

THE  
HUDSON  
RIVER  
VALLEY  
REVIEW

*A Journal of Regional Studies*

MARIST

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## Publisher's Intro

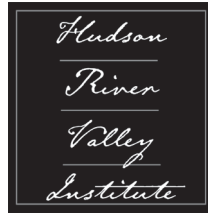
It is with great pleasure that I introduce two new members to the Editorial Board of our *Hudson River Valley Review*, as well as two new members to the Hudson River Valley Institute's Advisory Board. On the Editorial Board, Michael Groth joins us from Wells College where he is an Associate Professor in History and Kim Bridgford, Professor of English at Fairfield University, will act as our poetry editor for Regional Writing. Shirley Handel and Robert E. Tompkins, Sr. bring their experience and commitment to our region to the vision of the Institute.

—Thomas S. Wermuth

## Editors' Intro

While the Hudson River Valley National Heritage Area's "Corridor of Commerce" theme has not received the greatest amount of attention, it highlights an important aspect of the region's historic legacy. Time and again, commercial and industrial innovations developed in the Hudson Valley have placed the region firmly into the history books. Glenn Curtiss's 1910 flight from Albany to Manhattan established that air travel could be a practical means for moving people and goods, much as Robert Fulton's steamship proved the potential for that mode of transportation a century earlier. But the valley's commercial legacy really begins with Native Americans, such as Daniel Nimham, who traded goods and land with European settlers. While Nimham is most often remembered as a Patriot who fell at the battle of Kingsbridge, there is substantial evidence he also was one of the colonial era's great land barons. Over the eighteenth and nineteenth centuries, the regional economy grew to include manufacturing—such as the bell foundries located in the upper valley—as well as substantial shipping and wholesale and retail operations. Finally, it was the valley's suitability for travel that made it a crucial point of defense by militia and regulars during the American Revolution, and later one of the ideal routes for establishing Post Roads enabling communication between the Northeast's major cities. The Old Rhinebeck Aerodrome, the Maybrook Historical Society, and the Danbury Rail Museum are each dedicated to preserving a different portion of this transportation legacy. We welcome you to another issue of the *Hudson River Valley Review*, which explores all of these fascinating topics.

—Christopher Pryslopski, Reed Sparling



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## Call for Essays

*The Hudson River Valley Review* is anxious to consider essays on all aspects of the Hudson Valley—its intellectual, political, economic, social, and cultural history, its prehistory, architecture, literature, art, and music—as well as essays on the ideas and ideologies of regionalism itself. All articles in *The Hudson River Valley Review* undergo peer analysis.

## Submission of Essays and Other Materials

HRVR prefers that essays and other written materials be submitted as two double-spaced typescripts, generally no more than thirty pages long with endnotes, along with a computer disk with a clear indication of the operating system, the name and version of the word-processing program, and the names of documents on the disk. Illustrations or photographs that are germane to the writing should accompany the hard copy. Otherwise, the submission of visual materials should be cleared with the editors beforehand. Illustrations and photographs are the responsibility of the authors. Scanned photos or digital art must be 300 pixels per inch (or greater) at 8 in. x 10 in. (between 7 and 20 mb). No responsibility is assumed for the loss of materials. An e-mail address should be included whenever possible.

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Since HRVR is interdisciplinary in its approach to the region and to regionalism, it will honor the forms of citation appropriate to a particular discipline, provided these are applied consistently and supply full information. Endnotes rather than footnotes are preferred. In matters of style and form, HRVR follows *The Chicago Manual of Style*.

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On the Cover: *Albany Flyer*, by John Gould,  
Photo courtesy of Bethlehem Art Gallery



Artist Michael Keropian's depiction of Sachem Daniel Nimham is based on historic scholarship and correspondence with Nimham's descendents

# Wappinger Kinship Associations: Daniel Nimham's Family Tree

*J. Michael Smith*

*Legal papers compiled during the Wappinger Indians' land claim case in Dutchess County contain testimony listing the names of both the maternal and paternal relatives of the then-sachem Daniel Nimham. The documents also contain evidence of kin relations between Wappinger and Mohican families. An examination of these papers provides information about Indian kinship in the eighteenth century.*

## Introduction

The Wappinger sachem Daniel Nimham, a “native Indian” of the Hudson River Valley, is perhaps best known for his active participation in the American Revolution and his subsequent death alongside his son, Abraham, during a battle with British forces north of New York City (Walling, 2004: 103-112; Calloway, 1996: 85-107). Yet, accounts of Nimham's military exploits comprise only a portion of the over 100 colonial documents chronicling his activities from 1745 to 1778 (author's files). Sixty-one of the documents mentioning Nimham deal specifically with Wappinger land claims in southern Dutchess County and describe him as an assertive defender of his tribe's native rights. Eight documents additionally reveal his involvement in Mohican land claims and land sales in both New York and neighboring Massachusetts. Eleven documents further record his personal proprietary affairs and land affairs of his immediate family at the Mohican township of Stockbridge, Massachusetts.

This article examines Nimham's land claim made before the New York Colonial Council in 1762, the first of three unsuccessful attempts to retain Wappinger rights to lands reserved decades earlier. Similar efforts resulting in formal trials were made in 1765 and 1767 (Nammack, 1969: 70-85; Frazier, 1992: 156-169). The 1762 claim provides direct testimony from Nimham himself describing the boundaries of two distinct tracts of land and includes listings of individuals and their familial claims to these areas. The individuals identified in this initial claim are his maternal and paternal relatives, and represent families spanning four

generations. Some of these relationships reveal kin ties to Mohican Indians that help explain Nimham's associations with this cultural group. This data combined with later court case records and other documents referencing Wappinger kin relations provides information about Indian kinship and patterns of descent and inheritance during the late colonial period.

## Daniel Nimham's Predecessors

Primary sources depicting Daniel Nimham's activities identify him as a principal spokesman of the Wappingers or Highland Indians living in the mid-Hudson Valley. The Wappingers, one of some twenty Indian bands collectively known as Munsee-Delawares or Munsees, occupied the Highlands and adjoining areas of colonial Dutchess County. Ethnic references pertaining to this group show that they maintained close political ties with neighboring Mohican bands of the upper Hudson and Housatonic river valleys throughout the colonial period (Smith, 2009: 43). Nimham does not appear to have been chosen sachem of the Wappingers until 1765. There are no documents prior to this year that recognize him in such a leadership role. During the 1762 land claim, he identified himself solely as a "River Indian" of the "Wappingoe" tribe, and reported that he was "a Christian and has resided some years with the Mayhiccondas at Stockbridge" (Misc. Mss., Columbia County-NYHS, August 2). Listed as thirty-six years old at the time, he also stated, "that these two Tribes [now] constituted on[e] Nation." His age recorded here indicates he was born around 1726.

Nimham is first mentioned as the leader of his people on October 30, 1765, in a testimonial supportive of his land claims where he is noted as the "acknowledged Sachem or King of a Certain Tribe of Indians known and called by the name of the Wappinger Tribe." (NYCM-LP, 18: 128) The testimonial further states that "This Tribe Formerly more numerous, at present consists of about Two hundred and Twenty seven Persons: they have always had a sachem or Indian King, whom they acknowledge to be the head of the said Tribe, and to whose Government they have submitted; and by a line of succession the said Government descended to the said present Sachem."

Confirmation that Daniel Nimham inherited tribal leadership through a line of succession is contained in a 1764 letter of attorney granting guardianship over Wappinger land rights to Samuel Monroe, a Connecticut emigrant who maintained a farm on the disputed lands. Monroe and other emigrant farmers had joined forces that year with Nimham, acquiring Indian leases challenging New York landowners' claims to the territory. In the letter, Nimham and other tribesmen are identified as the sons and heirs of previous Wappinger leaders:

“Stephen Kounhum Son and Heir of Kounhum of the High Lands in Dutchess County and Province of New York Deceased, and Daniel Nimham Son and Heir of Nimham the Son of Sackoenemack of Dutchess County aforesaid—also deceased, and one Pound Pocktone of the County aforesaid Son and Heir of Ahtaupeanhond Deceased ... and Jacob Aaron Son of Aaron [Nimham?] and Jacobus Nimham Son of Nimham” (John Tabor Kempe Papers-NYHS: Box 10, Folder 9, November 17).

Two of the individuals listed above, Stephen Kounhum (or Cowenham) and One Pound Pocktone (noted elsewhere as John Packto or Backto) might not be related to Nimham. In a separate letter of attorney endorsed by these men earlier the same year, they granted legal powers to him as their “faithfull and trusty friend”; no kinship relation is implied (John Tabor Kempe Papers-NYHS: Box 10, Folder 9, July 21). These men, both noted as heirs, were likely leaders of other Wappinger families with associated land claims in the region. Daniel and Jacobus Nimham are clearly identified as sons of the individual named Nimham, who, in

## Bill of sale for Hyde Park

Anno 1696 the 25th of June.

