

Wappinger Kinship Associations: Daniel Nimham's Family Tree

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Legal papers compiled from 1762 to 1767 during the Wappinger Indians' land claim case in Dutchess County, New York, contain references listing the names of both the maternal and paternal relatives of sachem Daniel Nimham. In addition to recounting the tribe's efforts to assert their Native land rights, the documents contain evidence of cross-cultural kin relations between Wappinger and Mohican families in the Hudson and Housatonic river valleys. An examination of these papers provides insight into aspects of Native kinship and land ownership in eighteenth-century colonial America.¹



Conception of Wappinger Sachem Daniel Nimham and the British ambush of the Stockbridge Indian Company on August 31, 1778, at the Battle of Kingsbridge during the American Revolution. Detail from oil painting by historical illustrator, Don Troiani (Courtesy of the artist)

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Introduction

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.² 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 prosopography).³ Sixty-three dated events deal specifically with Wappinger land claims in southern Dutchess County, and describe him as an assertive defender of his tribe’s Native rights. Seven documents reveal his participation in Mohican land claims in New York and Massachusetts. Eighteen documents record his personal proprietary affairs and land affairs of his immediate family at the Mohican town of Stockbridge, Massachusetts.

This article examines Daniel 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 1767.⁴ The 1762 claim provides direct testimony from Nimham describing the boundaries of two distinct tracts of land and includes listings of individuals and their family claims to these areas. The individuals identified in this initial claim are his maternal and paternal relatives and represent families spanning several generations. Some of these relatives share kinship with Mohican Natives, which explains Nimham’s associations with this cultural group. The testimony, in combination with later court case records and other documents referencing Wappinger kindred, provides information about American 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 Wappinger or Highland Indians living in the mid-Hudson Valley. Wappinger Natives, one of some twenty distinct Indian bands known culturally as Munsee-Delawares or Munsees, occupied the Hudson Highlands and adjoining areas of colonial Dutchess County. Ethnic references pertaining to this group show they maintained close ties with neighboring Mohican bands of the upper Hudson and Housatonic river valleys throughout

² Richard S. Walling, “Patriot’s Blood: Washington’s Indian Company of 1778,” in *The Continuance: An Algonquian Peoples Seminar*, ed. Shirley W. Dunn (Albany, NY: New York State Museum Bulletin, 501, University of the State of New York, 2004), 103-112; Colin G. Calloway, *The American Revolution in Indian Country: Crisis and Diversity in Native American Communities* (Cambridge, MA: Cambridge University Press, 1996), 85-107.

³ For the earliest reference likely pertaining to Daniel Nimham, see Vassar Brothers Institute, *Book of the Supervisors of Dutchess County, NY* (Poughkeepsie, NY: Vassar Brothers Institute, 1911) (hereafter, BSDC), book 3: 308 (February 5, 1744/5), payment for: “2 Wolves heads killed by Young Nimham an Indian.” He was first noted under his full name by Sir William Johnson, on February 22, 1757, listing a cash disbursement made “To Captⁿ Daniel Nimham to pay a Debt he owed,” see James Sullivan, et al., eds., *The Papers of Sir William Johnson* (Albany, NY: State University of New York, 1921-1965), (hereafter, PWJ), 9: 653.

⁴ Georgiana C. Nammack, *Fraud, Politics, and the Dispossession of the Indians: The Iroquois Land Frontier in the Colonial Period* (Norman, OK: University of Oklahoma Press, 1969), 70-85; Patrick Frazier, *The Mohicans of Stockbridge* (Lincoln, NE: University of Nebraska Press, 1992), 156-69.

the colonial period.⁵ Nimham does not appear to have been chosen sachem of the tribe 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 in a deposition solely as: “a River Indian of the Tribe of the Wappingoes” and reported he was “a Christian and has resided some years with the Mayhiccondas at Stockbridge.” Listed as thirty-six years old, he also stated “that these two Tribes constituted on[e] Nation.”⁶ His age recorded indicates he was born around 1726.

Daniel Nimham is first mentioned as the leader of his people on October 30, 1765, in an anonymous testimonial supportive of his land claims, where he is noted as “a native Indian and an acknowledged Sachem or King of a Certain Tribe of Indians known and called by the name of the Wappinger Tribe.”⁷ The testimonial further states:

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, they have For more than a Century been distinguished for their steady Friendship and Firm Alliance with the English, and their subjects to the Crown of Great Britain.

Confirmation that Daniel Nimham had 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 tenant farmers had joined forces with Nimham that year, acquiring Indian leases and challenging Dutchess County landowners’ claims. In the letter, he and other tribesmen are recognized 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

⁵ J. Michael Smith, “The Seventeenth Century Sachems of the Wapping Country: Ethnic Identity and Interaction in the Hudson River Valley,” in *The Journey: An Algonquian Peoples Seminar*, ed. Shirley W. Dunn (Albany, NY: New York State Museum Bulletin, 511, University of the State of New York, 2009), 41-43. For comprehensive histories of Mohican and Munsee peoples in the seventeenth and eighteenth centuries, see Tom Arne Midtrød, *The Memory of all Ancient Customs: Native American Diplomacy in the Colonial Hudson Valley* (Ithaca, NY: Cornell University Press, 2012); Robert S. Grumet, *The Munsee Indians: A History* (Norman, OK: University of Oklahoma Press, 2009); Shirley W. Dunn, *The River Indians: Mohicans Making History* (Fleischmanns, NY: Purple Mountain Press, 2009); Shirley W. Dunn, *The Mohican World, 1680-1750* (Purple Mountain Press, 2000).

⁶ Misc. Mss., Columbia County, New-York Historical Society, NY, “Deposition of Daniel Nimham an Indian” before New York councilman William Smith (August 2, 1762).

⁷ New York Colonial Manuscripts, Indorsed Land Papers, Series A0272-78, “Applications for Land Grants, 1642–1803,” New York State Archives, Albany, NY (hereafter, NYCM-LP), 18: 128.

Jacob Aaron Son of Aaron and Jacobus Nimham Son of Nimham and Job Mawhew, Natives of Dutchess County aforesaid.⁸

Two of the individuals listed, Stephen Kounhum (or Cowenham) and One Pound Pocktone (noted elsewhere as John Packto or John Backto) might not be related to Daniel Nimham. In a separate letter of attorney endorsed by these men earlier the same year, they granted him legal powers as their “faithfull and trusty friend.” No kinship relation is implied.⁹ These two men, both recognized 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 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.¹⁰

Information from the 1764 letter to Samuel Monroe implies that Daniel Nimham and his brothers are the grandsons of Sackoenemack. Daniel is the only grandchild mentioned as an heir, which indicates his place in the line of succession as tribal spokesman. Other references likely 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,”¹¹ and in one instance as “Nimham the Grandfather.”¹² 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, Minham, and Nimhame). Reconstructing Daniel Nimham’s family tree begins with 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” (modern-day Crum Elbow Creek), 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.¹³ The conveyance provided the foundation for an extensive land grant made

⁸ John Tabor Kempe Papers, Court Case Records: Governor and Council, Daniel Nimham (Manuscripts pertaining to Wappinger Native land claims in Dutchess County), New-York Historical Society, NY (hereafter, KCCR), box 10, folder 9 (November 17, 1764).

