship; on the other Hand your Cause is bad, your Heart far from being upright, and you are maliciously bent to break the Chain of Friendship with our Brother Onas. We have seen with our Eyes a Deed signed by nine of your Ancestors above fifty Years ago for this very

⁸⁶ Ibid.

Land, and a Release Sign'd not many Years since by some of your selves and Chiefs now living to the Number of 15 or Upwards. But how came you to take upon you to Sell Land at all? We conquer'd You, we made Women of you, you know you are Women, and can no more sell Land than Women. Nor is it fit you should have the Power of Selling Lands since you would abuse it. This Land that you Claim is gone through Your Guts. You have been furnished with Cloaths and Meat and Drink by the Goods Paid you for it, and now You want it again like Children as you are. But what makes you sell Land in the Dark? Did you ever tell Us that you sold this Land? did we ever receive any Part, even the Value of a Pipe Shank, from you for it? You have told Us a Blind story that you sent a Messenger to Us to inform Us of the Sale but he never came amongst Us, nor we ever heard any thing about it. This is acting in the Dark, and very different from the Conduct our six Nations observe in their Sales of Land. On such Occasions they give Publick Notice and invite all the Indians of their united Nations, and give them a share of the Present they receive for their Lands. This is the behavior of the wise United Nations, but we find you are none of our Blood. You Act a dishonest part not only in this but in other Matters. Your Ears are ever Open to slanderous Reports about our Brethren. You receive them with as much greediness as Lewd Woman receive the Embraces of Bad Men. And for all these reasons we charge You to remove instantly. We don't give you the liberty to think about it. You are Women; Take the Advice of a Wise Man and remove immediately. You may return to the other side of Delaware where you came from, but we do not know whether, Considering how you have demean'd your selves, you will be permitted to live there, or whether you have not swallowed that Land down your Throats as well as the Land on this side. We, therefore, Assign you two Places to go -- either to Wyomin or Shamokin. You may go to either of these places, and then we shall have you more under our Eye, and shall see how You behave. Don't deliberate, but remove away, and take this Belt of Wampum.⁸⁷

⁸⁷ Council held at the Proprietors, 12 July 1742, *Minutes of the Provincial Council of Pennsylvania*, vol. 4, pp. 579-580, **Exhibit 52**.

Nutimus and most of his band of Delaware subsequently established a new village near the east branch of the Susquehanna River, northeast of Shamokin (near present Sunbury, Pennsylvania), not far from the Shawnee village of Nescopeck (for the location of Shamokin, see *Map 9, Pennsylvania and the Lower Counties of Delaware*, p. 32-A). His two sons took up residence at another Delaware village named “Lepos Peters Town,” near the west branch of the Susquehanna.⁸⁸

In November 1742, four months after Canassatego ordered Nutimus to remove from The Forks, Tatamy, Captain John (the half brother of the Delaware Chief Teedyuscung), and some other Delaware tribal members petitioned the Governor of Pennsylvania for permission to remain on their lands.⁸⁹ Tatamy met with the Governor on this issue on November 20, 1743. The minutes of the meeting indicate that Tatamy stated that he was “lawfully possessed of three hundred acres of land by a grant from the Proprietor; and that he was desirous of continuing to live there in peace and friendship with the English...”⁹⁰ The Governor consented to allow Tatamy and Captain John to remain in the area “provided they could obtain the consent of the Chiefs of

⁸⁸ Donehoo, *A History of the Indian Villages and Place Names in Pennsylvania*, pp. 91, 127, **Exhibit 41**.

⁸⁹ Council held at Philadelphia, 20 November 1742, *Minutes of the Provincial Council of Pennsylvania*, vol. 4, pp. 624-625, **Exhibit 53**. See also Hunter, “Moses (Tunda) Tatamy,” p. 261, **Exhibit 1**.

the Six Nations [Iroquois.]”⁹¹ Although Captain John was permitted to stay “in the neighborhood of the English,” he was not allowed to dwell on the specific land where he then resided because the proprietors had already sold this land to new settlers. The Governor provided further that Tatamy and Captain John:

were to understand that the other Petitioners [other Delaware tribal members] were by no means to be included in this Permission, nor any other of the Delaware Indians, whom they called their Cousins, nor any besides themselves and their proper families dwelling in the same Houses with them...⁹²

This order made it clear that the proprietors forbade other Delaware from using Tatamy’s land as a reserve. The permission to use and occupy the land was limited to Tatamy and his immediate family. Presumably, the Iroquois Chiefs did not challenge this arrangement. Tatamy remained on his land after the other Delaware at The Forks removed westward to the branches of the Susquehanna River. However, he soon encountered problems of indebtedness that led eventually to his loss of title to the property.

The Iroquois removal order and the refusal of the Governor to allow only Tatamy and Captain Jack and their families to remain at The Forks soon prompted some Delaware to cede lands they claimed and still partially

⁹⁰ Council held at Philadelphia, 20 November 1742, *Minutes of the Provincial Council of Pennsylvania*, vol. 4, p. 625, **Exhibit 53**.

⁹¹ Ibid.

⁹² Ibid.

occupied in New Jersey. In a deed executed in February 1743, four Jersey Indians gave power of attorney to Tatamy and Captain Jack to sell their lands. The following January, two Indians granted similar authority to Tatamy. However, fifteen years passed before these claims were settled.⁹³ In the meantime, Captain Jack died in 1747⁹⁴ and Tatamy encountered problems with his own property at The Forks.

The Bucks County records indicate that in March 1743 Tatamy was summoned to the Court of Common Pleas in regard to a debt of “Thirteen pounds nineteen shillings & ten pence” owed to John Dagworthy.⁹⁵ In March of the next year, the Bucks County court ordered Tatamy to pay a debt of over thirty-seven pounds owed to Garrard Williamson.⁹⁶ The plaintiff in this case may have been a resident of New Jersey. Williamson’s name appears in certain probate records of that Colony.⁹⁷ In June 1745, the court issued a seizure of property writ for the value of Tatamy’s total indebtedness to

⁹³ Hunter, “Moses (Tunda) Tatamy,” p. 261, **Exhibit 1**.

⁹⁴ *Ibid.*,” p. 263.

⁹⁵ John Dagworthy against Tautame, Summons to Court of Common Pleas, Bucks County, PA, by Sheriff John Hart, 15 March 1743, Executive Docket, 1732-1833, Bucks County, PA, Spruance Library, Doylestown, PA, **Exhibit 54**.

⁹⁶ Case of Garrard Williamson against Tindi Tottemi for Debt, March 1744, Bucks County Court Records, Appearance Docket 1740-1750, p. 331, Spruance Library, Doylestown, PA, **Exhibit 55**.

⁹⁷ See A. Van Doren Honeyman, ed., *Documents Relating to the Colonial History of the State of New Jersey: Calendar of New Jersey Wills, Administrations, Etc.- 1730-1750*, vol. 2 (Somerville, NJ: The Unionist-Gazette Association, Printers, 1918), pp. 20, 30, 114, **Exhibit 56**.

Dagworthy (28 pounds) and to Williamson (37 pounds).⁹⁸ Subsequently, in September and October of 1746, Sheriff John Hart of Bucks County published notices in the *Pennsylvania Gazette* that Tatamy's land, "containing 300 Acres situate in the Forks of Delaware," had been "taken in Execution" and was to be sold "By Way of publick Vendue," at auction "on the premises, for ready money."⁹⁹

No further records have been found regarding the taking of Tatamy's land by Bucks County. Neither has research uncovered an actual instrument of conveyance by which Bucks County bestowed ownership of Tatamy's former lands to a third party. What the historical record does reveal is that by 1753 Tatamy's land was in the possession of William Allen, the neighbor who had endorsed Tatamy's application for a land grant in 1732. Allen sold Tatamy's land to George Shombach in December 1753.