The rightful owners went there  
with Jan Oostroom and Tijs Gerretse and  
conveyed the land with the Viskil [Fishkill]  
and also all the other kils up to Meyndert Harmense's  
property. The land is called  
Aquasing. In acknowledgement of the truth  
these two witnesses have signed:

This is the mark of Jan Oostroom

This is the mark of Tys Gerretsz  
This has been signed in the presence of the rightful  
owners and also of me,  
Meyndert Harmensz.

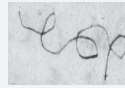
1696 the 24th of June.

Henderick ten Eijck has come to an agreement with some Indians, rightful owners of the land and the kil called Aquasing, called by us the Viskil [Fishkill]. This land begins on the north side of the Viskil at the boundary of trees. These sell to Henderick ten Eyck all of this [ ] land with the Viskil to the other kils until Meyndert Harmensz's property. This aforesaid land runs eastward until the Valkill of Meyndert Harmensz and westward to Hutsons River. As acknowledgment of the truth they have signed this,

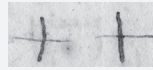
This is the mark of Minsam [LS]



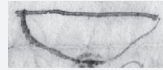
This is the mark of Willem [LS]



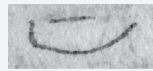
This is the mark of Matasiwanck [LS]



This is the mark of Quagan [LS]



This is the mark of Rapaweas [LS]



This has been signed and sealed in the presence of Meyndert Harmense and his wife and conveyed by the Indians to Henderick ten Eyck, as witnesses,  
Meyndert Harmensz  
Lenne Meynders

This is the amount that has to be paid:  
 5 kettles  
 Coverlets 4 and 8 shirts  
 Blankets 4 and 8 pair of stockings  
 Duffel cloth 4  
 Gunpowder 12 lb.  
 Lead 25 staves  
 Guns 4  
 Sewant [wampum] 300 guilders of black and white  
 Axes 12  
 Knives 20  
 Tobacco 2 rolls  
 Adzes 12  
 1 barrel of cider  
 1 half barrel of good beer  
 2 hats  
 1 ancker of rum [10.128 gallons]  
 2 nice jackets  
 2 shirts, nice  
 2 pair of stockings [ ]

[In English:]

New Y[ ]

they appeared before me [ ] Cortland one off the  
 justices of the Supream Court off this Province Mijndert Harmensz  
 and Helena Harmensz and being swarne upon the holy Evangelist  
 said, Thatt they ware witnesses to the within deed, and saw the Indians  
 therein named, seigne seal and deliver the same as their act & deed  
 N York 1696 Sworne before me  
 Entered upon re[ ] in the book of hyper S v: Cortlandt  
 wart surveys deeds pr pag 62 Exmed pr David Jamison secr.

turn, is listed as a son of the deceased Sackoenemack of Dutchess County. The individual identified as “Aaron,” the father of Jacob Aaron, may be a reference to Aaron Nimham, a man reported along with Daniel Nimham in land records at Stockbridge and believed to be a younger sibling (Frazier, 1992: 112).

Information from the 1764 letter to Samuel Monroe implies that Daniel Nimham and his brothers are grandsons of Sackoenemack. Daniel is the only grandchild mentioned as heir, which by inference indicates his place in the line of succession. Other references pertaining to Sackoenemack occur in correspondence between interested parties in the land controversy and British Indian Superintendent Sir William Johnson. In these exchanges, including an appeal by visiting Wappinger tribesmen, he is identified in more personal terms as “Old Nimham,” “Old Capt. Nimham,” and in one instance specifically as “Nimham the Grandfather” (PWJ, 10: 493-495, 853-854; Colden Letter Books, 1: 247-248). In Dutchess County records compiled during this man’s life, he is identified only as “Nimham,” or under several slightly differing spellings of that name (Ninham, Nemham, and Minham). Reconstructing Daniel Nimham’s family tree begins with a consideration of this leader and his successor.

## Nimham the Grandfather

Daniel Nimham’s grandfather, Old Nimham, made his first known appearance in Dutchess County in 1696 as one of the “rightful owners of the land and the kil called Aquasing,” endorsing a deed to several thousand acres extending from the Hudson River to the Valkill or Fallkill Creek in the present Town of Hyde Park (FDR Presidential Library and Museum). The sale provided the foundation for an extensive land grant made the following year by the New York Council; known as the Great Nine Partners Patent, it encompassed almost 145,000 acres stretching from the Hudson River to the Connecticut border. Patent applicants of the “Nine Partners Company” with the consent of the council had deliberately enlarged the boundaries of the 1696 deed, spanning “from the [Hudson] river to the fall kill [Creek] at 2 mils,” into a land tract almost 20 miles wide (McDermott and Buck, 1979: Introduction, 5 ; NYCM-LP, 2: 234). Knowledge about the dimensions of this grant would be kept from the Indians for over thirty years.

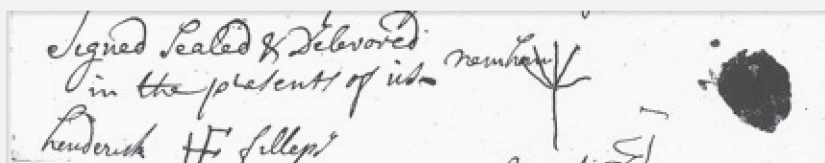
He was next identified in 1712 signing a controversial deed to land sold previously along the Wappinger and Casper creeks at “a place [called] Matapan,” near the colonial township and county seat of Poughkeepsie (NYCM-LP, 5: 124). In this and the above-mentioned deed, he is listed as the principal signer and noted by a unique mark connecting both of these events to the same individual (Figure 1). Comparisons of Old Nimham’s signatures with one made by his successor



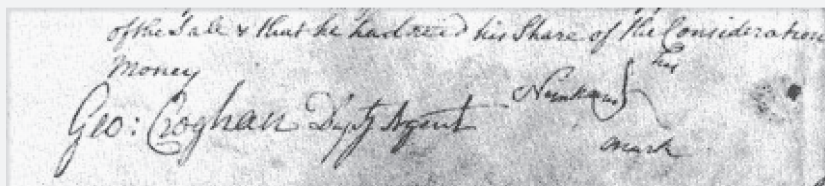
Figure 1 (A/B)  
Signatures made by Old Nimham on Indian land deeds in Dutchess County.



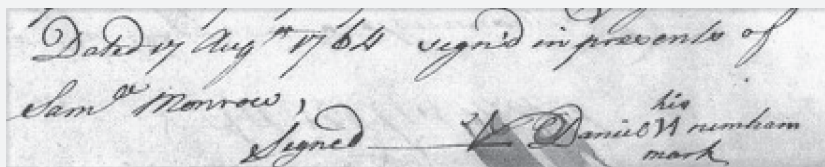
1696 deed to the Aquasing (or Crum Elbow) tract in the present Town of Hyde Park (courtesy FDR American Heritage Center Museum, author's photo).



1712 deed to the Matapan tract in the present Towns of Poughkeepsie and Wappinger (NYCM-LP, 5: 124). The depiction of the stick-figure arm and splayed hand shown in both documents (next to his names written in Dutch and English script respectively) is similar to those found in pictographic rock art that have been interpreted as images associated with shamanism (Shirley Dunn, 2005, "Echoes of Rock Art in Native American Objects and Pictographic Signatures." Paper presented at the sixth annual Algonquian seminar, Native American Institute of the Hudson River Valley).



Signature of "Nimham the Eldest & Principal Chief of the Wappingers or Opings" on a 1758 Munsee Indian deed to lands in northern New Jersey (Brawer, et al., 1983: 65).



Signature of Daniel Nimham on a 1764 "Advertismen[t]" of the Wappinger land claims in Dutchess County (Kempe Papers, Court Case Records, Box 10, Folder 9, courtesy New York Historical Society).



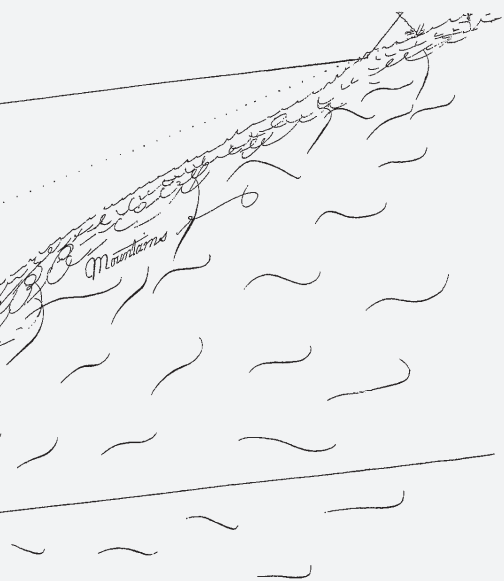


Figure 2

Undated survey map, north line of the Hudson Highlands in Dutchess County made by John Alsop (Sr.). “Minham’s” wigwams and the houses of early settlers (Jacobus Swartout, Johannes Terboss and Johannes Buys) at “Weikopieh” (present-day Wiccopee) are depicted at center. The dotted line running from the lower-left to the upper-right corner of the map measures sixteen miles from the Hudson River to the top of the highland mountains, determined in 1721 by New York officials to equal the distance of “four Houers going into the woods” as described in the 1683 Rombout/Verplank purchase from the Wappinger Indians. The tribe had disputed the extent of land conveyed in the purchase and received compensation and assurances of protection to their remaining rights. The East Line at the bottom of the map marks the southern boundary of the Rombout Patent. Philipse Upper or Highland Patent lay below this boundary line (Philipse-Governor Family Papers, P18: #99, courtesy Rare Book and Manuscript Library, Columbia University, New York. Scan from photocopy of map, digitally enhanced by author).