⁹ KCCR, box 10, folder 9 (July 21, 1764).

¹⁰ Frazier, *The Mohicans of Stockbridge*, 112.

¹¹ PWJ, 10: 493-95, 853-54

¹² Cadwallader Colden, *The Colden Letter Books: 1760-1765* (NY: Collections of the New-York Historical Society, 1923), 1: 247-48. For prosopography on Wappinger sachem, Old Nimham, see Kees-Jan Waterman and J. Michael Smith, eds., *Munsee Indian Trade in Ulster County, New York, 1712–1732* (Syracuse, NY: Syracuse University Press, 2013), 291-95.

¹³ Franklin D. Roosevelt Presidential Library and Museum, National Archives and Records Administration, Dutch/Indian deed manuscript for lands in the present Town of Hyde Park, New York (June 24, 1696). The rendering of the fourth letter in the name “Ninham” recorded is representative of earlier seventeenth-century Dutch cursive script for the letter “h,” the usage of which had diminished by the end of the century. Dr. Jaap Jacobs, History Department, University of St. Andrews, United Kingdom, personal communication.

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 enlarged the boundaries of the 1696 deed, running “from the river to the fall kill at 2 mil[e]s,” into a land tract almost 20 miles wide.¹⁴ Knowledge about the dimensions of this land grant would be kept from the Indians for over thirty years.

He was next identified in 1712, signing a controversial deed to land ceded earlier along the Wappinger and Casper creeks at “a place coled Matapan,” near the colonial township and county seat of Poughkeepsie.¹⁵ In this and the above-mentioned deed, he is listed as the principal signer and noted by a unique mark connecting both events to the same individual (see Figure 1 on page 33). The depiction of a stick-figure arm and splayed hand, shown next to his names written in Dutch and English script, is similar to those found in pictographic rock art that have been interpreted as images associated with shamanism.¹⁶

The 1712 conveyance led to a long-standing dispute over conflicting boundaries between settlers in Poughkeepsie and the Town of Fishkill in the neighboring Rombout Patent, the first such land grant established in the county. The boundary dispute escalated into a wider affair in 1720 and 1721, when Wappinger Natives urged by Poughkeepsie residents challenged the extent of land claimed by the patent holders, Catharyna Rombout Brett; Gulian Verplanck, Jr.; and Philip Cortlandt. On three occasions, starting in May of 1720, “armed Indians” threatened surveyors marking out both the north and south bounds of the patent and prevented them from completing their work. Catharyna Brett implicated Judge Leonard Lewis of Poughkeepsie, a grantee of the 1712 Native deed, as the main antagonist that “did Stir up the Said Indians.”¹⁷ Resolution of Wappinger claims to the land was only reached through provincial intervention (see Figure 2 on page 34). During meetings with New York Governor William Burnet at New Windsor, in neighboring Ulster County, “Nimham their Speaker” accepted presents worth £ 210 pounds from Brett and her partners for further concessions in the patent and received a certificate of protection on September 7, 1721, confirming the “just Rights and Pretensions” of the “Wapenger and Waneyatayow Indians” – including assurances to improved lands at “Weikopieh” near Fishkill Creek, where he and “his Oldest Son One Shake” and a younger sibling lived.¹⁸

¹⁴ Clifford M. Buck, and William P. McDermott (ed), *Eighteenth Century Documents of the Nine Partners Patent, Dutchess County, New York* (Baltimore, MD: Gateway Press, 1979), Introduction, 5; see also New York Book of Patents, Series 12943-78, “Letters Patents, 1638–1775,” New York State Archives, Albany, NY (hereafter NYBP), 2: 234, for letters patent issued on May 27, 1697.

¹⁵ NYCM-LP, 5: 124 (Indian deed to George Clark and Leonard Lewis, October 8, 1712). For earlier Wappinger deeds to the Matapan tract, see Jonathan Pearson and Arnold J.F. van Laer, eds., *Early Records of the City and County of Albany and Colony of Rensselaerswyck* (Albany, NY: University of the State of New York, 1916), 2: 84-86 (June 15, 1680), 2: 182-83 (May 16, 1683).

¹⁶ Shirley W. Dunn, “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, New York State Museum, Albany (unpublished, 2005).

¹⁷ NYCM-LP, 8: 39 (November 8, 1720), 42 (February 9, 1721), 54 (July 7, 1721), petitions for warrants of survey. See 39, for the May 1720 north line survey disrupted; see 54, for Brett’s accusations against Lewis.

¹⁸ See Colden, *The Colden Letter Books*, 1: 247-48, for a 1763 letter referring to the earlier meetings over the land claim between Governor Burnet, and “Nimham the Grandfather” at New Windsor (a.k.a. Goshen Landing); see also New York Colonial Manuscripts-Governor’s Council Papers, Series A1894, “Council Papers, 1664-1781,” New York State Archives, Albany, NY (hereafter, NYCM-CP), 63: 143, for the 1721 “Certificate of [Protection] to the Wapengers” — “Whereas the Wapenger and Waneyatayow Indians have

In the decades following the Rombout land dispute, records produced by Dutchess County officials make several references mentioning the expenditure of presents (both goods and currency) made “to Nimham a Sachem & other Indians.”¹⁹ These repeated “Disbursement[s] to the Indians In Renewing articquils of Peace with them as Yearly”²⁰ were probably an outgrowth of the provincial meetings conducted during the earlier land dispute. Such mandated treaty renewals, like the Nicolls Treaty renewals with the Esopus Indians in Ulster County, provided a forum for Natives and settlers to air grievances at the local level. Dutchess County administrative records noting the distribution of gifts to the Indians, including payments of wolf bounties made to named individual tribesmen, document a continual Wappinger presence in the area during the first half of the eighteenth century.²¹