In a 1757 letter to the proprietors, Richard Peters stated that Tatamy had "mortgaged and sold" his land to William Allen.¹⁰⁰ It is not known from the limited details in the record if Allen provided a mortgage to Tatamy to

⁹⁸ Bucks County Court, Judicial Writs, June 1745, Garrad Williamson against Tindi Tottemi; Levy (right to seize) on goods of value 37L 19s, Jon Dagworthy against Tattamy: Levy (right to seize) on Goods to the value of 28L, Bucks County Court Records, Execution Docket 1, Judicial Writs: 7, Spruance Library, Doylestown, PA, **Exhibit 57**.

⁹⁹ "To be Sold, By Way of Publick Vendue," *Pennsylvania Gazette*, 11 September 1746, vol. 7, p. 262, **Exhibit 58**; "To be Sold, On Wednesday [sic] the 19th of November," *Pennsylvania Gazette*, 9 October 1746, vol. 7, p. 281, **Exhibit 59**.

purchase the land in 1741 or to pay subsequent debts or if he purchased the tract in 1746 when the county offered it at public auction.

Tatamy and William Allen likely knew each other. Allen had endorsed Tatamy's 1732 application for a land grant.¹⁰¹ The two men were also adjacent property owners¹⁰² (see *Map 8: Patented Tracts in the Forks of the Delaware*, p. 22-B). Both were likewise Presbyterians who may have interacted in the context of local religious activities. The Reverend David Brainerd, who converted Tatamy, had ministered to the Scotch-Irish community known as Craig's Settlement or the Irish Settlement beginning in 1744.¹⁰³ He preached in a meadow owned by James Craig, who was related by marriage to William Allen. Allen had apparently given Craig 250 acres of land in the Irish Settlement in 1743. It was at Craig's meadow in July 1744 that Tatamy, under Brainerd's influence, experienced his first religious "awakening."¹⁰⁴ Following the Walking Purchase confirmation in 1737, William Allen acquired 5,000 acres of land along the Lehigh River, including part of the Irish Settlement. The area was established as Allen Township in

¹⁰⁰ Richard Peters to the Proprietors, 14 February 1757, Gratz Collection, Historical Society of Pennsylvania, Philadelphia, PA, **Exhibit 18**.

¹⁰¹ Moses Tatamy, Warrant Application Transcript, March 1732, Warrant Application Books, 1732-1767, roll 31.1, vol. 123, Record Group 17, Pennsylvania State Archives, Harrisburg, PA, **Exhibit 34**.

¹⁰² See Moses Tatamy, Patent, 27 January 1742, Patent Book, A-9, 530-532, Record Group 17, Pennsylvania State Archives, Harrisburg, PA, **Exhibit 37**.

¹⁰³ Clyde, *Genealogies, Necrology, and Reminiscences of the "Irish Settlement,"* p. 230, **Exhibit 36**.

1748.¹⁰⁵ For the location of the Craig Settlement, also known as the Irish Settlement, see *Map 5, The Forks of the Delaware in Pennsylvania*, p. 13-B and *Map 8, Patented Tracts in The Forks of the Delaware*, p. 22-B).

A receipt filed in the Northampton County records indicated that on December 27, 1753, William Allen sold Tatamy's former lands to George Shombach. The receipt, dated January 8, 1760, recorded that Melchior Stecher paid Allen

fifty six pounds in part of Interest due from George Shombach on the tract of 315 acres of land I sold said Shombach in Northampton County 27th December 1753 who hath since sold the same to Melchior Stecher to whom I am to convey said tract of land in fee upon his the said Melchior paying the remaining principal of the consideration money being two hundred and twenty two pounds & fourteen shillings.¹⁰⁶

On June 19, 1800, a Circuit Court for Northampton County determined that William Allen (who held the mortgage for George Shombach) had legally conveyed the subject property to Melchior Stecher on January 8, 1760 and that Stecher's heirs were thus the bona fide titleholders. This proceeding was documented in an indenture filed in the county records on July 24, 1800:

Whereas at a circuit Court held at Easton in and for the County of Northampton the nineteenth day of June last past before the

¹⁰⁴ Wynbeek, *David Brainerd: Beloved Yankee*, pp. 103-104, 106, **Exhibit 33**.

¹⁰⁵ Clyde, *Genealogies, Necrology, and Reminiscences of the "Irish Settlement,"* pp. 225-26, **Exhibit 36**.

¹⁰⁶ Receipt, William Allen, Esq., to Melchior Stecher, 8 June 1760, Northampton County (PA) Records of Deeds, vol. E-2, p. 653, **Exhibit 38**.

Honorable Jasper Yeates Esqr one of the Judges of the Supreme Court [Easton, Continuance Docket v.16:57] of the said Commonwealth the said Edward Shippen exhibited his Petition unto the said Court setting forth that he said William Allen in his life time by a certain instrument of writing under his hand bearing date the eighth Day of January in the Year of our Lord One thousand Seven Hundred and Sixty for the consideration therein [several words unintelligible] to convey to Melichior Stecker of the said County of Northampton Yeoman now deceased A Certain tract of land situate in Forks Township aforesaid known by the name of Tatamy's place containing three hundred and fifteen acres but never perfected a deed of conveyance in Law from him for the same, that part of the consideration [--] for the said land was paid to the said William Allen in his life time and since his decease the remainder to the Petitioner that the said Melchior Stecher by his last will and testament bearing date the thirteenth Day of September in the year of our Lord One Thousand Seven Hundred and Eighty five duly proved and remaining in the Registers Office at Easton aforesaid did devise the said land to his sons the said Henry and Methias parties here to that the said instrument of writing so executed by the said William Allen has been proved in Open Court and together with the said probate entered on record in the Office for Recording of Deeds in and for the said County.¹⁰⁷

William Allen, the prominent landowner that had served as Pennsylvania's chief justice, decided to remain loyal to the British and returned to England in 1777 following the outbreak of the Revolution. He died there in 1780. His eldest son Andrew also went to England where he died in 1805. His next eldest son James died in Philadelphia in 1777 and left his Allentown estate to his children. His youngest son William enlisted in the

¹⁰⁷ Deed, 24 July 1802, Northampton County Records of Deeds, vol. G-2, pp. 242-244,

American Army and was commissioned as a colonel, but in 1777 he sought protection under Lord Howe and subsequently moved to England. As noted above, Allen's daughter Ann was married to Governor John Penn. Her status at the time of the Revolution has not been documented. His other daughter Margaret married James DeLancy and inherited some of her father's land, which descended to her heirs.¹⁰⁸

V. Tatamy's Later Years

There is evidence that indicates that Tatamy continued to live at The Forks, and perhaps on his former land, for a few years after the property was seized and presumably sold by Bucks County authorities. In 1755, Indians aligned with the French began attacking frontier settlements and urging the more peaceful bands to join the fray.¹⁰⁹ In the face of a threatened attack of The Forks area, Tatamy later wrote:

thinking it no longer safe for me to continue on my Place in the Forks about three miles from Easton I went immediately to the other Side of the River [New Jersey] & lived sometime with Colonel Anderson, while I lived here I understood that the Indians on Susquehannah having often heard that the English were coming in a great Body to destroy them had at last removed farther up the River & joined with those who have been killing People on the Frontiers . . . I left Andersons being sent for to the

Easton, PA, **Exhibit 60**.