Creek, where he and his sons One Shake and a younger sibling lived (Colden Letter Books, 1: 247-248; NYCM-CP, 63: 143; PGP, P18: #99; PWJ, 10: 493-495).

In the decades following the Rombout land controversy, records produced by Dutchess County officials make several references listing the expenditure of presents (both goods and currency) made “to Nimham a Sachem & other Indians” (BSDC, 1911: 52, 211, 257). These repeated disbursements to the tribe, part of the process of “Renewing articquils [sic] of Peace with them as Yearly,” (BSDC, 1911: 122) were probably an outgrowth of the provincial conferences conducted during the earlier land dispute. Such mandated treaty renewals provided a forum for natives and settlers to air grievances. County administrative records noting the distribution of gifts to the Indians, including periodic payments of wolf bounties to named individual tribesmen, document a continual Wappinger presence in the region during the first half of the century.

Old Nimham made a final appearance in the deed record in 1730. Identified as one of the “Principal Sachemache and Proprietors” of the tribe, he was listed among the signers conveying lands incorporated decades earlier as part of the Great Nine Partners Patent, but not yet purchased from the Indians. Learning

about the dimensions of the provincial grant after landowners' attempts to divide and settle the un-purchased lands, the tribe demanded compensation. Native leaders, represented by Old Nimham and another principal sachem named Acgans (both signers to the original 1696 Indian conveyance), "insisted to be paid for the bulck of the land according to the [1697] Patten" and received trade goods and currency totaling 150 English pounds for endorsing a "new deed" to their remaining rights (McDermott and Buck, 1979: 4-5, 109-112).

Old Nimham was last mentioned during his lifetime in 1744 by newly arrived Moravian missionaries to Dutchess County, who identified him as "King Nimham" of the Highland Indians and as a sorcerer (i.e., shaman) forbidding his people to attend Christian meetings (MOA, Box 112, Folder 2: # 3, May 21). Old Nimham and Acgans are last identified in records together during the 1767 trial, where they are mentioned in the New York Council's verdict on the Wappinger claim noting that prior to Daniel Nimham's leadership, the disputed lands near "Wickapee ... were owned by some other principal Sachems, Two of whom died on them many years ago, and a third, with some others, removed to [beyond] Delaware [River]" (NYECM, 26: 85-89). The third sachem mentioned by the council appears to be a reference to Daniel Nimham's father. The verdict points to the tribes' removal to the frontier in the mid-eighteenth century.

## Nimham the Father

Far less is known about the activities of Daniel Nimham's father in Dutchess County. Most references pertaining to this man mention him in the context of events relating to the Seven Years War between England and France, where he is noted as the expatriate leader of the "Wapings or Wapinger Indians" living on the upper Susquehanna River, far from their ancestral homeland (MPCP, 8: 176, 217; Grumet, 1992: 86-87). Like his predecessor, he is most often identified in records simply as "Nimham" or under several variations of that name (Nimhaon, Nimeham, and Nemeham). Documents mentioning this man also include a known alias, "Nuntian" or "Nunetiam," which help distinguish him from references associated with Old Nimham or Sackoenemack (MPCP, 8: 667-669).

In treaty conferences with New Jersey and Pennsylvania officials in 1758 and 1761, he was recognized as "Nimham the Eldest & Principal Chief of the Wappengers or Opings" (Brawer, et al., 1983: 65). The ethnic term Opings, including Fishkill Indians and occasional references to generic "Mohickanders or River Indians," are all names synonymous with the Wappingers in records describing this group in the eighteenth century (NYCD, 7: 159). His identification as the chief elder of the tribe suggests he may in fact be the eldest of Old Nimham's "two

Sons,” the individual nicknamed One Shake during the earlier mentioned land dispute with Rombout Patent proprietors.

References to individuals named Henry Nimham and Coleus Nimham, the only such family members reported as living on the Susquehanna during the Seven Years War, could also pertain to the two sons of Old Nimham. Henry Nimham, “a Fishkill Indian,” was identified in 1756 at the Munsee town of Tioga on the Susquehanna River, in the company of “Stephen [Cowenham?] of the Fishkill” and another man called Cornelius (Colden Papers, 5: 95-96). All were noted as having spoken both English and Dutch.

Coleus (possibly a misspelling of Cornelius) is perhaps the more likely of the two men to have been Daniel’s father. A Stockbridge Indian delegation sent to Sir William Johnson in 1763 reported that: “As Many of the Mohicander Indians are gone from these parts Some years ago to live along the Susquehana & its Branches, wh<sup>h</sup>, gives their friends here much concern ... We therefore Father earnestly request You will call them all from thence, [and] to call Coleus Nimham in particular & whoever likes to come [back] with him” (PWJ, 10: 930-932). Earlier references by Moravian missionaries in Connecticut in 1751 to a family leader named “Nuntian” and the “Nimham brothers” may also refer to this man and events associated with his generation before the tribes’ removal from Dutchess County (Grumet, 1992: 96, n.29; Frazier, 1992: 89, 258, n.22).

During the above treaty conferences held at Easton and Bushkill, Pennsylvania, Nimham’s authority as chief of the “Wapinger Indians Called the River Indians” was acknowledged by the presentation of “a Short broad Belt of White Wampum, having in the Center two Hearts of a reddish Colour, and in Figures, 1745, wrote after the following Manner, 17 © © 45.” New Jersey and Pennsylvania officials noted “the [Peace] belt was given [to] them by the Government of New York, and represented their Union” (MPCP, 8: 217-218; 667-670). The wampum belt displayed, and an accompanying certificate of assurance from New York Governor George Clinton, which Nimham described as his “Commission,” likely refer to events recorded by the Colonial Council in the winter of 1745 to 1746 and approximate the time of his selection as sachem.

New York agents visiting with Munsee Indians during King George’s War in December 1745 reported to the Council that an unnamed group among them said “They had lost their Sachim, and as they Consist of two Tribes [or clans] Vizt the Wolves and Turkeys, they were then debating of which Tribe a Sachim should be chosen to govern the Whole.” The newly chosen sachem and other chief men of the group met again with the agents in January, when they exchanged wampum belts “to renew their Covenant Chain” alliance with the English (NYECM, 21:

71-72; NYCD, 6: 649). Regrettably, the Indian agents never identified the new leader's band affiliation or his associations with either the wolf or turkey clans. Later information provided by Daniel Nimham in an "Advertisement" of his claims in Dutchess County notes that his ancestors had only sold "about Six thousand Acres of their land in the County exclusive of what was own'd by the Turkey Indians" (Kempe Papers: Box 10, Folder 9, August 17, 1764, NYHS). Such a statement implies that the man believed to be Daniel Nimham's father was possibly a member of the wolf clan.

The Wapping or Oping chief Nimham might also be one of the unnamed Indians mentioned in a letter from Sir William Johnson on May 28, 1756, to "the Magistrates of the Precinct of Fish Kilns" in Dutchess County. Johnson informed these officials that:

"The River Indians whose families are at Fish Kilns, have had a Meeting with the Mohawk Indians, and it is agreed that they Shall remove and live with the Mohawks; Two of those Indians are going down to fetch up their Women Children &c<sup>a</sup>: and I send an Interpreter with them; as the Removal of these Indians and their incorporation with the Mohawks is an Affair that will be I hope of happy Consequence towards the public Tranquility and [at] this juncture I must desire you will give all Assistance in your Power to the Indians who are going down, and take Care that no just Cause of Dissatisfaction be given to them." (PWJ, 2: 477-478)

Johnson mentioned this group again during a conference at Fort Johnson on July 9, when he noted the presence of "the Mohikander or River Indians who arrived during his absence, and were sent for the 28 may last ... with their wives and children they amounted to 196 Souls." The spokesman of the group thanked Johnson for providing them safe conduct to his home and stated "we found no obstructions in our way but the road was smooth and pleasant" (NYCD, 7:152-153, 159). Sadly, this speaker and his companion were not named. Years after this event, during the already mentioned treaty conferences, provincial officials reported that the Wapping chief Nimham had received a second certificate of assurance sometime in 1756 from then-Governor Charles Hardy, which was displayed as an additional token of his authority. The certificate, "written in parchment," was likely given to him on July 19 at a meeting in Albany with "Some Sachems and Warriors of the Six Nations [Iroquois], and of the River Indians who attended Sir William Johnson to this City, having desired to see Major General Abercrombie and Sir Charles Hardy" (MPCP, 8: 217, 669; NYCD, 7: 160).