Other records depicting the land affairs of neighboring tribal groups suggest Old Nimham may also have had wider sociopolitical associations. He could be the same man reported in 1714 as “Winham,” a witness to a land cession by Wawyachtenok or Weantinock Natives near Danbury, Connecticut, and in 1724 as “Naunhamiss,” one of the Indian grantors conveying Mohican lands to Massachusetts officials for two townships “lying upon Housatonack River, allias Westonook,” near the disputed border with New York.²² An earlier document mentioning an individual named “Nimim,” during a meeting between Esopus Indians and Ulster County justices in 1702 – an Indian man under whom

formerly obtained of Go[v]. [Robert] Hunter a Certificate of their good & faithfull Behaviour and an assurance of his protection in all their just Rights and Pretentions and whereas ye said Indians by Nimham their Speaker have desired the like assurance from me in Consideration of their true & faithfull behaviour as good Subjects to his M.^y K. George [I] — I have therefore thought it desirable to give them this testimonial of my good opinion of them so to an assurance of all New favors & protection so long as they continue to Deserve it by their Peaceable and good deportment Given us.” The “Waneyatayow Indians” cited is a variant spelling referring to Wawyachtenok or Weantinock Natives, speakers of a divergent dialect of Munsee-Delaware termed by Moravian missionaries in the early 1740s as “Wampano,” and a village on the Housatonic River near New Milford, Connecticut, see Ives Goddard, “Notes on Mahican: Dialects, Sources, Phonemes, Enclitics, and Analogies,” in *Papers of the 39th Algonquian Conference*, eds. Karl S. Hele & Regna Darnell (London: The University of Western Ontario, 2008), pp. 247-48; for ethnography on Weantinock Natives, see Franz L. Wojcischowski, *Ethnohistory of the Paugussett Tribes: An Exercise in Research Methodology*, (De Kiva, Amsterdam, The Netherlands, 1992), 231-59. For references by Brett to “Old Nimham and his two Sons,” meetings to resolve the land dispute, and presents paid “to Renew friendship,” see PWJ, 10: 493-95. See Philipse-Gouverneur Family Papers, 1653-1874, MS#0994, Rare Book and Manuscript Library, Columbia University, NY (hereafter PGP), pocket 18: item #99, Oversized, for a survey map of the Hudson Highlands north line in Dutchess County (ca. 1721), locating “Weikopieh” and “Minhams Wigwam.”

¹⁹ BSDC, book 3: 257 (February 1, 1743, quote), book 1: 52 (April 10, 1722, “for a present to ye Indians” / “mony to ye Indians”), book 3: 211 (February 7, 1740, “Disbursed for the Indians”).

²⁰ BSDC, book 2: 122 (January 3-4, 1729), expenditure of 8 shillings 6 pence, for disbursements to the Indians made by Poughkeepsie Justice, Major Barent van Kleeck, quote.

²¹ Kenneth Scott and Charles E. Baker, “Renewals of Governor Nicolls’ Treaty of 1665 with the Esopus Indians at Kingston, N.Y.,” *New-York Historical Society Quarterly* 37 (1953): 251–72. For wolf bounties paid by Dutchess County authorities in twenty-three instances to sixteen named Indians between 1719 and 1746, see BSDC, book 1: 30, 33, book 2: 7, 77, 122, book 3: 21, 24, 38, 77, 90, 257, 281, 308, 336. Wolf bounties paid to unnamed Indians have not been tabulated.

²² Wojcischowski, *Ethnohistory of the Paugussett Tribes*, 196 (“Chickens & Naseco” conveyance, May 7, 1714); Harry Andrew Wright, ed., *Indian Deeds of Hampden County: Being copies of all Land Transfers from the Indians Recorded in the County of Hampden: Massachusetts*, (Springfield, MA: N.p., 1905), 116-19 (“Conkepot” conveyance, April 25, 1724).

lands at “Shawonkonck” (i.e., Shawangunk) had been caused to be surveyed and who the Natives declared “was a stranger and no Esopus [Indian]” – might also refer to Old Nimham.²³ Moreover, references by an anonymous Dutch trader in Ulster County in September of 1721 to two women identified as “Nemham[']s sister” and “His mother” trading with Esopus Natives reveal the family’s definitive interaction with fellow Munsee-speaking tribesmen in the mid-Hudson Valley.²⁴

Nimham was noted again in Dutchess County in 1727, this time with his two named sons, Pesiewein and Seekoremaw. Together with other “relations & Kindred,” they signed a deed to land at the headwaters of Fishkill Creek called “Togh Paksink,” in the “Poghquajawonk” portion of the Beekman Patent along the Connecticut border (see Figure 3 on page 35). The conveyance to Henry Beekman, Jr., comprising the present Clove Valley, confirmed part of an earlier land cession by the tribe to his father (Henry Beekman, Sr.) and was made: “to a Voyd all malloversations and Disputes since it hath slipt the memory of the hereabove named Inhabiting Indians what their fore fathers had don[e].”²⁵

²³ See NYCM-CP, 45: 92, for the meeting with “kattakis and []apennou wife of Mettanwaen [and] several other Indians of Said Esopus.” The document is badly burned, but also indicates that Mettanwaen was not an Esopus Indian. For prosopography on Esopus Native “Kattkies,” see Waterman and Smith, *Munsee Indian Trade*, 237-38. See Robert S. Grumet, “The Nimhams of the Colonial Hudson Valley, 1667-1783,” *The Hudson Valley Regional Review*, 9, no. 2 (1992), 85, 94n.14-17, for other possible named associations linking Old Nimham with an individual noted in New Jersey land records, on June 5, 1703: as Nimhammaw or Numham alias Squahikkon, on November 11, 1703: as Nymhimau, on February 14, 1704: as Nyhamnow y^c Raritan Indian Sachima, and on October 7, 1709: as Squahikkon. These wider contacts may explain later Wappinger participation with other Munsee groups ceding lands in northern New Jersey in 1758. References to a “nimham of Mericocke” (i.e., Merrick) in 1675, or “Numham Sachem of Mierckackay” in 1670, active in western Long Island land affairs, likely pertain to a similarly named predecessor, see Peter R. Christoph, and Florence A. Christoph, eds., *The Andros Papers 1674-1676: Files of the Provincial Secretary of New York during the Administration of Sir Edmund Andros* (Syracuse, NY: Syracuse University Press, 1989), 24: 235; Records of Deeds, 1652-1884, series A0453, New York State Archives, Albany, NY: 3: 40.

²⁴ Waterman and Smith, *Munsee Indian Trade*, 111-12. The items purchased by Nemham’s sister — shirts, a pair of black stockings (traditionally worn by Native speakers at treaty events), gunpowder, lead, flintstones, a box of paints, and payments of deer skins — suggests that she was probably trading on her brother’s behalf.