¹⁰⁸ Clyde, *Genealogies, Necrology, and Reminiscences of the "Irish Settlement,"* pp. 10-11, 350, **Exhibit 36**.

¹⁰⁹ Hunter, "Moses (Tunda) Tatamy," p. 263, **Exhibit 1**.

Treaty at Crosswicks in Feby 1756, after which I settled for sometime at Maidenhead [present Lawrenceville, New Jersey] from whence I removed to Pennsbury where I now live (emphasis added).¹¹⁰

For the location of Maidenhead in relation to that of Easton, see *Map 10, Province of New Jersey, 1773, p. 47-A*.

From his safe haven in New Jersey, Tatamy wrote an account of contemporary Indian affairs that was published in Benjamin Franklin's *Pennsylvania Gazette*.¹¹¹ After his residence at Maidenhead, Tatamy moved back across the Delaware to Pennsbury, the Penn family manor in Bucks County, Pennsylvania, located across the river and to the southwest of Trenton (see *Map 9, Pennsylvania and the Lower Counties of Delaware, p. 32-A*). It was at Pennsbury that Tatamy continued to offer his services to the proprietors as a messenger and interpreter.¹¹² He also provided similar services to the Governor of New Jersey.¹¹³

Bucks County seized Tatamy's land in 1745, the same year in which the Reverend David Brainerd baptized Tatamy as a Presbyterian. Tatamy was the

¹¹⁰ Moses Tunda Tatamy, Statements regarding Walking Purchase, Delaware-Iroquois Hostility, Origins of Indian Hostility in Pennsylvania, Friendly Association for Regaining and, Preserving Peace with the Indians by Pacific Measures- Pymic Indices, vol. 1, p. 2 Quaker and Special Collections, Magill Library, Haverford College, Haverford, PA, **Exhibit 61**.

¹¹¹ Hunter "Moses (Tunda) Tatamy," p. 263. **Exhibit 1**.

¹¹² Ibid., p. 264. **Exhibit 1**.

¹¹³ See, for example, June 1758, *Minutes of the Provincial Council of Pennsylvania*, vol. 8, pp. 140-141, **Exhibit 16**.

only Indian that Brainerd ever identified by name in his diary. Brainerd baptized just twelve members of the shrinking Delaware community at The Forks during his sojourn there (1744-45) and the Tatamy family may have accounted for as many of seven of that number.¹¹⁴ Brainerd subsequently ministered to larger Indian groups in New Jersey near present Crosswicks and Cranbury (for the location of these settlements see *Map 11, Mercer County, New Jersey, 1895, p. 48-A*). Tatamy continued as his interpreter and joined Brainerd on four extended missionary trips to the Indians that had removed to the west: two to Shamokin (near present Sunbury, Pennsylvania) and one each to Wapwallopen and Great Island (near present Lock Haven, Pennsylvania).¹¹⁵ After the young preacher died in 1747 following an extended bout with tuberculosis, his brother John Brainerd took over the Indian mission at Cranbury, New Jersey, which became known as Bethel. This community contained about 130 tribal members.¹¹⁶ According to the Moravian historian John Heckewelder, Tatamy's son William, "a professing Christian," was schooled under John Brainerd at the Cranbury mission.¹¹⁷

¹¹⁴ Hunter, "Moses (Tunda) Tatamy," p. 262, **Exhibit 1**.

¹¹⁵ Ibid.

¹¹⁶ Ranelda Hunsicker, *David Brainerd* (Minneapolis: Bethany House Publishers, 1999) p. 137, **Exhibit 62**; Gregory Evans Dowd, *The Indians of New Jersey* (Trenton: New Jersey Historical Commission, Department of State, 1992), p. 55, **Exhibit 63**.

¹¹⁷ Rev. John Heckewelder, *History, Manners, and Customs of The Indian Nations Who Once Inhabited Pennsylvania and The Neighboring States*, new and revised edition with an

William also visited the Moravian missions in Pennsylvania in 1752 and 1753, where he attracted the attention of missionary Bernhard Grube because of his literacy in English.¹¹⁸ Of Tatamy's son Peter, who may have been about 12 years of age when he was baptized by David Brainerd in 1745, brother John Brainerd wrote in October 1753: "He had been a member of New Jersey College [Princeton University] near two years, was much beloved of his classmates and the other scholars, and made a decent handsome appearance among them."¹¹⁹ The education of Tatamy's sons in New Jersey was very likely the result of his relationship with the Brainerds. .

Tatamy acknowledged that he moved to New Jersey in 1755 and took part in the Crosswicks treaty negotiations of 1756, after which he settled at Maidenhead (present Lawrenceville), before returning to Pennsylvania to be of service at Pennsbury. In April 1755 Tatamy claimed to have provided advice to the Delaware leader Teedyuscung and other Indian delegates at a conference held in Philadelphia. In November of the following year, he served as Teedyuscung's interpreter at a conference at Easton, at which Tatamy provided the Quakers with an account of the Walking Purchase confirmation from the perspective of the Delaware. There he also appealed to

Introduction and Notes by the Rev. William C. Reichel (Philadelphia: The Historical Society of Pennsylvania, 1876), p. 303fn, **Exhibit 64**.

¹¹⁸ Hunter, "Moses (Tunda) Tatamy," pp. 262-63, **Exhibit 1**.

¹¹⁹ Wynbeek, *David Brainerd: Beloved Yankee*, p. 152, **Exhibit 33**.

the proprietor's Indian agent Conrad Weiser to grant the Delaware "a large Tract of Land on Susquehannah." A month later, in December 1756, Tatamy advised the governor that "Teedyuscung had little or No authority among his own People . . . and [he] was always doubtful whether he [Teedyuscung] was empowered by any other Nation".¹²⁰

In early 1757, Tatamy may have met with Teedyuscung at his Wyoming settlement (for the location of Wyoming, near present Wilkes-Barre, Pennsylvania, see *Map 1, Delaware Tribal Territory and Western Relocations*, p. 8-A). Tatamy was one of the five tribal members entrusted by the New Jersey Delaware to sell their lands in 1758. All five of these Indian delegates were part of John Brainerd's congregation and all but Tatamy were members of the Cranbury Indian community. In July 1758, the governor of New Jersey dispatched Tatamy to invite the Minisink and Wapping (Wappinger) Indians, then residing in New York, to attend a conference at Burlington. Tatamy later wrote a narrative of his journey to Aghsinsing (near present Painted Post in Steuben County, New York) that provided valuable information about the Indians living on the Chemung River.¹²¹ For the location of the Chemung River see *Map 1, Delaware Tribal Territory and Western Relocations*, p. 8-A.

¹²⁰ Hunter, "Moses (Tunda) Tatamy," pp. 263-264, **Exhibit 1**.

On September 12, 1758, Tatamy and the other four Indians granted power of attorney by the Delaware, signed a treaty selling all of the tribal lands in New Jersey from south of the Raritan River north to the Water Gap. The 1600 pounds sterling paid to the sellers was used to purchase a reserve of 3,000 acres in Burlington County, New Jersey. This reservation became a Christian Indian community known as Brothertown, which continued to exist until 1801. A month later, in October 1758, Tatamy served as an interpreter for treaty negotiations at Easton that resulted in the Minisink and Wapping (Wappinger) bands agreeing to cede their lands north of the Raritan and the Delaware Water Gap.¹²²

Tatamy worked on behalf of the Trustees of the Friends Association (Quakers) during his last few years.¹²³ In April 1759 he requested the Friends to provide for his daughter Jemina while he was traveling on their behalf. In response, a committee was appointed to “get her boarded in a reputable house, where she may have the advantage of some schooling.”¹²⁴

Tatamy’s final mission as a provincial agent came about when he was assigned, as part of a party under the Moravian missionary Frederick Post, to

¹²¹ Hunter, “Moses (Tunda) Tatamy,” pp. 266-67, **Exhibit 1**.