The contingent of "Indians & their Familys from the Fish Kills" (PWJ, 2: 615,

624) and other Hudson valley groups, including Mohicans proper from Albany County and Esopus tribesmen from the Kingston area who had arrived earlier that spring, were settled by Sir William Johnson on the Susquehanna River, where he gave them supplies and provisions to establish new homes. Johnson's efforts among River Indian peoples in 1756 were an attempt to supplement British Indian allies for upcoming campaigns against the French in New York (Dunn, 2005: 62-65). Later, Iroquois sachems and allied Conoy and Nanticoke Indians living on the Susquehanna informed colonial officials "that the chiefs of the Mohickons & Opies [or "Wapings"] have settled with the Six Nations, at a place called Chenango [or Otsiningo], where you may always find them, if you should have occasion to speak to them" (MPCP, 8: 655-656).

During the 1761 treaty conference, "Nimeham [or Nuntian/Nunetiam] Chief of the Opies" and "Good Tomach [Guttamaack] one of the Chiefs of the Mohickons" told Pennsylvanian officials of plans to settle with the Delaware leader Teedyuscung in the Wyoming Valley (MPCP, 8: 667-669). (Teedyuscung had earlier served as a spokesman for Wappinger Indians at the 1758 Easton conference and had once again befriended the tribe.) The planned move by Wappinger and Mohican families as part of a gradual exodus of some previously settled groups from the Six Nations' territory near the end of the French and Indian Wars. He was last mentioned in person at Easton, on June 22, 1762, as Nemeham, one of the sachems of the "Mohiccons and Opings" signing a petition by Teedyuscung demanding a written account of discussions over past Pennsylvania land policies towards the Delawares and Munsees (PWJ, 3: 762-771).

Before Daniel Nimham's land claim in 1762, there is little evidence linking his father with Indian land affairs in Dutchess County. A 1765 deposition by Fishkill resident Jacobus Terboss, judge of the Court of Common Pleas for the county and a legal consultant to Daniel and other tribesmen, states:

"that he has always from his youth, been well acquainted with the bigger part of said tribe, and conversant in most of their affairs, as he has always lived near them, (even as it were among them) and that, about thirty-eight years ago, Mr. Adolph Philipse [proprietor of the Upper or Highland Patent], came up into that country, and that he then heard the then Sachem, viz. The father of the present Sachem, tell the said Mr. Philipse, that he understood he had got a patent of that tract of land, (meaning the land now in controversy) but that he never had bought the Same." (Anonymous, Geographic-Historical Narrative, 1768: 31-32; see also NYECM, 26: 83, deposition dated 20 August)



In sworn testimony, Daniel Nimham, reported that his father was a recipient of lands granted by the tribe in the Rombout (or Fishkill) Precinct. Further information about these tracts and the claims of Wappinger families before their removal in 1756 is clarified in Daniel Nimham's initial attempt to restore native rights in the county.

## The 1762 Land Claim

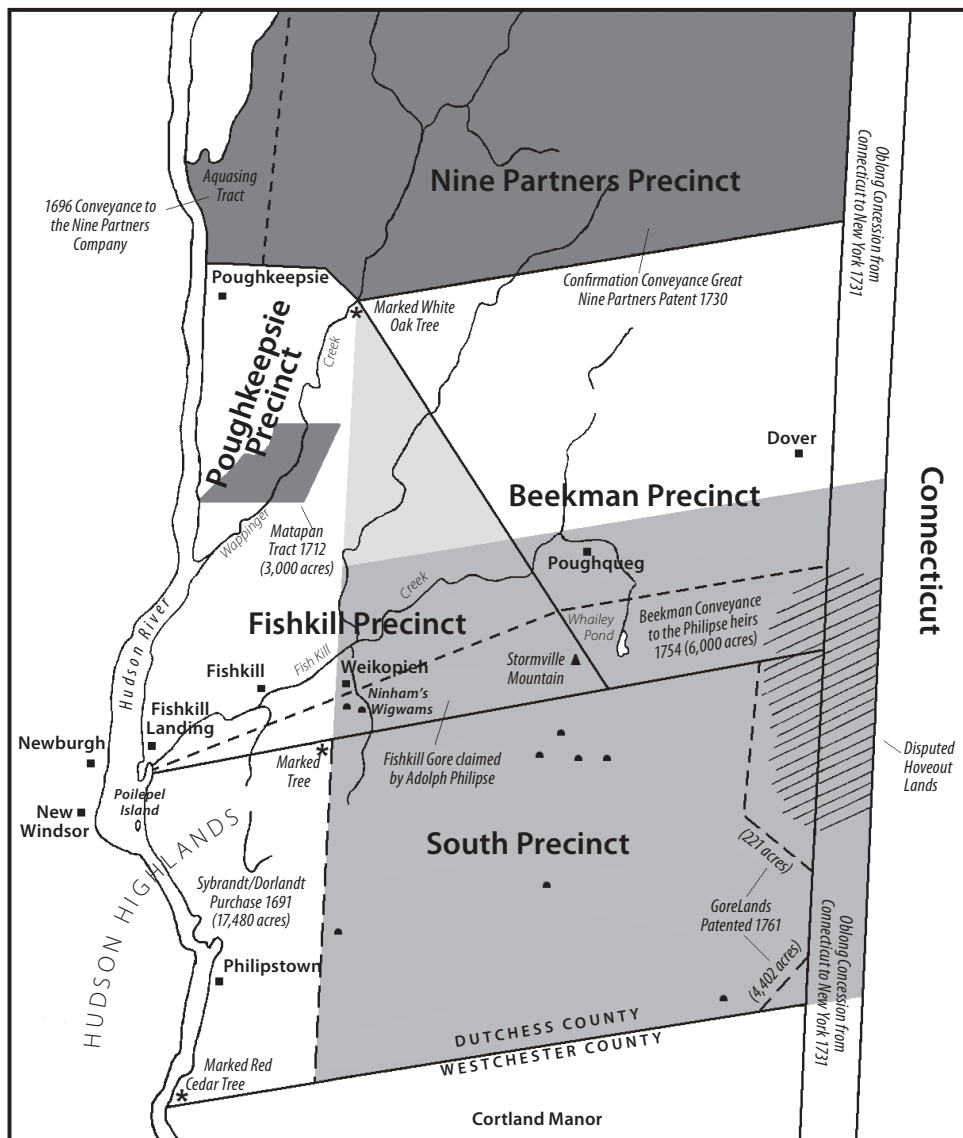
Daniel Nimham made his first official claims to Wappinger lands on July 28, 1762, when he appeared before acting Governor Robert Monckton at Fort George in New York City. Arriving without legal counsel, he was "laying Claim to Lands near the Fish Kill [Creek] in Dutchess County, formerly granted by Patent to Adolph Philipse ...and to other Lands formerly granted [by Patent] to [Francis] Rumbout [sic] and Company" (NYECM, 25: 454). The Rombout Patent and Philipse Upper Patent (incorporated in 1685 and 1697, respectively) were, at the time, organized under the jurisdictional divisions of the Fishkill and South precincts (Figure 3). Created in 1737, these precincts largely followed the boundaries of the original patent grants. However, a parallel tract of land lying along the west bank of Wappinger Creek, a partition of the Rombout Patent, fell under the jurisdiction of the Poughkeepsie Precinct after the re-division of the county from an earlier system of wards (McDermott, 1986: 3).

Historians investigating the Wappinger land controversy note that prior to 1762 the tribe "had remained silent" concerning their rights and were only spurred to action by a proclamation from the King of England enacted to protect Indians from excessive land grants; or, moreover, unduly credit settlers like Samuel Monroe "for inducing" them to pursue the claims (Nammack, 1969: 72-73; Kim, 1978: 376-377). While the Wappingers were almost certainly encouraged by the King's proclamation, records indicate that this was not the first time they had raised concerns over their lands in recent memory. References to letters of attorney to Daniel Nimham from members of the tribe entered as evidence during the 1767 trial and dated July 3, 1758, confirm they had actually begun efforts several years earlier. The two letters signed by Hendrick Wamash (or Waumaue), Mehloous, and other named family leaders (Arie Sauck, Out Quamos, and John Backto) granted Nimham legal powers "respecting their Lands at Wickapee &c.," and other "Lands in the Province of New York" (NYECM, 26: 82-83).