²⁵ Livingston, Edward, Papers, 1683-1877, C0280. Delafield Collection, Firestone Memorial Library, Rare Books and Manuscripts Division, Department of Special Collections, Princeton University Libraries, New Jersey (hereafter, ELP), Subseries 17D, box 157, folder 1, “Indian Deed of Topaksienk” (April 19, 1727). See also, ELP, Account Book-Dutch, 1719-1730, box 129: 70, 126, for payments made by Henry Beekman Jr. to “nimhame D’wilt” for lodging and provisions during survey work in the “Back Lotts” or “Poghquejawong [“Poghquajawonk”] Patin[t]” in 1722 and 1725; and ELP, Account Book-English, 1729-1746, box P-000011: 65, 95, for entries recording additional survey work in the “Paggquajawonk” parcel by Old Nimham and his son Seek in 1733 and 1735. Beekman’s Account Book-English, ELP, 46, 113, lists the only trade recorded with the Wappinger sachem in 1732: “Nemham the Indian D[ebto]r: to 2 E^l. Izersterk [a fabric with elevated figures] by Calbases wif[e],” and 1736: “To Cash pd Jacobus De Peyster (Jacob. Bos.) His order on acct of Nemham.” The Native Calbases is the same man as Callabash, baptized in 1742 as Nicodemus by Moravian missionaries in Dutchess County. See Moravian Archives, Records of the Moravian Missions to the American Indians, Fliegel Indexed Microfilm Series, New York State Library, Albany (hereafter MOA), box 111, folder 1. Beekman made his last known reference to “old Nimham” in a June 1744 “Survey with Henry Wooster from Matawan to the oblong,” see ELP, Henry Beekman Daybook, 1741-1763, box 129: 28. The 1727 deed is the only document that names Old Nimham’s two sons: “Pasiewin nemhams Son, Seek one other Son of nimham.” See Waterman and Smith, *Munsee Indian Trade*, 251, for a 1723 report by Beekman that “y^c Chief Indian of Pawlings [Patent] was Seekoremaw.” For prosopography on Pesiewein, see Waterman and Smith, *Munsee Indian Trade*, 296. For a discussion of Henry Beekman’s trade with Native individuals in Dutchess County, see J. Michael Smith and Kees-Jan Waterman, “Henry

Despite this deed agreement, differences of interpretation over Native land cessions in the patent apparently continued; eight years later, Beekman wrote a ranting letter intended for the New York Council, voicing his frustration in questions proposed to the Wappinger leader:

M^r. Nemham – What use is it to buy Land of y^e. Indians far if we buy y^e. wil still Clame for Ever[.] no body knows whether y^e. are the right owners for y^e. Lay Clame to what yo^r. fathers have sold[.] youl De ney what y^e. have don[e] & y^e. are a Conkered people you have no right, our fore fathers in Dulsed [indulged] you when y^e. was mere Brute[s] & y^e. Still gro[w] worse So that there is no Use In the Being Complesant[,] and there fore Yo^r. Bo[a]sting threats must be Stop't befor y^e. gro[w] to Insolent – [note] om na het wild[en] bookie te soeke [to check in the Indian booklet –] for Instance of what my Self Know' my father bought Topacksink Land[,] after ward you Clamed it because y^e. thought I had not Known it; but Even when y^e. was Convins^d. y^e. quib[b]led y^t. I had it not from under Yo^r. hand & because I would not buy Twice I bought the Hills adjacent as – Memkating & Tathepennesink & made y^e. a p^rsent to Confirm Togh pack sink for I refused to buy that again[,] now I find y^e. Lay Claim to y^e. Above mentioned hils So y^t. nothing is to be don[e] with y^e. but y^e. must be for Ever our Lords – and you yo^r. Self are A Gre[a]ter str[a]ng^r. yⁿ. I. for I am here born & y^e. in New Engla[nd –] Besides it is a question to me who have been the Tru[e] owne[rs] but y^e. pretend to be heare to all which I Deney. for I Know Sundry [Native] owners who have Left no relations & if th[e]y had then th[e]y Should have paid their Debts, but that not being don[e] their Lands are forf[e]ited as of viz to the King[,] you Sould my Father all the Land Between the Laake & Fish Kill to the Falls & on Both Sides of the Fish Kill[,] which is Taken From us by y^e. patant of Rombout & Comp^y to whom y^e. had Sould it be fore y^e. had Sould to my Father[,]²⁶ & hoe Shall make y^t. Good to me for w^{ch}. we Honestly payd you a Greed Deel when Goods ware Skarse & land

Beekman's Dutch Indian Trade Accounts in Colonial Rhinebeck, New York, 1722-1724," 281-306, *New York History*, 102.2, Winter 2021-2022.

²⁶ The "Land Between the Laake & Fish Kill to the Falls" refers to the west part of the Poughquag tract, ceded by the Indians at an unknown date to Henry Beekman, Sr., and his partner William Demyre, and voided by the Rombout Patent. See Edmund B. O'Callaghan, ed., *Calender of Historical Manuscripts in the office of the Secretary of State, Albany, N.Y.*, (Albany, NY: Weed, Parsons & Co., 1865-1866), 2: 493, for mention of the east part of the tract in a 1725 petition for a warrant of survey by "Joannah, widow of Henry R. Beekman [Sr.], and their children" to: "certain lands...Purchased of the Indians by col. Beekman and his partner, William Demyre" — and 2: 494, for a "Warrant of survey for land in dispute between the widow and children of Col. Hendrick Beekman and Nicholas Demyre, and extending east from Rombout's patent." See NYCM-LP, 3: 38, for a 1702 license to Beekman and others to purchase land "westward of Westenholk Creek and to the eastward of Poghkepsi...called by the Indians by the name of Wayannagtonack."

planty[.] y^e. are lyk woelives never Satiated.²⁷

Daniel Nimham's grandfather made a final appearance in Dutchess County land records in 1730. Recognized as one of the "Principal Sachemache and Proprietors" of the tribe, he was listed among signers ceding lands incorporated over three decades earlier as part of the Great Nine Partners Patent but not yet purchased from the Indians. Learning about the dimensions of the 1697 grant following landowners' attempts to divide and settle the unpurchased lands, the tribe demanded compensation. In meetings with Henry Filkin, one of the patent holders of the Nine Partners Company, principal sachems "Acgans & Nimham," signers to the 1696 deed establishing the land grant, claimed they "was paid for no more land than from the [Hudson] river to the fall kill at 2 mil[e]s: and that they insisted to be paid for the bulck of the land according to the Pattent." Filkin later "reported their demand was £150 [pounds] which the Company agreed to," and ordered him to pay the Indians with trade goods and currency of value for consenting to "sign & seal to a new deed" waiving Native rights.²⁸

He was mentioned later in 1744 by recently 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 at the Mohican town of Shekomeko, near the present hamlet of Pine Plains.²⁹ Missionaries had since made significant inroads among town residents and other nearby communities. The highland travelers from whom the Moravians acquired this information reported during an overnight stay at the town that they were "going to y^e Maahacks [Mohawks], who sent for y.^m to treat ab.^l some matters," and to "renew their covenant with them." Several months after this visit, missionaries learned that the "Governors from the Highlands" had begun inviting Shekomeko Natives dissatisfied with Christian teachings to resettle on lands granted to them among their people.³⁰ The references show elder leader Nimham, a shaman and guardian of tribal spiritual traditions, was fundamentally opposed to the emergent Indian conversion across the region.

Old Nimham was last identified during his lifetime on May 4, 1745, as the principal spokesman at a treaty renewal of the Covenant Chain Alliance between Governor George Clinton and a coalition of Native community headmen — "from New York Wapingas, ...