¹²² *Ibid.*, p. 267.

¹²³ See, for example, Samuel Parrish, *Some Chapters in the History of the Friendly Association For Regaining and Preserving Peace with the Indians by Pacific Measures*, pp. 30-39, 48-49, 97-98, **Exhibit 15**.

¹²⁴ *Ibid.*, p. 117.

attend an Indian council west of the Ohio River in Sandusky. This mission epitomized Tatamy's primary role as a diplomat and interpreter for the purposes of non-Indian authorities rather than as a leader of the Delaware. The meeting, scheduled to take place in April 1760, was between the Iroquois and other associated tribes from the east and the western tribes aligned with the French. The Quakers and the provincial government of Pennsylvania sought to deal directly with the Delaware and other tribes on the Ohio and to establish a trading post at Pittsburgh. They resented the British Crown's appointment of Sir William Johnson to serve as the royal agent of northern Indian affairs and Johnson's appointment of George Croghan to serve as his deputy at Pittsburgh. The Pennsylvania governor wanted the tribes to come to Philadelphia to negotiate a treaty of reconciliation. On April 22, 1760, he signed a diplomatic passport for Frederick Post, his associate John Hays, and the Indian delegates Tatamy and Isaac Still to proceed to the Sandusky conference.¹²⁵

The Post embassy never made it to Sandusky, but Tatamy was kept busy on several related missions, including visits to the Minisink and Wapping (wappinger) Indians at Aghsinsing (near present Painted Post in Steuben County, New York), to Teedyuscung and his band at Wyoming (near

¹²⁵ Hunter, "Moses (Tunda) Tatamy," pp. 268-69, **Exhibit 1**.

present Wilkes Barre in Luzerne County, Pennsylvania), and to the Unami Delawares at Secaughcung (near present Canisteo in Steuben County, New York). In the latter place, the “Seneca Indians [one of the Iroquois tribes] living at that place threatened to roast Post and Hayes if they continued their journey. After Tatamy told Teedyuscung that “he was afraid their whole affair would not turn out well,” the Delaware leader advised him that he should return home as well.¹²⁶

The party turned back, but after three days on the return route Tatamy had a change of heart. Post quoted him as stating that “the Friends [Quakers] trusted no body but him, & reposed their whole Confidence in him, if he shod return they wod blame him forever, seeing they expected to know the Truth by him.”¹²⁷ Consequently, Tatamy and Still returned to Teedyuscung and the other Indian delegates. After reconnecting with Teedyuscung, Tatamy and Still proceeded to Pittsburgh to request provisions from George Croghan for Teedyuscung and his band.¹²⁸

Groghan was then attempting to assemble the Indians for a treaty conference at Pittsburgh. Teedyuscung was invited to this conference, held in August 1760, where he embarrassed himself with his drunken behavior.

¹²⁶ Ibid.,” p. 269.

¹²⁷ Ibid.

¹²⁸ Ibid., pp. 269-70.

Croghan was barred from the meetings, but Tatamy translated the speeches of the Indian delegates for him. Croghan gave Tatamy a letter to deliver to Philadelphia, in which the agent defended his actions. Enroute to Philadelphia, Tatamy and Still met with the Quaker Benjamin Lightfoot at Reading on September 7th. Lightfoot reported that Tatamy was ill with “a slight touch of the Flux” but was better the following day. The Indians asked Lightfoot to arrange to have Tatamy’s daughter and Still’s wife meet them in Philadelphia. Five days later, Tatamy attended a meeting at Philadelphia between Teedyuscung and his party and the Governor, at which Isaac Still served as the official interpreter.¹²⁹

In November 1760, Tatamy visited Colonel Andrew Johnson to inquire about his claim to a tract of New Jersey land.¹³⁰ Later that month, Tatamy wrote his Quaker friend Israel Pemberton:

I am now with Mr Edward Bainbridge in Maidenhead [present Lawrenceville, New Jersey, southeast of Trenton] in my return from Con[[]]ile Johnstons very sick & expect to die Mr Johnston gives me very good encouragement about my land I have mad {sic} my will + have made you & Mr John Bainbridge my executors which I beg you will take a little care about it + you will oblidge [sic].¹³¹

¹²⁹ Ibid., pp. 270-71.

¹³⁰ Ibid., p. 271.

¹³¹ Tatamy to Israel Pemberton, 24 November 1760, Friendly - Pymic Indices, vol. 4, 1, Haverford College. **Exhibit 23.**

Tatamy probably died in Maidenhead in early 1761. He would have been approximately 66 years of age at the time of his passing. When Teedyuscung again made an official visit to Philadelphia in April of that year it was the son Nicholas Tatamy and not the father who accompanied him.¹³² The name of the elder Tatamy never again appeared in the provincial records. The will Tatamy referenced in this letter to Pemberton has not been found. The land he wrote about was probably a tract east of Allentown (southeast of Lawrenceville and Trenton and southwest of Cranbury in Monmouth County, New Jersey) in which he claimed an interest at a 1758 conference. Teedyuscung also claimed a nearby tract.¹³³ For the location of Allentown, New Jersey, in relation to Lawrenceville (Lawrence Station), Trenton, Crosswicks, and Cranbury (Cranbury Station) see *Map 12, Monmouth County, New Jersey, 1895, p. 56-A*.

VI. Tatamy's Heirs

In regard to Tatamy's immediate family, no record has been found of his wife other than her being baptized as a Presbyterian by the missionary David Brainerd in 1745. Brainerd did not state her name in his diary.¹³⁴

¹³² Hunter, "Moses (Tunda) Tatamy," p. 271. **Exhibit 1**

¹³³ Ibid., p. 259.

¹³⁴ Dwight, *Memoirs of the Rev. David Brainerd*, pp. 208-215. **Exhibit 14.**

Although Brainerd indicated that Tatamy had five children, none of whom the missionary named, only four are known by name from the historical record: Peter, William, Jemina, and Nicholas. According to the Reverend John Brainerd, son Peter died “of a quick consumption” while attending New Jersey College in 1753.¹³⁵

Tatamy’s son William, who was schooled at David Brainerd’s Indian colony in Cranbury, New Jersey, was tragically murdered in 1757. A young Irishman shot him after he strayed from Teedyuscung and a party of Delaware enroute to a conference at Easton.¹³⁶ William lingered for about a month under the care of the Moravian brethren, but died on August 1.¹³⁷ More than 200 Indians attended his funeral service, also conducted under the auspices of the Moravians. He was buried near the Moravian headquarters at Bethlehem.¹³⁸

No record has been found pertaining to Tatamy’s daughter Jemina after 1763. In that year, Tatamy’s Quaker friend Israel Pemberton submitted a bill

¹³⁵ Wynbeek, *David Brainerd: Beloved Yankee*, p. 152, **Exhibit 33**.

¹³⁶ Captain Jacob Orndt to Governor Denny, 8 July 1757, in Hazard, ed., *Pennsylvania Archives*, vol. 3, pp. 209-210, **Exhibit 65**; Hodge, ed., *Handbook of American Indians North of Mexico*, Vol. II, p. 697, **Exhibit 13**.