A month after Daniel Nimham's appearance before Governor Monckton, Catharyna Brett, daughter and heir of Francis Rombout, wrote to Sir William Johnson. She reported that she had already met with Nimham, who claimed he was being "Kept Out of his Right" to lands reserved for "Old Nimham and two of



Figure 3  
Wappinger Land Controversy in Colonial Dutchess County



- Land in the Fishkill Precinct Claimed by Daniel Nimham in 1762
- Lands in Controversy Claimed by Daniel Nimham in 1767
- Land Transfers Involving Nimham the Grandfather
- Indian Wigwam Occupied to 1756
- Colonial Town or Hamlet
- Boundary Markers Noted in Wappinger Deeds

his Sons" (PWJ, 10: 493-495). Brett further revealed that the meeting had taken place "About a Year Ago... And I told him if the Whites Owed him Any thing by Promise he might Get it if he Could, I have Nothing to do with it, but from that time forward he Should make no Demands there."

The above references show that the tribe was not complacent prior to the 1762 land claim. Daniel Nimham's appearance before the governor without legal counsel also shows that he was following an Indian agenda reminiscent of Old Nimham's actions during earlier land disputes with the Rombout and Great Nine Partner proprietors. In this regard, he was following native protocol where Indian leaders preferred to settle disputes directly with provincial officials as opposed to litigation in open court (Trelease, 1960: 186). It was only after the Colonial Council's inaction on the claim that Nimham began actively seeking support from nearby settlers, efforts that would lead to a trial and ultimately a personal appeal to the King of England.

As a result of Nimham's action before the New York Council, Governor Monckton ordered the colony's attorney general, John Tabor Kempe, to examine his claims and what papers he could produce to support them. The governor promised that after receiving Nimham's claims in writing he would take the matter into consideration. The ensuing report is a unique document relating to the study of Indian history. Testimony provided by Nimham includes detailed descriptions of the lands claimed by the tribe and the rights inherited by specific family members. The rarely cited document, unsigned and undated, is a draft of Kempe's report. Kempe presented the council with an official report on August 2, 1762 (Chalmers Papers-NYPL, II: 26).

Historians citing the official report wrongly interpret the joint land dispute described, inferring that it concentrates solely on either of the Indians' claims against the Rombout Patent or Philipse Patent proprietors separately (Kim, 1978: 377, n.88; Mark, 1940: 131-132, n.5). Furthermore, these authors overlook significant kinship data found in both the official report and the draft copy. While the documents essentially contain the same information, they also include some slightly differing content in a few passages. The amount of geographic and kinship information elicited by Kempe's examination was not duplicated in the records compiled during later trials. Nimham's testimony therefore is probably the closest representation approaching his voice on these matters.

## Claims in the South Precinct

Nimham's testimony in the first section of the draft report details Wappinger claims against the proprietary heirs of the Philipse family in the South Precinct.

The individuals identified in this section are his maternal relatives. In his description of tribal claims here, Nimham also provides the Indian place names for several boundary areas on the Hudson River mentioned in the letters patent to Adolph Philipse (PGP, P14: #61). These names are not included in the letters patent or in either of the two Indian deeds associated with this grant made in 1691 and 1702 (PGP, P14: #59, #56), where only the English equivalents are given. Other Indian place names listed and located along the upper Peekskill (or Annsville) Creek, “cropped” or transected by the patent’s southern boundary line, are not mentioned at all in the above land records (note: text in brackets crossed out in original document).

“In pursuance of your Excellencys Order in Council of 28th of July last: I have examined Daniel Nimham, and his Papers relating to [the Complaint made by him] his Claim to certain Lands near the Fish kill, [and of certain other lands] in Dutchess County formerly granted by Patent to Adolph Philipse now in the Possession of the Heirs of Col. Fredrick Philipse deceased, and to other Lands formerly granted to Rumbout & Company, now in the possession of Mrs. Brett. His Claim to the first of these Tracts he thus states—Awansous a Wappingoe Indian Grandfather to the Complainant on the mother’s side, was possessed of a certain Tract of Land lying on the East side of Hudson’s River, beginning at the mouth of the Fish kills called in the Indian language Mataowawmungh thence running down Hudsons River southerly to Anthony’s Nose called in the [Indian] same language Wacoghquaneek, and Eastward into the woods as far as the Oblong cropping the Peeks kill. Awansous sold to Adolph Philipse the Low Lands on that Part of the Peeks kill contained within this Tract, and also a pine swamp containing [about six] a few Acres called Kichtondacongh and a piece of low Land lying Southeasterly from Kichtondacongh called Paukeminshingh, [and no more] but no up Lands, [they as A. Philipse not buying them] they [not] being looked on that Time as of no worth. That Adolph Philipse Heirs claim & have possessed themselves of the whole of Awansous Rights under the Kings Grant, that no more than what is abovementioned was purchased from Awansous. Awansous died leaving behind him two Sons Tawanout otherwise called John Van Gilder and Sancoolakheekhing, to whom the Body of the Nation solemnly confirmed their Fathers Land according to the Custom of their Nation at a publick Toast & sacrifice [sealing their Grant]. Sancoolakheekhing Died without any Children and on his Death the Nation confirmed the whole of the Lands to [Tawanout] John Van Gilder who was Uncle to the Complainant, being his Mothers Brother. & he [John

Van Gilder in the year of the Defeat at Ticonderoga] hath since given the whole of these Lands to the complainant..." (John Tabor Kempe Papers-NYHS: Box 10, Folder 9, "State of Nimham's Case").

## Claims in the Fishkill Precinct

Nimham's testimony continues with tribal claims against Catharyna Brett of the Fishkill Precinct. The individuals identified in this section of the draft report are his paternal relatives. Although not stated in the testimony, Wappinger claims in the Fishkill Precinct included other complaints against the heirs of Francis Rombout's two partners, Gulian Verplanck and Stephanus van Cortlandt. These men's heirs, along with Catharyna Brett, were implicated in later appeals made by Hendrick Wamash to Sir William Johnson and New York Lieutenant Governor Cadwallader Colden in 1763 (PWJ, 10: 853-854; Colden Letter Books, 1: 247-248). Wamash, who reported that the settlers of Fishkill and Poughkeepsie owed the tribe for land in several places, included another claim not cited in the attorney general's report against Henry Beekman Jr., owner of the neighboring back-lots patent along the Connecticut border.

Descriptions of tribal claims in this section of the draft report also include additional native place names not mentioned in the provincial land grant or 1683 Indian deed associated with the Rombout Patent (NYBP, 5: 206-210, 72-75). One of these Pasakesung, is a likely spelling variant of Pakakcincq (or Pooghkepesingh), a name originally associated with other seventeenth-century Wappinger land sales in the present City and Town of Poughkeepsie (ERA, 2: 84-85; NYCD, 13: 571). Nimham's description locating Pasakesung in relation to a large white oak tree—a place noted as a boundary marker in the 1730 Indian deed to the Nine Partners Company that bordered both the Rombout Patent and Poughkeepsie lands—defines the northern limits of Wappinger claims in the Fishkill Precinct. A depiction confirming the location of the white oak tree at a point where the above land tracts meet appears on the 1779 Sauthier Map illustrating the boundaries of patent grants in New York (DHSNY, 1). The top of the high mountains mentioned by Nimham as the eastern bounds of the claim refers to an imprecise point of land near present-day Stormville Mountain, located in the Town of East Fishkill.

The dimensions of the tract delineated by Nimham shows that the tribal claim here included nearly half of the lands in the Fishkill Precinct. However, his account that the tract contained about 1,200 acres is not consistent with the larger area he describes, a land area encompassing many times that acreage. Nimham might have misspoken in his testimony and may have been unaware of

the total acreage involved with the claim. Or perhaps he was referring only to the acres of improved lands in and around Weikopieh reserved during the 1721 land dispute. His statement that 200 out of the 1,200 acres was sold to Theodorus van Wyck, one of two brothers settling in the Town of Fishkill in the 1730s near the reserved lands at “Weakepey” (BSDC, 1911: 155), lends support to the latter interpretation. Unfortunately, Nimham provides no date in his testimony for when his father received land in the Fishkill Precinct, but the events he describes probably took place following the elder Nimham’s selection as sachem in 1745/46:

...Danl. Nimham states his claim to the Lands in Rumbout Precinct as follows. The Indian Nation the Wapingoes, gave to the Father of the Complainant, whose name was Nimham, and who was their speaker a Tract of Land in Rumbout Precinct, containing about Twelve hundred acres [bounded to the] extending North [by] as far as a large white Oak Tree marked near a place called Coghhapaens, and Pasakesung, and bounded to the South by a small [creek] stream of water running into Weekapee Brook, to the west by Weekapee Brook, and to the East by the Top of the high Mountains. Nimham the Father of the Complainant gave half of the Lands to Sack one of his sons & Qua Wamaus his Cousin—The other half to Wapenaus another of his Cousins. Sack and Wappenaus have leased out the whole for Ninety Nine years, all but two hundred acres which Mrs. Brett has sold to Theodorus Van Wyck, [and] that Mrs. Brett claims the whole of the Twelve hundred acres, notwithstanding when Mr. Rumbout bought Rumbout Precinct from the Wapingoes, this Tract was reserved for the Indians and not sold, which the Complainant says Mrs. Brett well knows having confirmed that Reservation, and procured from the Father of the Complainant a promise that whenever it was sold she should have the first offer, but now has warned the Tenants of the Indians from paying them the rent, on which account they refuse [payment] to pay them their rent. Wapenaus is dead, having given his Right to these Lands to John Packto, Old Sack gave his Right to these lands to Arie Sack his Son and old Quamaus gave [part of] his Right to part of these Lands to Hendrick Quamaus his Son—and this the Complainant says have given all his Right to him which is confirmed by Mehloss the son of Wappenaus, as a proof of which he handed me some Writings, which on perusal appear to be only Powers of Attorney to gather the Rents of this Land let by Sack—On my observing this to him he says it was the Intent by those writings to pass the Land to him, & it is a mistake in the Drawer of the writings ...