²⁷ ELP, box 128, folder 10, "Memorandum for New York 1735 May 11" — "Questions proposed of Nimham y^e Indian." Henry Beekman's despairing view of Wappinger Natives were not uncommon among Dutchess County patent holders. Catharyna Brett of the neighboring Rombout Patent, reporting on armed Indian intervention against surveyors in 1721, wrote to the governor that such "violent and dangerous practices which if not Timely Supressed not only yor petitioner but other his Majesties Subjects will be Lyable to the same saga and be Continually at the mercy of a Barbarous and Cruell People," NYCM-LP, 8: 54.

²⁸ Buck and McDermott, *Eighteenth Century Documents of the Nine Partners Patent*, 4-5 (September 1), 109-113 (deed, October 13). Sachem Acgans is the same man in the 1696 and 1712 deeds with Old Nimham as "Quagan" or "Agans" (and as "Achan Sachim" of the "highland Indians" in the 1711 Nicholson expedition, see Records of the Albany Commissioner of Indian Affairs, 1678-1755, Schedule of Propositions, 1677-1714: Section 8 pdf, 28450, Cornell University Library, NY). The 1730 deed has a clause: "only excepting still the Whrits of some North Indians," for "Shawanachko and Shawasco." "Shawash & Shawenah" signed an amendment in 1737 "for their right and to execute ye Indian deed which was executed accordingly," Buck and McDermott, 15. For prosopography on Esopus Native Schawenackie, see Waterman and Smith, *Munsee Indian Trade*, 251-54. For Mohican Native Schawash or Abraham, see Dunn, *The Mohican World*, 240-43.

²⁹ MOA, box 112, folder 19, item 4 (May 21, 1744).

³⁰ MOA, box 112, folder 19, item 5 (October 22, 1744).

& the River Indians Onactaconge...as far as Westtenhook” on the Housatonic River” (see Figure 4a and 4b on pages 36-37).³¹ The River Indian delegation met with the governor and colonial council in New York City to address “all Evil Reports” suspecting their loyalty to the English during King George’s War with the French. Nimham had also come to New York, like other Wappinger leaders over the years, to renew the provincial “Articles of Peace.” Formally established in 1664, this agreement aligned the English and Iroquois after the conquest of New Netherland and included both “The Indians at Wamping and Espachomy [i.e., Esopus]”³² as founding members of the precursor to the Covenant Chain. At the 1745 conference, the elder Wappinger leader voiced his people’s and Housatonic tribesmen’s concerns over extravagant land grants and brought “our Youth,” and “our distant Friends & Relations to be Witnesses to it when I am dead.” Reported in the treaty minutes, written at a precarious time amid circulating rumors that had alarmed the Mohawks and threatened the alliance:

Nimham a Sachem Spoke as followeth[:] The Reason of our Coming here is to banish all Suspicion & all Evil Reports which may have been spread against us. Gave some Mink Skins or Blanketting [&] ½ a piece of Duffels cut into 2 y^d pieces. We are come as Brethren fearing the Cov^t Chain made before might be wore out & forgot to give a new gloss to it that it may be brightened & perpetuated. We come in hopes to continue such a peace as may Endure while the Stars Shine & that we may behold the Sun rise in peace with us Every day we live. Gave a Belt of Wampum & a Bundle of Skins. We Rejoyced y^t we have an Oportunity to Come before your Excellency to Shew our Sincerity not only by Words but from our Hearts & therefore bring our Youth with us that they may bear witness & perpetuate the Same. [Gave] A Belt of Wampum & some

³¹ Daniel Horsmanden Papers, New-York Historical Society, NY, MS 2986: box 1 of 1, folder 3, item #19, draft copy of a 1745 “Conference with some River Indians at N-York.” The treaty minutes do not list the names of the River Indian attendants, but Moravian records listing principal men from four communities “Going to the High Lands” five days earlier en route to meet with the governor in New York City reveal the identities of the participants: Cornelius (or Catharickseet), Abraham (or Schawash), and Johannes (a.k.a. Job or Wassamapah) of Shekomeko, Moses (or Guttamaack) of Wechquadrach, Gideon (a.k.a. Mawasseman or Mauwehue), and Samuel (or Kiop) of Pachgatgoch, and the new “governor [i.e., sachem] and Capt [Umpachenee or Aaron] from Westenhook” (i.e., Stockbridge), MOA, Box 111, Folder 1, item 2 (April 29, 1745). Other likely attendees include Old Nimham’s two sons, Pesiewein and Seekoremaw, among the unnamed “Relations” present, as well as Daniel Nimham, who would have been about nineteen years old at the time. The attending Onactaconge Indians cited might be a misreading by the scribe for “Wyantenock otherwise *Oweantonoge*” Natives (also Wawyachtenok or Weantinock), , that had moved upriver from their main village near New Milford with headman Gideon Mauwehue in 1736, see Benjamin Trumbull, *A Complete History of Connecticut Volume 2*, Maltby, Goldsmith and Company and Samuel Wadsworth, 1818, 82-84. See also Frazier, *The Mohicans of Stockbridge*, 73-74, 256n.17, for details of a three-day Indian council with principal chiefs at Shekomeko from April 26-29 leading up to the departure to meet with the Wappinger and Governor Clinton.

³² Edmund Baily O’Callaghan and Berthold Fernow, eds., *Documents Relative/Relating to the Colonial History of the State of New York* (Albany, NY: Weed, Parsons & Co., 1853–1857) (hereafter, NYCD), 3: 68. For references to Wappinger or Highland Indians renewing the “covenant” with New York Governors Henry Sloughter and Richard Coote in 1691 and 1698, see New York Executive Council Minutes, Series A1895, “Council Minutes, 1668-1783” New York State Archives, Albany, NY (hereafter, NYECM), 6: 33, 8: 45.

Strings with some Skins - D^o with Strings. That Brother what I have said I repeat once more & Declare that it is not only from y^e Lips but from y^e Hearts & therefore have brought not only our Youth but our distant Friends & Relations to be Witnesses to it when I am dead. Gives a Bundle of Skins [&] ½ pieces of Duffells cut as before. That we have been Friends with the Christians when we were Great & they Small we hope Now [that] we are become a Small Body your Excellency will Esteem us as friends as we have been & Ever will be. [Gave] Crownpieces [&] Gave a Bag of pennyes. Friends we Come here to You that are Inhabitants & are sorry that when a Small parcell of Land is bought of us a Large Quantity is taken instead of it. That the English people of New England Come & settle very thick on the Land which we never have sold & being unwilling to make any disturbance hope his Excellency will take Care [to] do his Utmost to see Justice done them. We are sorry we are pinch'd so, that by the [white] peoples being Settled so thick about us we are become needy & distress'd & therefore hope we may be paid for such Lands as are Settled & we have not Sold. Gave a Bundle of Bear Skins [&] ½ pieces of Strouds. That the Sachem of the Mohawks sent us this String of Wampum & desired us to go to our Father his Excellency y^e Governour & present that String of Wampum & try if we could by any means find out whether there was any [English] design of destroying the Mohawks it having been Suggested to them (the Mohawks) that there was such a design.³³ Gave [to] y^e [Indians a] String of Wampum [&] a Barrel of powder [torn section] piece of Stroud in 2 y^d pieces or whole [torn section] Flints Lead Tobacco Pipes & some Rum to be Ordered on Going. They produced the [certificates of] protection of some of the former Governours & desired the same might be ratified to them. A Private Present to Nimham & those of y^e most Sway[,] Powder Lead & Flint to Shew that We Repose Confidence in them by Giving them that which might annoy us were they so disposed.