¹³⁷ John M. Otto to Timothy Horsfield, 27 July 1757, in Hazard, ed., *Pennsylvania Archives*, vol. 3, p. 247, **Exhibit 66**; Dr. John M. Otto to Governor William Denny, 31 July 1757, in Hazard, ed., *Pennsylvania Archives*, vol. 3, pp. 251-252, **Exhibit 67**; Hodge, *ibid*.

¹³⁸ Hodge, *ibid*. **Exhibit 13**.

for boarding her.¹³⁹ It had been reported in 1760 that Jemina was staying with the wife of Isaac Still, the Delaware who worked closely with Tatamy as an interpreter and messenger.¹⁴⁰ This was during the time that Tatamy and Still were traveling together as part of the Frederick Post embassy in relation to the council at Sandusky.¹⁴¹

Tatamy's son Nicholas succeeded his father as a diplomat and interpreter.¹⁴² In 1769, the proprietors granted 200 acres of land to Nicholas and his descendants "in consideration of his father's services to the Province." The location of the tract, which was to be "in such manner and form to prevent his or their alienation thereof," was not specified.¹⁴³ No evidence has been found that an actual land grant was ever conveyed. Perhaps the promise was derailed by the Revolution. Nicholas died in 1784 in Northampton County. His probate record did not reference any real property. However, it did indicate an indebtedness of 28 pounds. His heirs were determined to be his non-Indian wife Ann and their son Moses.¹⁴⁴

¹³⁹ Hunter, "Moses (Tunda) Tatamy," p. 271, **Exhibit 1**.

¹⁴⁰ Benjamin Lightfoot, to Israel Pemberton, Philadelphia, 7 September 1760, Friendly Association - Pymic Indices, vol. 4, 1-3, Haverford College, **Exhibit 22**.

¹⁴¹ Hunter, "Moses (Tunda) Tatamy," pp. 268-271, **Exhibit 1**.

¹⁴² See, for example, At a Conference with Teedyuscung, 6 April 1761, *Minutes of the Provincial Council of Pennsylvania*, vol. 8, pp. 594-595, **Exhibit 68**.

¹⁴³ Votes of Assembly 1769 in Charles Horan, ed., *Pennsylvania Archives: 4 January 1764-19 October 1770*, 8th series, vol. 7 (Harrisburg: Pennsylvania Bureau of Publications, 1935), p. 6443. **Exhibit 69**.

¹⁴⁴ Estate of Nicholas Tatamy, 18 February 1784, No. 1050, Register of Wills, Northampton County, PA, Easton, Pennsylvania, **Exhibit 70**.

In 1789 a lawsuit was filed over Nicholas' land grant. The record named Ann and two other of her sons William and John. Son Moses was apparently dead or removed from the area by this time.¹⁴⁵ No further information has been found regarding this litigation. It is not known whether William and John were the sons of Nicholas Tatamy.

A "William Tatelme" was listed as a head of household in the 1790 census of Easton, Pennsylvania. The household enumerated under this name was comprised of two free white males of at least sixteen years of age and a free white female.¹⁴⁶ This may have been Ann and her sons William and John. The 1800 Easton census listed only the "Widow Tatamy;" a "free white female of 45 upwards."¹⁴⁷ There was no reference to a William or John Tatamy. In his *History of the Lehigh Valley*, published in 1860, author M.S. Henry wrote that

an aged gentlemen of Easton, still living there, says he went to school with the two sons of [probably Nicholas] Tatamy and that he had seen Tatamy's wife often, who was a white woman. The poor book of Easton of 1801 contains a record of her death and burial.¹⁴⁸

¹⁴⁵ Hunter, "Moses (Tunda) Tatamy," p. 271, **Exhibit 1**.

¹⁴⁶ William Tatelme, Census, 1790, Easton, Northampton County, PA., p. 265, **Exhibit 71**; U.S., Department of Commerce and Labor, Bureau of the Census, *Heads of Families at the First Census of the United States Taken in the Year 1790: Pennsylvania* (Washington: Government Printing Office, 1908), p. 171, **Exhibit 72**.

¹⁴⁷ Widow Tatamy, Census, 1800, Borough of Easton, Northampton County, PA., p. 538, **Exhibit 73**; Ronald Vern Jackson, et al., editors, *Pennsylvania 1800* (Census Index)(Salt Lake City: Accelerated Indexing Systems International, n.d.), p. 31, **Exhibit 74**.

¹⁴⁸ Henry, *History of the Lehigh Valley*, p. 50, **Exhibit 40**.

No further information has been found regarding the descendants of Moses Tundy Tatamy. It has been documented that Tatamy's non-Indian daughter-in-law Ann, the widow of his son Nicholas, lived in Easton until her death in 1801. However, no evidence has been found to indicate that Tatamy's descendants lived on his former property at The Forks until 1801, as the plaintiff in litigation has maintained. If they did so, it would appear, in light of the evidence that this land was seized and sold by Bucks County in 1745, that it was at the discretion of the legal property owners at that time (probably the heirs of Melchior Stecher) and not in any inherited or aboriginal right.

VII. The Issue of Succession of Interest

The Delaware Nation claims that it is the successor in interest to the lands that Tatamy owned at The Forks. In order to support this claim from a historical perspective, the plaintiff must demonstrate (1) that the aboriginal rights to land in The Forks area were not ceded by the Delaware to the proprietors of the Pennsylvania province in 1732 and 1737 and to the United States in 1795; (2) that there was a tribal interest in the specific lands that were granted to Tatamy and later patented to him in fee title as an individual,

under the condition that its use and occupation by Indians other than his own family was forbidden; (3) that Tatamy's title to his lands were not legally extinguished in 1745 when Bucks County seized the property in payment of Tatamy's indebtedness; and (4) that there is a direct historical and/or genealogical connection that specifically links Tatamy to the Delaware Nation of Western Oklahoma.

The genealogical succession must be demonstrated by evidence indicating that present members of the Delaware Nation are the descendants of Moses Tundy Tatamy. The Delaware Nation has not presented, and we have not yet found, any evidence of this genealogical connection. The historical succession must be shown by evidence indicating that the specific Delaware bands of Tatamy's origin or of his later association at The Forks are part and parcel of the same bands that migrated to Oklahoma and became part of what has evolved as the modern Delaware Nation tribal entity. In light of the local autonomous nature of the aboriginal Delaware bands and their widespread dispersion following removal from their homelands, it is not sufficient merely to claim that there is a historical link between Tatamy and the tribal entity in western Oklahoma merely on the basis of the generic identification of both as being Delaware.

As has been noted, the migration patterns of the various Delaware bands were particularly complex. The bands gradually scattered to many regions, including southern Ontario, western New York, Wisconsin, Kansas, and Oklahoma. Political and linguistic groups repeatedly divided and amalgamated in complicated ways, and individual band members and families were perpetually on the move. These factors make it difficult, if not impossible, to determine what, if any, modern Delaware tribal entity might reasonably claim to be the genealogical and/or historical successor to any interest in the property owned by Moses Tundy Tatamy more than two and a half centuries ago at The Forks of the Delaware.

Linking Tatamy to his band of origin in New Jersey is inconclusive because scholars do not agree on the area that was his homeland. The anthropologist Ives Goddard and the historian C.A. Weslager have claimed that Tatamy was born into the Minisink band of Delaware. The Minisink occupied the headwaters of the Delaware River above the Delaware Water Gap.¹⁴⁹ This highland area is in the Kittatinny Mountains and some ethnologists have translated *Minsiu*, the root word for Minisink as meaning “people of the stony country” or “mountaineers.”¹⁵⁰ A significant native settlement in what is now Sussex County, New Jersey, southeast of Milford,

¹⁴⁹ Goddard, “The Delaware,” p. 213, **Exhibit 7**.