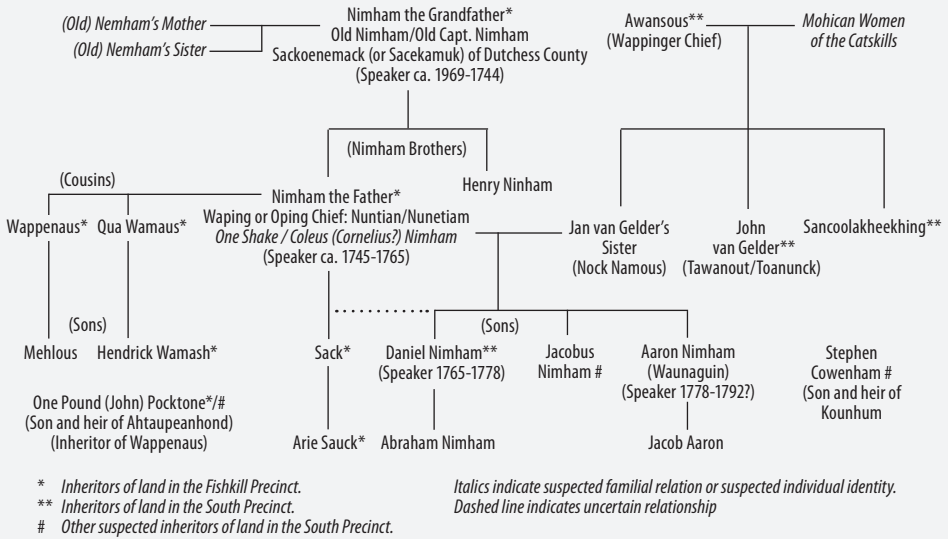
John Kempe's examination of the Wappinger claims concludes with observations he intended to present to the governor. Kempe took issue with the boundary descriptions provided by Nimham and those boundaries mentioned in 1718 document granting land rights to members of the tribe. In his official report to the council, Kempe offered no other legal opinions regarding the claims, but did note Nimham's sentiments that the granting of lands in the Rombout and Philipse Patents "not purchased" from the tribe was "contrary to the public Faith and the Treaties subsisting between this Government & his Nation, and to the most solemn assurances repeatedly given them of Protection in their just Rights" (Chalmers Papers-NYPL, II: 26). One of the recipients listed in the 1718 land grant, an Indian named Sasckamuk (or Sacekamuk), is likely a reference to Daniel Nimham's grandfather, Sackoenemack or Old Nimham, and places this event during his tenure as spokesman of the tribe. The tribal grant suggests that lands later acquired by Nimham the father in the Fishkill Precinct had originally belonged to Sackoenemack and his generation's kin-group.

...I must observe to your Excellency that the above Description of the Lands now claimed by Daniel Nimham [do] seems not to agree with the [bounds] Description of the Lands [admitted] granted by the Indians to John Van Gilder & an Indian named Sasckamuk [the Complainant had a Right in contained in] by an Instrument [under the hands of several Indians] bearing Date 2<sup>nd</sup> Sept. 1718, [the land Description in that Instrument] the Indian Names Widely differing, [I observed this to] the Complainant, [who alledges] accounts for it by alleging it to have happened by the Ignorance of the Drawer of the Deed or the Transcriber of the Copy shown me, and the Difficulty of spelling [the] Indian [Names] words correctly. He complains greatly of the Injury sustained by him in being deprived of his Lands by Mr. Philipse, and of his Rents & Lands by Mrs. Brett, that he is poor & destitute of subsistence, and unable to obtain Redress for himself on that account and because he imagines the whole of both the Tracts he complains of is contained in the respective Patents of Adolph Philips, & of the Rumbout Precinct, which will effectively cut off his claim in an English Court of Justice by the policy of the Constitution.

## Kinship, Descent and Inheritance

The kinship data from Daniel Nimham's testimony and other eighteenth-century documents referencing Wappinger kin relations are catalogued in the attached appendix. Kinship associations identifying Nimham's relatives and their inheritance rights to lands in Dutchess County are depicted in Figure 4. Most of the kin

Figure 4  
Daniel Nimham's Family Tree



relations noted identify the sons of particular men—individuals who represent the generational leaders of family kin-groups and their heirs. Eleven such incidents are recorded. Other kin relations noted include references to sisters, brothers, and cousins, many of whom are the immediate relatives of Nimham the father. Kinship references by Daniel Nimham to his grandfather on his mother's side and his uncle (mother's brother) are terms considered important to Indian people's reckoning descent along maternal lines (Grumet, 1990: 21-22).

While the numbers of Wappinger leaders and their sons identified in records is historically significant, the documents themselves give no indication whether these associations reflect European or native concepts of kinship. In most cases reporting such associations, it is not known if the relationship between fathers and sons is biological or if the fathers of these men are maternal uncles, or social fathers—individuals from whom inheritance rights are passed in matriarchal societies to a sister's children.

However, Daniel Nimham's identification of Awansous as his maternal grandfather implies that his relations with his father and Old Nimham were physiological. This tends to support the statement in the 1765 testimonial cited earlier that Nimham had inherited tribal leadership through a direct (i.e., paternal) line of succession. The observation suggests that many of the father and son relationships identified by Nimham could be biological and that some of these men therefore inherited land rights along paternal lines. In contrast, references to

the land rights of his grandfather and uncle “on the mother’s side” reveals aspects of matrilineal descent and bilateral inheritance among Wappingers and their Mohican neighbors.

Daniel Nimham’s maternal grandfather Awansous seems to be the same man identified in the 1765 testimonial as Awanganwrgk, one of the “then Indian Chiefs of the said tribe of Wappingers” who were reported as having sold land in Dutchess County near the end of the seventeenth century. The same name appears on the first of the two Indian deeds associated with the Philipse Patent listing grantors selling territory in the Highlands. He first appeared in records in 1680, as the “Indian named Awannis,” an individual noted by Albany officials as “having authority” among Highland Indian signers conveying land in Poughkeepsie, the first native land transfer made there (ERA, 2: 84-85).

The Wappinger chief Awansous is also likely the same man identified in 1697 and 1698, under the names Awannighqaet or Awaannaghqat, appearing on lists of Mohican individuals found in the account books of Albany fur trader Evert Wendell (Waterman, 2009: 2, 8). He is last mentioned in these accounts in 1707, when Wendell recorded transactions with an Indian man named Heerij who “hout bij [lives by or with] Awanwaghquat’s people” (Waterman, 2009: 15). The notation indicates that Awansous, although listed among Mohicans visiting Wendell’s trading post, was not native to the Albany region and was not ethnically Mohican.

The most remarkable kinship association noted by Nimham is his relation to his uncle (mother’s brother) Tawanout, or John Van Gelder, a man reported in all other primary accounts as a Mohican Indian. Late-nineteenth and early-twentieth century histories mentioning John van Gelder describe him as a man of mixed white and Indian ancestry living in Sheffield, Massachusetts, who was raised by Dutch foster parents in nearby Dutchess County. One source notes that as a youth he was known by the name Konkapot, suggesting that John had familial ties with a well-known Mohican sachem originally from the Hudson Valley. However, many of these earlier traditions based on town and county folklore are largely conjectural and their validity is questioned by present authors (Dunn, 2000: 169; Winchell, 2009: 128).