Old Nimham was last mentioned in records during the 1767 Wappinger land claims trial, where he and sachem Acgans are alluded to in the New York Council's verdict against the Indians, which reports that prior to Daniel Nimham's leadership the disputed lands around "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

³³ See Peter Wraxall, *An Abridgement of Indian Affairs Contained in Four Folio Volumes, Transacted in the Colony of New York, from the Year 1678 to the Year 1751*, edited by Charles Howard Mallwain (Cambridge, MA: Harvard University Press, 1915), 241-42, for an additional entry concerning the rumor of English designs against the Mohawks. During a treaty conference at Albany in October of 1745, Governor Clinton mentioned the: "false Alarm w^{ch} had been spread amongst the 6 Nations of a Design in the English to destroy them & of w^{ch} they had afterwards acknowledged the Falisty. he admonishes them for the future not to listen to any such Idle Tales or suffer their Affections for us to be shook thereby," and 245, attributing the rumor to the French cited in a March 1745/6 letter from the Albany Commissioners of Indian affairs reporting: "Intelligence is received that the Mohawks kept privately amongst them a Belt of Wampum from the Gov^t of Canada who had sent a Message with it to them purporting that he was certain that the English in whose Settlements they live had a Design last Winter to Destroy them all."

[River].”³⁴ The third sachem mentioned by the council appears to be a reference to Daniel Nimham’s father. The verdict points to the tribes’ removal from the Hudson Valley 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. Moreover, colonial records do not disclose which of Old Nimham’s named sons, Pesiewein or Seekoremaw, succeeded him as spokesman after 1745. 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 “Wapings or Wappinger Indians” living on the upper Susquehanna River, far from their ancestral homeland.³⁵ Like his predecessor, he is most often identified only as Nimham or under slight variations of the name (Nimihan, Nimhaon, Nimeham, and Nemeham). Documents chronicling this man’s life and times also include a known alias, “Nuntian” or “Nunetiam,” that distinguish him from sachem Old Nimham or Sackoenemack.³⁶

In treaty conferences with the governments of New Jersey and Pennsylvania in 1758 and 1761, he was recognized as: “Nimham the Eldest & Principal Chief of the Wappingers or Opings.” The provincial secretary for Pennsylvania further reported he was one of three chiefs of the “Fish Kiln Indians” (i.e., Nimihan, Old Quain House, and Sandall) that formerly lived “at the Highlands” in New York, and had attended the first treaty conference at the request of Delaware spokesman Teedyuscung (see Figure 5 on page 38).³⁷ The ethnic term Opings (or Oapingk), including Fishkill Indians and occasional references as “Mohickanders or River Indians,” are all names synonymous with Wappinger Natives in records describing this group in the eighteenth century.³⁸ His identification as the chief elder of the tribe suggests he may in fact be the eldest of Old Nimham’s two sons, the

³⁴ NYECM, 26: 85-89, Judgment on the Claim of the Wappinger Indians (March 11, 1767).

³⁵ Samuel Hazard, ed., *Minutes of the Provincial Council of Pennsylvania, from the Organization to the Termination of the Proprietary Government, 10 March 1683 to 27 September 1775* (Harrisburg, PA: Theophilus Fenn and Company, 1852) (hereafter, MPCP), 8: 217-18; Grumet, “The Nimhams of the Colonial Hudson Valley, 86-87.

³⁶ For “Nimeham, Chief of the Opies,” and his named alias recorded by Pennsylvania officials, see MPCP, 8: 667-70 (October 1, and 11, 1761).

³⁷ Sigal Museum, Northampton County Historical and Genealogical Society, Easton, Pennsylvania: Easton Treaty-Deed Indenture of October 23/25, 1758, ceding the rights of Munsee-speaking groups to all lands in northern New Jersey (except fishing and hunting rights) for the payment of 1,000 Spanish silver dollars, and endorsed by spokesmen, Egohohoun of the Minisink, Nimham of the Wappinger, and Awquawaton of the Pompton; for the arrival of “Fish Kiln Indians” at the 1758 Easton conference, see Peters, Richard, Papers, Collection 498, Historical Society of Pennsylvania, Philadelphia, 1758 Diary (October 3), reporting that a local Inn-keeper named “Vernon brought to me Captⁿ Hendrick Quain house & his Lieutenant James they call them[selves] Fish Kiln Indians. They live at the Highlands. they have 3 Chiefs Sandall not here. Nimihan & old Quain house who are here. They shewd me Certificates [of Protection] from Gov^r Clinton & Gov^r Hardie [of New York] in which they are calld Wappinger Indians or River Indians — there are 20 now at Easton including their Chiefs. They shewd me a [wampum] Belt sent them by Teedyuscung to come to the Treaty.” Chief Sandall cited as being absent is probably a reference to principal Esopus sachem, Sander or Nachnawachena. For prosopography on Sander, see Waterman and Smith, *Munsee Indian Trade*, 274-78. Special thanks to James H. Merrell, Professor of History, Vassar College, Poughkeepsie, New York, for bringing the 1758 diary entry to the author’s attention.

³⁸ NYCD, 7: 152-53, 159.

individual nicknamed One Shake during the earlier mentioned land dispute with Rombout Patent proprietors. Unfortunately, which of Old Nimham's sons this nickname refers to is not known. The opening treaty minutes from the 1758 conference listing the two attending leaders of the "Wapings or Pumpstons — Nimhaon, [and] Aquaywochtu," likewise identify this man and another tribal chief affiliated with his generational cohort.³⁹

References to individuals named Henry Nimham and Coleus Nimham, the only family members reported as living on the Susquehanna River during the Seven Years War, could also pertain to Old Nimham's two sons. "Henry Nimham, a Fishkill Indian," was identified in March of 1756 in the company of pro-French Indians at the Munsee town of Tioga, together with another man, "Stephen of the Fishkill."⁴⁰ Many of the Indians present were noted as having spoken both English and Dutch. The second individual cited likely refers to Wappinger, or Highland Native, Stephen Cowenham, an associate of Daniel Nimham in later Dutchess County land claims.