Pennsylvania, was identified as Minisink in contemporary 17th century records.¹⁵¹ This settlement encompassed a large island in the Delaware River, identified on some maps as Minisink Island.¹⁵² It was located approximately 60 miles upriver from The Forks area. At least seven other Minisink villages were nearby.¹⁵³ The Minisink spoke the *Munsee* dialect in contrast to the Delaware bands below the Delaware Water Gap, who spoke the *Unami* dialect.¹⁵⁴ The term Minisink was applied eventually to a much larger area beyond the villages near the primary settlement of Minisink and the residents of this area came to be identified as Munsees.¹⁵⁵ For the general location of the Minisinks and Minisink Island see *Map 2, Delaware Bands and Dialects in the 17th century, p. 9-A*.

As has been noted above, Tatamy did at least have diplomatic associations with the Minisink. For example, in 1758, he served as New Jersey Governor Bernard's official messenger to the Minisink village of Aghsinsing in New York and their interpreter at treaty negotiations at

¹⁵⁰ Weslager, *The Delaware Indians*, p. 45, **Exhibit 8**.

¹⁵¹ Ibid., p. 36; Goddard, "The Delaware," p. 215. Fig. 2, 17th-century bands and dialects, **Exhibit 7**.

¹⁵² Ibid.

¹⁵³ Weslager, *ibid.*, **Exhibit 8**.

¹⁵⁴ Goddard, "The Delaware," pp. 213, 215, **Exhibit 7**.

¹⁵⁵ Weslager, *The Delaware Indians*, pp. 36-37, **Exhibit 8**.

Easton.¹⁵⁶ This suggests that Tatamy was at least fluent in the Munsee dialect. At an Indian conference held at Crosswicks, New Jersey in that same year, Tatamy was listed as a representative of the “Mountain Indians.”¹⁵⁷ This may have been a reference to the Minisink band and to the group of Tatamy’s origin rather than his diplomatic association. Yet, in 1755 when the Minisink and other Indians threatened to attack the Easton area, Tatamy warned the local residents and was so concerned about his personal safety that he fled to the other side of the Delaware.¹⁵⁸ This suggests that either he was not a Minisink or that he was not on good terms with the members of that band that posed the threat. As part of his final mission for the provincial authorities in 1760, Tatamy again visited the Minisink at Aghsinsing.¹⁵⁹

The main body of the Minisinks from northern New Jersey emigrated to the northwest in the 18th century to locations on the North Branch of the Susquehanna River and its tributary, the Canistota-Chemung, in Pennsylvania and New York. Many other Munsee speakers from the Hudson River valley

¹⁵⁶ June 1758, *Minutes of the Provincial Council of Pennsylvania, From the Organization to the Termination of the Proprietary Government*, vol. 8 (Harrisburg: Theo. Fenn & Co., 1852), pp. 140-141, for services as a messenger for the Governor of New Jersey, **Exhibit 16**; Hunter, “Moses (Tunda) Tatamy,” p. 267, **Exhibit 1**.

¹⁵⁷ Conferences with Indians in N.J., 21-24 February 1758, in Hazard, ed., *Pennsylvania Archives*, vol. 3, p. 342, **Exhibit 25**.

¹⁵⁸ Moses Tunda Tatamy, Statements regarding Walking Purchase, Delaware-Iroquois Hostility, Origins of Indian Hostility in Pennsylvania, Friendly Association - Pymic Indices, vol. 1, 1-10, Haverford College, **Exhibit 61**.

¹⁵⁹ Hunter, “Moses (Tunda) Tatamy,” p. 269, **Exhibit 1**.

joined them there. Gradually, the name Munsee replaced Minisink as the designation for this grouping of people.¹⁶⁰

After the American Revolution, the majority of the Munsees, who had been pushed further west and had been pro-British during the war, sought sanctuary in Canada.¹⁶¹ The Munsee dialect was preserved into the 19th century at various locations to which the Delaware had migrated. It was the exclusive language of the Munsee descendants in Canada and was also used by small groups in New York, Wisconsin, Kansas, and Oklahoma.¹⁶² Except for those affiliated with the Stockbridge Munsee in Wisconsin and the Ottawa in Kansas, most of the present Munsee descendants live in Canada¹⁶³ (the migrations of the Munsees are indicated on *Map 4, Delaware Western Relocations, p. 13-A*). Thus, if Tatamy was a Munsee-speaking Minisink, it is far more likely that the descendants of the people of his origin are to be found among the Delaware of southern Ontario rather than among the Delaware of western Oklahoma.

In an early 20th century source, ethnologist Frederick W. Hodge stated that Tatamy was born near present Cranbury, New Jersey, which is within

¹⁶⁰ Goddard, "The Delaware," pp. 221, **Exhibit 7**.

¹⁶¹ Jay Miller, "Delaware," in Frederick E. Hoxie, ed., *Encyclopedia of North American Indians* (New York: Houghton Mifflin Co., 1996), p. 158, **Exhibit 75**.

¹⁶² Goddard, "Eastern Algonquian Languages," p. 73, **Exhibit 9**.

¹⁶³ Miller, "Delaware," p. 159, **Exhibit 75**.

Middlesex County.¹⁶⁴ This may have been within the area identified in the 17th century as being occupied by the Sankhikan band, near the Falls of the Delaware in the Trenton, New Jersey area, a group that spoke the Unalachtigo dialect of the *Northern Unami* language.¹⁶⁵ In contrast, the Indians of The Forks area where Tatamy eventually settled, approximately 45 miles northwest of the Cranbury area, spoke a different *Northern Unami* dialect.¹⁶⁶ Most of the Delaware that eventually migrated to Oklahoma were *Southern Unami* speakers. For the location of the Sankhikan band in relation to that of Cranbury and the boundary between Northern Unami and Southern Unami speakers see *Map 2, Delaware Bands and Dialects in the 17th century, p. 9-A*).

The majority of the New Jersey Indians that migrated to The Forks area were *Unalachtigo (Northern Unami)* speakers from the Trenton region.¹⁶⁷ This is the area where Tatamy settled after he left The Forks area in the 1750s. Tatamy's son William was schooled at Bethel, the Indian colony at Cranbury, the area where Hodge claimed Tatamy was born, which is about ten miles

¹⁶⁴ Hodge, ed., *Handbook of American Indians North of Mexico*, Vol. II, p. 696, **Exhibit 13**.

¹⁶⁵ Weslager, *The Delaware Indians*, p. 36, **Exhibit 8**; Goddard, "Eastern Algonquian Languages," p. 73, **Exhibit 9**; Goddard, "The Delaware," pp. 215, 236, **Exhibit 7** (see p. 215, Fig.2, 17th century bands and dialects). Goddard attempted in his article to describe and depict the Delaware bands near the major waterways, such as the Sankhikan on the Delaware River, but admitted that the interior areas were "poorly known." This is the reason for the speculation that Tatamy "may" have been of the Sankhikans. The information that they lived near Trenton comes from Ives Goddard, "Eastern Algonquian Languages," p. 73.

¹⁶⁶ Goddard, , "Eastern Algonquian Languages," p. 73, **Exhibit 9**.

northeast of the Lawrenceville/Trenton area¹⁶⁸ (see *Map 11, Mercer County, New Jersey, 1895, p. 48-A*). The Reverend David Brainerd, the Presbyterian missionary who had baptized Tatamy two years earlier, established the Cranbury Indian colony in 1746.¹⁶⁹ It continued to exist until 1753.