More definitive references qualifying Van Gelder’s Indian and Mohican ethnicity are found in depositions filed ten years after his death in 1768, during provincial litigation disputing the lower boundaries of Rensselaerswyck manor in colonial Albany County. The deponents (including one of Van Gelder’s sons) reported he was an Indian man named Toanunck who was married to a white woman and lived on lands in the Taconic Mountains at present Egremont, west of Sheffield. One deponent further reported he believed John “belonged to the Catt’s



Kills" (Misc. Mss., Van Rensselaer-NYHS). The last statement strongly suggests that at some point Van Gelder's father, Awansous, had married a Mohican woman from the Catskill region. In the eyes of matrilineal peoples, this association would have made their son John entirely Mohican. Such an association was plainly expressed in a letter from Benjamin Kaukewenauhnaunt, the principal sachem at Stockbridge, who informed William Johnson in 1756 that the old man John Van Gelder was "one of our tribe" and "belongs to us" (PWJ, 9: 581-582)

Other references showing that John Van Gelder reckoned descent along maternal lines and followed matrilineal residence are contained in deeds recording his rights to land in Mohican territory. Van Gelder lived on reserved lands set aside in 1724 for the "Housatonack" or Stockbridge Indians in a sale establishing the colonial townships of Sheffield and Great Barrington, Massachusetts (Wright, 1905: 116-119). This Indian reserve ran west of Sheffield to the New York border. Van Gelder's participation as a signer among the twenty-one grantors listed in the deed entitled him to rights reserved for the native sellers living there.

John Van Gelder's rights to these lands were confirmed later in tribal grants made in 1737 and 1756. Indian grantors listed in the deeds gifted the lands "for the love and affection" they bore toward Van Gelder; no purchase price was recorded (Wright, 1905: 141-142, 155-157). The language used in both grants implies close interpersonal relations. The first grant endorsed by the three principal signers noted in the 1724 sale confirmed Van Gelder's rights to "One half of all the [reserved Indian] land from Sheffield West bounds To the foot of the ... Tauconnock Mountain[s]."

It is within the realm of possibility that John Van Gelder's mother could have been the sister of one of the three men listed in this document. Such an association would provide Van Gelder with a definite maternal connection to these lands. The principal signer to the grant, John Pophnehaunauwack (better known in other records by the Dutch nickname Konkapot) (Dunn, 2000: 170, 354), is a probable candidate and could have been his maternal uncle or social father. This interpretation lends some credence to the nineteenth-century source reporting that John Van Gelder was called Konkapot as a boy (Winchell, 2009: 128). Although no direct evidence has been located to verify such a relationship, the possibility of familial ties between the two men should not be entirely discounted.

The second tribal grant was signed by a women named Noch Namos, who described herself as a native "now of the Fishkills in Dutchess County ... [but] formerly of Housatunnock." Noch Namos granted all of the reserved Indian lands in Sheffield to Van Gelder—lands that she claimed to be the "Sole and lawfull [sic] owner" of and which she held by an "Estate of Inheritance In fee Simple."

While it has been suggested that this women was possibly John Van Gelder's mother, this appears to be unlikely, as he was identified in other records from 1756 as an elderly man (Dunn, 2000: 187). It seems more plausible that this could be a reference to Van Gelder's sister (the daughter of Awansous), and therefore Daniel Nimham's mother. By inference from Nimham's testimony before the New York attorney general, John Van Gelder's sister would be the wife of Nimham the father, although Daniel Nimham never specifically qualifies a marital relationship in his account.

References to an Indian woman in 1721 and 1723 as a patron of an anonymous Dutch trader in Ulster County noted as "Jan Van Gelder's sister" also likely pertain to Daniel Nimham's mother and events occurring several years before his birth (Waterman and Smith, nd). The same trader also mentioned two other women in September of 1721 whom he simply describes as "Nemham[']s sister" and "His mother." The trader's entry coincides in time with the dated certificate given to Old Nimham by Governor Burnet on September 7, 1721. This implies that these women were associated with his generation—in other words, women who would have been prominent in Old Nimham's matrilineal kin-group.

In his testimony before the attorney general, Daniel Nimham clearly identifies himself as the recipient of land inherited from his mother's brother, John Van Gelder, in the South Precinct of Dutchess County. Nimham probably was not the only recipient of lands from his uncle here, given the number of individuals he identifies as inheritors of land in the Fishkill Precinct. Unfortunately, he names no one else as heirs. Later court records list Jacobus Nimham, Stephen Cowenham and, One Pound (or John) Pocktone, as the only other claimants to lands in the South Precinct (NYECM, 26: 5-6).

It also is apparent from Daniel Nimham's testimony that he was not a direct recipient of land from his father in the Fishkill Precinct. Another son named Sack and two other men, Qua Wamaus and Wappenaus, identified as cousins of Nimham the father, inherited these lands. Nimham's rights in the Fishkill Precinct as cited in John Kempe's report were based on letters of attorney granted to him by members of the tribe as their legal representative. The letters mentioned refer to those given to him in 1758 by Hendrick Wamash and Mehloos, the same men listed in the attorney general's report as the sons of his father's two cousins. Arie Sauck, a man noted in testimony as the son and heir of Sack, was also a participant to the earlier events.

This evidence shows that Daniel Nimham's rights in the South Precinct were inherited along maternal lines and that he more than likely viewed John Van Gelder as his social father. The maternal association explains Nimham's close

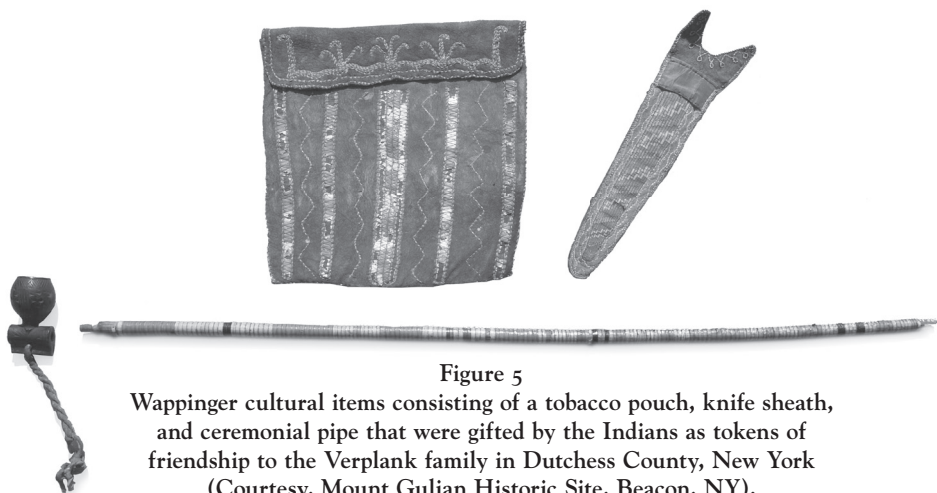


Figure 5

Wappinger cultural items consisting of a tobacco pouch, knife sheath, and ceremonial pipe that were gifted by the Indians as tokens of friendship to the Verplank family in Dutchess County, New York (Courtesy, Mount Gulian Historic Site, Beacon, NY).

ties to Mohican Indians and his participation with leading tribal spokesmen in land sales and land claims in and around Stockbridge. Moreover, land records confirm the close relations between Nimham and his uncle's immediate family. In 1758, he and two women from Stockbridge, Rhoda Ponoant and Mary Fast Case, gifted additional Indian land west of Sheffield to one of John Van Gelder's sons (BC-MDD, Bk. 12: 134-135). Later in 1766, Nimham's brother Jacobus and several of John Van Gelder's children signed a letter of attorney "investing" him "with the Powers of a Sachem of the Wappinger tribe, and to act for them as to their claims to Lands whereon Encroachments had been made" (NYECM, 26: 83).

However, Nimham's testimony also reveals that John van Gelder had inherited land in the South Precinct directly from Awansous, based on the present evidence. This implies that Van Gelder was an inheritor of lands from both his father and mother's families in Wappinger and Mohican territories. The inference to bilateral inheritance bears marked similarities to a statement made by Nutimus, an eighteenth-century sachem of the Delawares who told Pennsylvania land agents that "His mother came from this side of the [Delaware] River & by her he had a Right here as he likewise had to some Land in the Jerseys which his father left him" (Grumet, 1992: 19).

Land rights in Dutchess County belonging to Wappenaus—one of the two cousins of Nimham the father—reveal other possible evidence of bilateral inheritance. Wappenaus (or Wappenas), a signer to the earlier 1730 Nine Partners deed, may have inherited lands in the Fishkill Precinct near the area noted in testimony as Pasakesung and Coghhapaens. In his account, Daniel Nimham states that Wappenaus granted his rights to John Pocktone, a man identified elsewhere as the son and heir of Ahtaupeanhond. Mehlaus, the biological son of Wappenaus

mentioned in the attorney general's report, was not a direct recipient of land from his father in the Fishkill Precinct. The testimony suggests that John Pocktone, also reported as a claimant to lands in the South Precinct, was likely an inheritor of maternal and paternal rights in Wappinger territory.

Bilateral inheritance of land rights indicated in Daniel Nimham's testimony may reflect the process of acculturation resulting from over 100 years of contact and interaction with Europeans. Significant cultural changes among Indian peoples were evident at the time to colonial officials like Cadwallader Colden and William Johnson, men with considerable knowledge of native socio-political systems. Writing in 1750 about the Iroquois and the Mohawks particularly, Colden reported "This Nation indeed has laid aside many of its ancient Customs, and so likewise have the other Nations ... and have adopted many of ours; so that it is not easy now to distinguish their original and genuine Manners, from those which they have lately acquired" (Fenton, 1988: 147, 153-154). Johnson later reported similar observations, adding that the degrees of acculturation among "Indian Nations" differed appreciably between "the more remote Tribes & those Indns ... having been next to our settlements for sevl years" (DHSNY, 4: 431).