Coleus Nimham is perhaps the more likely of the two to have been Daniel Nimham's father. A Stockbridge Indian delegation sent to Sir William Johnson at the start of Pontiac's War in November of 1763, entreated: "As Many of the Mohicander Indians are gone from these parts Some years ago to live along the Susquehana & its Branches, w^h, gives their friends here much concern least they may be brought in to do what is wrong. We therefore Father earnestly request You will call them all from thence, to call Coleus Nimham in particular & whoever likes to come with him."⁴¹ An earlier reference by a Moravian missionary at Pachgatgoch, Connecticut, in 1751 to "the 2 sons of Nimham's daughter"⁴² may also refer to this man and events associated with his family before the Wappingers' removal from Dutchess County. Furthermore, this interpretation suggests Daniel Nimham could have had a sister. A November 1746 diary entry by Henry Beekman, regarding a "Memor^d. Sent by Hen[drick?]: Philipse Nimhams Blankit," is the only other known reference placing Old Nimham's successor in the mid-Hudson Valley.⁴³

During the above-mentioned treaty conferences in 1758 and 1761, held at Easton and Bushkill, Pennsylvania respectively, 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, 17 ♥ ♥ 45. The Belt had a round Circle

³⁹ MPCP, 8: 176 (October 8, 1758).

⁴⁰ Cadwallader Colden, *The Letters and Papers of Cadwallader Colden* (NY: Collections of the New-York Historical Society, 1921), 5: 95-96, deposition of Margery West, captive narrative. West reported that she was captured on February 26, 1756, near present-day Port Jervis by a mixed Delaware and Munsee raiding party including; "Henry Nimham, a Fishkill Indian, that she had been acquainted with." Arriving at Tioga two weeks later, she mentioned other Natives familiar to her; "in particular she saw one Stephen of the Fishkill who first knew her & then made himself known to her by mentioning a certain time that he had been at Capt'n Hartles; She likewise saw one Cornelius who said he was brought up on Staten Island, that he had been at Braddocks defeat & shewd her some Linnen which he said was part of the booty."

⁴¹ PWJ, 10: 930-32 (November 10). Johnson noted six days earlier in a letter to Cadwallader Colden his prior knowledge of Wappinger involvement with pro-French Indians in the capture of Margery West in 1756, "but I apprehend that is immaterial, as the Delawares [and Munsees] had been concerned agst Us, and since made Peace, w^h some few of them strictly adhere to," see Colden, *The Colden Letter Books*, 6: 245.

⁴² Corinna Dally-Starna and William Starna, eds., *Gideon's People: Being a Chronicle of an American Indian Community in Colonial Connecticut and the Moravian Missionaries Who Served There* (Lincoln, NE: University of Nebraska Press, 2009), 1: 164 (March 9, 1751).

⁴³ ELP, Henry Beekman Daybook, 1741-1763, box 129: 57 (November 4, 1746).

Pendent, representing the Sun.” New Jersey and Pennsylvania officials were informed that “the belt was given them by the Government of New York, and represented their Union, which was to last as long as the Sun should continue in the Firmament.” The “Peace Belt” and an accompanying certificate of protection from New York Governor George Clinton, which Nimham described as his “Commission,” reference events recorded by the colonial council in the winter of 1745-46.⁴⁴ These events approximate the time of his selection as sachem during the third year of King George’s War.

In December of 1745, New York agents visited with Munsee Indians who had fled to Cohecton on the Delaware River. They reported to the council that an unnamed group among the Indians said “They had lost their Sachim, and as they Consist of two Tribes Vizt the Wolves and Turkeys, they were then debating of which Tribe a Sachim should be chosen to govern the Whole.” The chosen sachem and other chief men met again with the agents in January and presented a wampum belt to renew “Friendship and Brotherhood and ...to renew their Covenant Chain.” Governor Clinton and the council reciprocated by sending their own “Belt of Wampum with assurances of protection.”⁴⁵ Sadly, this leader’s group affiliation or his ties to the wolf and turkey divisions were not stated. Later information provided by Daniel Nimham in an “Advertisement” of Wappinger claims in Dutchess County notes his family had only sold “about Six thousand Acres of their land in the County exclusive of what was own’d by the Turkey Indians.” The references to wolf and turkey divisions show that Wappinger Natives, like other Munsee bands, were socially organized into phratries — kinship descent groups regulating marriage — that included a third social division, Turtles.⁴⁶

Wapping or Oping Chief Nimham might also be one of two unnamed River Indians noted 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 the officials:

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^a: and I send an Interpreter with them; as the

⁴⁴ MPCP, 8: 217 (October 23, 1758: Teedyuscung speech), 8: 667-69 (October 1, 1761: Nimeham speech).

⁴⁵ NYECM, 21: 71-72 (December 21, 1745: January 3, 1745/6). The agents (Colonel Thomas de Kay and Major Jacobus Swartwout) reported “That When they arrived at their hunting Houses which was the 21st December last, They asked the Indians why they withdrew themselves from Orange County and thereabouts, where they usually traded & hunted. To Which the Indians answered, they were afraid of the people in the County, Coll. Dekay Replied, Why are you afraid? They answered because you are always under Arms. In Answer to Which Coll. Dekay told them the Reason why the County were frequently under Arms was by order of his Excellency their Governor that the people may be ready and in good Order to defend themselves against the Enemy should they make any Attempts upon them, Upon which they rejoiced, being now convinced no Harm was Designed against them.” During a second meeting at the Town of Goshen, in Orange County, the Indians presented the agents “with a Belt of Wampum to settle and renew their Friendship and Brotherhood...with the English and to be kept by them as long as the Sun and Moon endured.” The agents desired the Indians “to be Faithful to this Government and to come and reside amongst the English like Brethren as usual.” See NYCD, 6, 649 (January 17, 1745/6), for the council’s receipt of the Cohecton belt and their proposal to Clinton “to send the said Indians a Belt of Wampum with assurances of protection.”

⁴⁶ KCCR, box 10, folder 9, Advertisement of Wappinger Claims (1764). For eighteenth-century Munsee phratry divisions, see Ives Goddard, “Delaware,” in *Handbook of North American Indians: Northeast*, edited by William C. Sturtevant et al. (Washington, D.C.: Smithsonian Institution, 1978): 15, 225.