In his last days, Tatamy resided at Maidenhead (present Lawrenceville) just north of Trenton in Mercer County, New Jersey. At that time he wrote Israel Pemberton that he was “very sick.” He probably died there in early 1761.¹⁷⁰ If Tatamy was not originally from the area of present Mercer and Middlesex counties of west central New Jersey, perhaps sources that conclude he was born in the Cranbury area were confused by the fact that he resided in that area at the end of his life. For the location of Cranbury and its proximity to Lawrenceville and Trenton see *Map 11, Mercer County, New Jersey, 1895, p. 48-A*. Lawrenceville is identified as Lawrence Station on this map.

At a conference in 1758, Tatamy claimed an interest in land “near and east” of Allentown, New Jersey.¹⁷¹ The borough of Allentown lies about

¹⁶⁷ Goddard, “The Delaware,” pp. 221, 236, **Exhibit 7**.

¹⁶⁸ Distance approximation from “New Jersey,” *Hammond Medallion World Atlas* (Maplewood, NJ: Hammond Inc., 1969) p. 273, **Exhibit 76**.

¹⁶⁹ Heckewelder, *History, Manners, and Customs of The Indian Nations Who Once Inhabited Pennsylvania and The Neighboring States*, p. 303fn, **Exhibit 64**.; Wynbeek, *David Brainerd: Beloved Yankee*, pp. 199-203, **Exhibit 33**.

¹⁷⁰ Tatamy to Israel Pemberton, 24 November 1760, Friendly Association Pymic Indices, vol. 4, 1, Haverford College, **Exhibit 23**.

¹⁷¹ Hunter, “Moses (Tunda) Tatamy,” 259, **Exhibit 1**.

eleven miles southeast of Trenton in present Monmouth County¹⁷² (see *Map 12, Monmouth County, New Jersey, 1895, p. 56-A*). Historically, Allentown was part of Mercer County (see *Map 11, Mercer County, New Jersey, 1895, p. 48-A*). It was in regard to this land claim that Tatamy visited Colonel William Anderson in 1760 following his return from the Frederick Post diplomatic mission. Historian William A. Hunter, who has written the most extensive biography of Tatamy, concluded that this land was “Tatamy’s early home.”¹⁷³ If Hunter is correct, this was within the area identified as being occupied in the 17th century by the Atsayonck (also known as the Axion) band of *Northern Unami* speakers. Both Goddard and Weslager have identified the Atsayonck band as living below the Sankhikans.¹⁷⁴ Goddard identified them as living in the area of Crosswicks Creek.¹⁷⁵ This creek, a tributary of the Delaware, forms the boundary between Mercer and Brunswick counties in New Jersey and extends into Monmouth and Ocean counties before returning to Burlington County. Weslager maintains the Atsayonck lived adjacent to Assunpink Creek.¹⁷⁶ This creek is also a tributary of the Delaware. From its mouth above Trenton, it extends in a southeasterly direction through Mercer

¹⁷² Distance approximation from “New Jersey,” *Hammond Medallion World Atlas*, p. 273, **Exhibit 76**.

¹⁷³ Hunter, “Moses (Tunda) Tatamy,” pp. 259, 271, **Exhibit 1**.

¹⁷⁴ Goddard, “Delaware,” p. 215 and Figure 2, “17th century bands and dialects.” p. 215, **Exhibit 7**; Weslager, *The Delaware Indians*, pp. 36, 38, **Exhibit 8**.

¹⁷⁵ Goddard, “Delaware,” p. 215, **Exhibit 7**.

County and into a portion of Monmouth County¹⁷⁷. For the location of the Atsayonck band in relation to the Sankhikan band and the Falls of the Delaware see *Map 2, Delaware Bands and Dialects in the 17th century*, p. 9-A).

Allentown, in western Monmouth County near the Mercer county line, the area that Hunter alleges to have been Tatamy's early home, lies fewer than three miles north of Crosswicks Creek. The village of Crosswicks lies on Crosswicks Creek in Mercer County near the Monmouth County line, fewer than five miles southwest of Allentown.¹⁷⁸ For the location of Allentown and its proximity to Crosswicks, Trenton, Lawrenceville, and Cranbury see *Map 11, Mercer County, New Jersey, 1895*, p. 48-A. Lawrenceville is identified as Lawrence Station on this map. It was near Crosswicks that Tatamy helped David Brainerd preach to the Indians in the 1740s. It was here too that Tatamy helped negotiate treaties between the Delaware and New Jersey authorities in the 1750s.

M.S. Henry, a 19th century historian of the Lehigh Valley in Pennsylvania, claimed that Tatamy was born "about 15 miles below

¹⁷⁶ Weslager, *The Delaware Indians*, p. 36, **Exhibit 8**.

¹⁷⁷ Assunpink Creek Watershed Association, description and map of Assunpink Creek, www.assunpinkcreekwa.org, **Exhibit 77**; Map of Projects in Assunpink Watershed, www.beesinc.org/pics/prog/asnpinkprojsites.gif, **Exhibit 78**.

¹⁷⁸ Distance approximation from "New Jersey," *Hammond Medallion World Atlas*, p. 273, **Exhibit 76**.

Phillipsburg” in New Jersey.¹⁷⁹ Phillipsburg lies immediately across the Delaware from Easton, Pennsylvania (see *Map 5, The Forks of the Delaware in Pennsylvania, p. 13-B*). The area 15 miles below Phillipsburg is within present Hunterdon County, New Jersey.¹⁸⁰ If Henry was correct, Tatamy may have been part of the Delaware bands native to The Forks area. However, Henry is not accurate in describing other details of Tatamy’s life and his statement regarding the place of Tatamy’s birth has not been corroborated by any other source.

The Indians at The Forks spoke a *Northern Unami* dialect. The Forks dialect of *Northern Unami* was the language utilized by the Moravian missionaries in their 18th century translations. However, by the late 19th century, only Delaware descendants in Canada spoke this dialect. The language is now extinct.¹⁸¹

In contrast, the Delaware dialect that was best preserved among the Delaware in Oklahoma was that of *Southern Unami*. The bands that spoke this dialect originally lived below the *Northern Unami* speakers in western New Jersey and southeastern Pennsylvania, extending south into Delaware and a small area of northeastern Maryland. The northern-most bands of the

¹⁷⁹ Henry, *History of the Lehigh Valley*, p. 49, **Exhibit 40**.

¹⁸⁰ See “New Jersey,” *Hammond Medallion World Atlas*, p. 273, **Exhibit 76**.

¹⁸¹ Goddard, “Eastern Algonquian Languages,” p. 73, **Exhibit 9**; Goddard, “The Delaware,” p. 215, **Exhibit 7**.

Southern Unami speakers lived in the lower portion of the Delaware River valley. On the east bank of the Delaware their territory extended from Trenton, just below the *Northern Unami* speaking Sankhikans and Atsayonck bands, south to Burlington. On the west bank, the *Southern Unami* speakers occupied the area at Tohickon Creek (above the falls of the Delaware near present Point Pleasant in Bucks County, Pennsylvania) and below.¹⁸² For the boundary between the *Northern Unami* and *Southern Unami* speakers in relation to the location of Tohickon Creek see *Map 2, Delaware Bands and Dialects in the 17th century*, p. 9-A). For a more specific location of Tohickon Creek see *Map 6, Bucks County Pennsylvania, 1876*, p. 13-C.