Determining degrees of culture change based on Daniel Nimham's testimony alone is no easier today. Although the kinship data he recites is extensive, it is not ethnographically complete. Information pertaining to the women and their relations who would have been prominent in the kin groups of the fathers and sons identified is not known. Nimham only includes such information for himself. The absence of such data makes more definitive conclusions about social change among the Wappingers and Mohicans difficult. Current documentation enables only a limited reconstruction of Daniel Nimham's family tree. Nonetheless, his testimony identifying his maternal and paternal relatives and the land rights of these individuals presents possible evidence of change and continuity in native social systems during the colonial period.

## Conclusion

Daniel Nimham's account before the New York Attorney General in 1762 provides a unique indigenous perspective on the Wappinger land claims in Dutchess County. The testimony provided highlights the Wappingers' many grievances over their land rights during the eighteenth century, despite repeated assurances to those rights made by colonial governors. Information in this and other documents substantiate tribal claims as an accurate record of past transgressions by various land patent holders in the county. Testimony by Daniel Nimham also provides important kinship data revealing the close interpersonal relations between

Wappinger and Mohican families, kinship associations with a longer time depth in the region than once thought. Other legal papers listed as evidence in the 1767 trial—as yet unlocated—hold the potential for discovering further information about Daniel Nimham and his extended family relations.

## Appendix: Documents Referencing Wappinger Kin Relations

August 1721 / 7 March 1723 (Indian Trade in Ulster County, New York, 1712-1729, Waterman and Smith, nd., unpublished manuscript: 22, 29)

-Jan van Gelder's sister: Identified by a Dutch trader as an Indian client with ongoing accounts

September 1721 (Indian Trade in Ulster County, New York, 1712-1729, Waterman and Smith: 39)

-[Old?] Nemhams sister [and] His mother: Identified by a Dutch trader as Indian clients with ongoing accounts

9 March 1751 (Frazier, 1992: 89, 258, n.22)

-Nimham brothers: Native informants reporting to Moravian missionaries in Connecticut about recent events at Stockbridge, Massachusetts

28 July 1762? : Examination of Daniel Nimham by Attorney General John Tabor Kempe (John Tabor Kempe Papers-NYHS: Box 10, Folder 9, "State of Nimham's Case;" see also, Chalmers Papers-NYPL, II: 26, "Attorney General Kempe's Report Concerning Nimham the Indian," 2 August 1762)

-Awansous a Wappingoe Indian Grandfather to the Complainant [Daniel Nimham] on the mother's side, was possessed of a certain Tract of Land [in the South Precinct] lying on the East side of Hudson's River

-Awansous died leaving behind him two Sons Tawanout otherwise called John Van Gilder and Sancoolakheekhing, to whom the Body of the Nation solemnly confirmed their Fathers Land

-Sancoolakheekhing Died without any Children and on his Death the Nation confirmed the whole of the Lands to John Van Gilder who was Uncle to the Complainant, being his Mothers Brother. & he [John Van Gilder in the year of the (English) Defeat at Ticonderoga (1758)] hath since given the whole of these Lands to the complainant

-The Indian Nation the Wapingoes, gave to the Father of the Complainant, whose name was Nimham, and who was their speaker a Tract of Land in Rumbout [Fishkill] Precinct

-Nimham the Father of the Complainant gave half of the Lands to Sack one of his sons & Quamaus his Cousin—The other half to Wapenaus another of his Cousins

-Wapenaus is dead, having given his Right to these Lands to John Packto

-Old Sack gave his Right to these lands to Arie Sack his Son

-old Quamaus gave his Right to part of these Lands to Hendrick Quamaus his Son

-the Complainant says [they] have given all [their] Right to him [by letter of attorney, 1758] which is confirmed by Mehloss [or Mehlooss] the son of Wapenaus

26 August 1762: Letter from Catharyna (Rombout) Brett to Indian Superintendent Sir William Johnson (Papers of Sir William Johnson, 10: 493-495)

-Old Nimham and two of his Sons / Old Nimham has been Dead about Twelve Years but his Children might have Stayed on till this Day but his Oldest Son One Shake Came to me and Asked me Liberty to Sell the Improvement [at Wickapee &c.] to One Cap<sup>t</sup> Swartwout. I Opposed it at First and a Little after he Came Down Again with Seven or Eight more Indians for Liberty to Sell the Improvement, I Give him Leave to Sell y<sup>e</sup> Improvement, and he Sold it for Twenty Pound

20 September 1763 (Papers of Sir William Johnson, 10: 853-854)

-Hendrick Wamash with abt. A Dozen of his people came to Sir W<sup>m</sup> [Johnson] with a Complaint against M<sup>rs</sup>. Brett of the Fish Kills, Co<sup>ll</sup>. Beekman, Verplank, Cortland, & Phillips for that they had not paid his Ancestors viz<sup>t</sup>. old Cap<sup>t</sup>. Nimham &<sup>ca</sup>. for a Tract of Land near to y<sup>e</sup>. Fish Kills

8 October 1763: Letter from Lt. Governor Cadwallader Colden to Sir William Johnson (Colden Letter Books, 1: 247-248)

-the Indian Hendrick Wamash ... says that several people at Fishkill and Poughkepsie owe him for some pieces of Land in several places. I told him that near 40 years [1721] since the Indians of Fishkill and Wappingers were heard by Governor Burnet on a like complaint at the House of Mr. Haskol near the place since called New Windsor [in colonial Ulster County New York], that then everything was settled to the content of Nimham the Grandfather of this Man & of the other Indians

17 August 1764: Daniel Nimham's advertisement of Wappinger claims (John Tabor Kempe Papers-NYHS: Box 10, Folder 9)

-Whereas the Wappingers otherwise called River Indians, Natives of Dutchess County & province of New York since there submission, to the Crown of England [1664] have from the several Governors to whom Application, has been made [1711?, 1721, 1745/46, 1756], Obtained assurances of protection while they behaved as loyall and dutifull subjects, And whereas they as a people or body have never forfeited there rights to such protection in the enjoyment of their native right & priveledges ... south of Brits and Bickmans Patent[s], nor made conveyance lo any, except about Six thousand Acres of their land in the County exclusive of what was own'd by the Turkey Indians

17 November 1764: Letter of attorney granting Samuel Monroe guardianship over Wappinger lands (John Tabor Kempe Papers-NYHS: Box 10, Folder 9)

-Stephen Kounhum Son and Heir of Kounhum of the High Lands in Dutchess County and Province of New York Deceased

-Daniel Nimham Son and Heir of Nimham the Son of Sackoenemack of Dutchess County aforesaid—also deceased

-one Pound [John] Pocktone of the County aforesaid Son and Heir of Ahtapeanhond Deceased

-Jacob Aaron Son of Aaron [Nimham?] and Jacobus Nimham Son of Nimham

October 1768: Deposition of Joseph van Gelder and others filed during provincial litigation disputing the lower boundaries of Rensselaerswyck Manor (Misc. Mss., Van Rensselaer-NYHS)

-his fathers name was John Van Gelder in Indian Toanunck

October 1768: Deposition of Timothy Woodbridge, Stockbridge Missionary (Misc. Mss., Van Rensselaer-NYHS)

-Joseph Van Gelder's family his Father an Indian his Mother a White Women

October 1768: Deposition of Richard Moore (Misc. Mss., Van Rensselaer-NYHS)

-Joseph Van Gelder lives at Egremont on this side of Howsitenack River to the Eastward of Tackannick Mountains ... He believes His father [John van Gelder] belonged to the Catt's Kills

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(FDR Presidential Library and Museum): The Franklin D. Roosevelt Presidential Library and

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(Misc. Mss., Columbia County-NYHS): Miscellaneous Manuscript, Columbia County, "Deposition of Daniel Nimham an Indian" before New York councilman William Smith (2 August 1762). Courtesy of the New York Historical Society.

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(MOA): Moravian Archives. Microfilm Series, New York State Library, Albany, New York.

(MPCP): Minutes of the Provincial Council of Pennsylvania, from the Organization to the Termination of the Proprietary Government, 10 March 1683 to 27 September 1775. Microfilm Series, New York State Library.

(NYBP): New York Book of Patents and Deeds, Secretary of State. New York State Archives, Albany, New York.

(NYCM-CP): New York Colonial Manuscripts-Governor's Council Papers, Secretary of State. New York State Archives.

(NYCM-LP): New York Colonial Manuscripts-Indorsed Land Papers, Secretary of State. New York State Archives.

(NYECM): New York Executive Council Minutes 1668-1783, Secretary of State. New York State Archives.

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