After being forced out of their homelands, the remnant Delaware bands continued to use the terms *Unami* and *Munsee*, both to identify their dialects and their separate political entities. The word *Unalachtigo* fell out of use as the Unami at the new Delaware settlements absorbed the few survivors who spoke this dialect.¹⁸³

Linguistically, the Delaware of Oklahoma are more closely tied to the *Southern Unami* dialect of the lower Delaware basin than they are to the *Munsee* dialect of the upper basin (preserved primarily in Canada), the

¹⁸² Goddard, "Eastern Algonquian Languages," p. 73, **Exhibit 9**; Goddard, "The Delaware," pp. 214-215, **Exhibit 7**.

¹⁸³ Weslager, *The Delaware Indians*, p. 45, **Exhibit 8**.

Unalachtigo dialect of the Trenton area (preserved in Canada into the late 19th century), or the *Northern Unami* dialect of The Forks region (which is now extinct).

The amalgamated Delaware groups at The Forks were compelled to remove as a result of the confirmation of the Walking Purchase of 1737 and the subsequent order of the Iroquois in 1742 to vacate the lands. These *Northern Unami* speakers relocated to the North Branch of the Susquehanna River at settlements called Shamokin (Sunbury) and Wyoming (Wilkes-Barre)¹⁸⁴ (see *Map 1, Delaware Tribal Territory and Western Relocations*, p. 8-A).

The *Southern Unami* speakers also retreated from their homelands. By the 1720s, most were on the Susquehanna at Shamokin and on the Allegheny River. From there they moved to the lower Allegheny and upper Ohio valleys after 1750 (this migration is indicated on *Map 1, Delaware Tribal Territory and Western Relocations*, p. 8-A). At these locations various other *Southern Unami* and *Northern Unami* speakers joined them in the 1760s. Here also they organized the first consolidated Delaware tribe.¹⁸⁵

The majority of the *Munsee* and *Northern Unami* speakers remained on the Susquehanna until after the end of the Seven Years War (also known as

¹⁸⁴ Goddard, "The Delaware," p. 221, **Exhibit 7**

the French and Indian War) in 1763. The *Northern Unami* bands that did not join the main body of Delaware in the west merged with the Six Nations and eventually settled in Ontario¹⁸⁶ (see *Map 1, Delaware Tribal Territory and Western Relocations*, p. 8-A and *Map 3, Delaware Migrations*, p. 12-A).

A remnant of Delaware people remained in their homelands. Those who chose to remain in New Jersey were granted a reservation at Brothertown in 1758, after relinquishing claims to New Jersey lands. Most of these people eventually migrated to Wisconsin and became part of the Stockbridge-Munsee and Brothertown Indian communities in that state. They were also joined by part of the Munsees from Ontario¹⁸⁷ (see *Map 3, Delaware Migrations*, p. 12-A and *Map 4(a), Western Relocations of the Delaware*, p. 13-A).

The main body of Unamis, of both dialects, continued to migrate westward following the American Revolution. They lived on the White River in Indiana (1800-1820) (see *Map 4(b), Western Relocations of the Delaware*, p. 13-A), the James Fork of the White River in Missouri (1821-1829), and on the Kansas River in northeastern Kansas (1830-1867), before moving to eastern Oklahoma in 1867 to settle among the Cherokee (see *Map 4(c), Western Relocations of the Delaware*, p. 13-A). At each locale, numerous

¹⁸⁵ Ibid., p. 222.

¹⁸⁶ Ibid.

¹⁸⁷ Ibid. **Exhibit 7.**

groups either stayed behind or struck out on their own to various other locations. Some of the Munsee from Canada joined the main body of Delaware in Kansas. A part of this group settled with a Chippewa band in Franklin County, Kansas (see *Map 4(c), Western Relocations of the Delaware, p. 13-A*). The remainder was assimilated into the main Delaware group.¹⁸⁸

The Delaware Nation of Western Oklahoma, that claims right of succession to Tatamy's former lands, also known as the Absentee Delaware, represents a splinter group that left the main body of the Delaware in 1789 to settle on the Mississippi River near Cape Girardeau, Missouri.¹⁸⁹ This group subsequently allied with the Caddos in Texas from 1815 until 1859, when both groups were compelled to move to western Oklahoma near present Anadarko. The Anadarko or Absentee Delaware officially merged with the Caddo in 1874 and accepted the leadership of a Caddo Chief. The Indian agent of the Wichita Agency reported in 1875 that there were 61 Delaware tribal members with the Caddos and an additional 30 on the Kiowa and Comanche reservations. In 1895, a reservation was established for the Caddo and affiliated tribes, including the Delaware splinter group.¹⁹⁰ For the location of the Wichita-Caddo Reservation see *Map 4(c), Western Relocations of the*

¹⁸⁸ Ibid., 223-224, **Exhibit 7**; Miller, "Delaware," pp. 158-159, **Exhibit 75**.

¹⁸⁹ Weslager, *The Delaware Indians*, p. 319, **Exhibit 8**.

¹⁹⁰ Ibid., pp. 430, 432.

Delaware, p. 13-A). The Delaware Nation represents a minority of the Unami descendants. Most of the modern Unamis are in eastern Oklahoma.¹⁹¹

In 1876, a list was compiled of the heads of families comprising the Delaware at Anadarko. The total population of these people then numbered 83. Tatamy does not appear as one of the family names on this list.¹⁹² In 1898, a roll was compiled of all the eastern Delaware affiliated with the Cherokee Nation. Neither the name Tatamy nor any similar surname is listed on this roll.¹⁹³ A 1904 Congressional report contained documents relating to the allotment of lands to Delaware in the Cherokee Nation. Neither the name Tatamy nor any similar surname appears on the lists of allottees.¹⁹⁴

VIII. Conclusion

No historical evidence has been found to indicate that any tribal rights were ever established in the patents by which Moses Tunda Tatamy was first granted use and then full ownership of lands at The Forks of the Delaware River. The record shows that the rights of use of the property were restricted to Tatamy and his immediate family and that ownership of this land was

¹⁹¹ Miller, "Delaware," p. 225. **Exhibit 75.**

¹⁹² Weslager, *The Delaware Indians*, p. 432, Appendix 11 (pp. 518-19). **Exhibit 8.**

¹⁹³ Dorothy (Tincup) Mauldin and Jeff Bowen, *Complete Delaware Roll 1898* (Hixson, TN: Native American Genealogical Research and Publishing Company, 2001), **Exhibit 79.**

vested solely in Tatamy as an individual. His heirs held rights of inheritance to Tatamy's fee patented land, but these rights were terminated after the property was seized by Bucks County for indebtedness in 1745 and subsequently conveyed to a third party. This conveyance was legal under the provincial laws of Pennsylvania. It was not subject to the Indian Trade and Intercourse acts, first enacted in 1790, because these statutes were not retroactive and did not apply to conveyances that took place prior to the establishment of the United States government.

In 1732 Delaware tribal representatives deeded their lands between the branches of the Delaware River to the Pennsylvania proprietors. Nutimus and his band ceded the aboriginal title of the Delaware to all lands at The Forks (including those both north and south of the forks of the Delaware) in 1737 when these Indians confirmed to the proprietors the Walking Purchase of 1686. If any rights to these lands were retained beyond colonial times, those rights were ceded by the Delaware under the provisions of the Treaty of Greenville in 1795, by which the tribe ceded all claims west of the Cuyahoga River in Ohio.

¹⁹⁴ U.S., Senate, Select Committee on the Five Civilized Tribes of Indians, *Allotment of Lands to Delaware Indians*, Senate Document No 104, 58th Cong., 2d Sess. (1904).
Exhibit 80.

The Delaware Nation of Western Oklahoma has not met the evidentiary burden of demonstrating the existence of a direct historical and/or genealogical connection that specifically links Tatamy or his heirs, or any of the Forks Indians, to this modern tribal entity.