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.⁴⁷

Sir William mentioned this group again during a conference at Fort Johnson on July 9, when he acknowledged their presence in a “Speech to the Mohikander or River Indians who arrived during his absence, and were sent for the 28 May last vide Records p: 210 – with their wives and children they amounted to 196 Souls.” On July 12, the spokesman of the River Indians expressed “unfeigned thanks” to Johnson for safe passage to his home:

that you turned your thoughts towards us, and took us as it were by the hand and brought us up hither, and that you sent a person [interpreter, Jacobus Clement] on purpose to conduct and provide for us, we found no obstructions in our way but the road was smooth and pleasant. It gives us also great pleasure to see so many of our uncles of the 6 Nations [Iroquois] here at this Fire Place and also our own cheifs (meaning the Delaware King [Nutimus] &c) and – Bretheren we are sincerely rejoiced to see these our Relations acting together in so harmonious a manner and we do by this Belt assure you Brother, that we join in this Harmony and shall endeavour to secure & promote it by stedfastly acting in concert

⁴⁷ PWJ, 2: 477-78; see also PWJ, 9: 463-67, for Johnson's May 28, 1756, conference with the Mohawks and “a Party of River Indians who formerly lived on the Frontiers between this Province & New Jers[e]y & enlisted themselves in the Battoe Service [re-supplying Fort Oswego].” “One of the chiefs of the River Indians” addressed the Mohawks: “We are desirous of being under your immediate protection & hope you will take care of us. Uncles The English in our way up to Oswego where we went to earn a penny to support our Wives & Children who are in a distressed Condition, abused & threatened us for Murdering their People on the Frontiers of Pensilvania, New Jersey & New York; we are entirely innocent of any such thing, and these Accusations very much alarmed us as we are an unsettled & defenceless People; we were dubious in what manner to behave, but we hope now you will interpose & prevent any ill effects of those Accusations by taking Notice of us as your Nephews.” Following the Mohawks' response, Johnson addressed the River Indians: “Children I am pleased that you have so prudently applied to your Uncles the 6 Nations & put yourselves under their protection & that they have so kindly & readily opened their Arms to receive you. As to your Engagement with the Battoes I think two of you will be suff[icien]t to go & bring up your Women & Children & I will give you Letters to the People in Authority where your Families are that you may meet with no Molestation or hindrance in the bringing them away, and when you come up I will take care of you & supply your wants till you are able to do for yourselves...To which they replyed, that they were very thankfull for Sr. Williams Promises to them & had fixt on two of their People to go down, but desired a White Man might be sent with them to prevent any Misunderstanding & facilate the removal of their Families. Sr. William told them he would send an Interpreter with them & accordingly wrote the following Letter to Jacobus Clement Intrepr. at Albany. You are to accompany these River Indians to the Fish Kilns & speak to the Magistrates & People in power there to give them no Molestation or hindrance but forward them on their Journey up here, as their coming to live among the Mohocks will be of great Service to the public; you are to take great care that they do not get in Liquor nor have any conversation with the Soldiers at Albany or by the Way. When they arrive at Albany you are to come up with them directly in the Cheapest manner you can. inclosed is £ 10 to defray the Expences, use frugality & Discretion.”

with them, and the longer we live the more firm we hope this happy union will subsist between us all.⁴⁸

Several years after this event, during the Easton and Bushkill treaty conferences, provincial officials reported that Wapping chief Nimham had received a second certificate of protection, sometime in 1756, from then-New York Governor Charles Hardy, which was displayed as an additional token of his authority among the tribe.⁴⁹ This certificate was probably given to Nimham a week later, on July 19, at a meeting in Albany with “Some Sachems and Warriors of the Six Nations, and of the River Indians who attended Sir William Johnson to this City, having desired to see Major General Abercrombie and Sir Charles Hardy.”⁵⁰

The expatriate “Indians & their Familys from the Fish Kills”⁵¹ and other Hudson Valley groups, including Esopus tribesmen from the Kingston area and Mohican Natives from Albany County 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 (see Figure 6 on page 39). Johnson’s far-reaching efforts among River Indian groups in 1756 were an attempt to reinforce British Indian allies for upcoming campaigns against the French in New York.⁵² Later, Iroquois sachems and allied Conoy and Nanticoke Indians living on the Susquehanna informed colonial officials at Philadelphia “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.”⁵³

During the Bushkill treaty conference in 1761, “Nimeham Chief of the Opies” and “Good Tomach [a.k.a. Guttamaack] one of the Chiefs of the Mohhickons” told the lieutenant governor of Pennsylvania about plans to settle with Teedyuscung at the Susquehanna Valley town of Wyoming. Teedyuscung had earlier served as a spokesman for Wappinger Indians at the 1758 Easton conference and had once again befriended the tribe. At the meeting, Nimham declared:

Brother: I am to join with you, and will place myself at Wyomink with Teedyuscung, & will always agree to what you and he shall agree upon; I am Chief of the Opies, and have a Commission for it, and if any other Indian pretends to be Chief, you must not regard it, for they have no

⁴⁸ NYCD, 7: 152-53 (July 9, 1756: “Sir Williams Speech to the Mohikander or River Indians”), 159 (July 12, 1756: “The Answer of the Mohickanders or River Indians to S^r Williams speech to them the 9th Inst.”).

⁴⁹ MPCP, 8: 217, 669.

⁵⁰ NYCD, 7: 160 (July 19, 1756).

⁵¹ See PWJ, 2: 615, 624, for reimbursement of 30 pounds, 6 shillings, and 11 pence to: “Jacobus Clement Interpreter for Expences bringing up 196 Ind[ian]s: to my House,” and 10 pounds payment: “Cash to bring up a Number of Indians & their Familys from the Fish Kills.” For earlier removals of Hudson Valley Natives, see PWJ, 9: 425 (April 9, 1756): “the River Indians liveing in, and about Esopus” to settle with, “The Mohawks of the lower Castle [Tiononderoge],” PWJ, 2: 613 (May 13, 1756): “bring^g. up 75 River Ind^s: from Albany to the Mohawks where I settled them.”

⁵² Shirley W. Dunn, “The Mohican Presence on the Susquehanna River in New York,” in *The Challenge: An Algonquian Peoples Seminar*, ed. Shirley W. Dunn (Albany, NY: New York State Museum Bulletin, 506, University of the State of New York, 2005), 62-65.

⁵³ MPCP, 8: 655-56 (August 26, 1761).

Commission for it. Producing a Certificate from Governor Clinton of the NY Government's attachment and Behaviour of that Nation to the English in 1745. Producing also another of the same kind from Sir Charles Hardy in 1756, written in parchment. A Belt of 7 Rows [given]. He also produced a large Peace Belt of 16 Rows with ♥ ♥ and the figures 1745 Woven into it.⁵⁴

The planned move by Wappinger and Mohican families was part of a gradual exodus of some previously settled groups from the Six Nations' territory near the end of the French and Indian War. He was last mentioned in person at Easton on June 22, 1762, as "Nemeham," one of the sachems of the "Mohiccons and Opings," who signed a petition by Teedyuscung demanding a written account of discussions over past Pennsylvanian land policies toward Delaware and Munsee peoples.⁵⁵

Daniel Nimham's father may also have been mentioned many years after his death in a list of "Delaware Chiefs" presented to the American Philosophical Society in 1822 by the Reverend John Heckewelder, a Moravian missionary active among both Delawares and Munsees in the years following the French and Indian War. This reference suggests that Wapping or Oping Chief Nimham was among the many Indians leaving Wyoming in 1763 over conflicts with encroaching settlement and moving west to the Ohio River. Under the sub-heading "War Chiefs and Counsellors," Heckewelder wrote that the Natives "Newalike and Nihmha had been chiefs of the Monsey tribe at Minisink, afterwards on the Susquehanna, and finally at Sandusky." In an additional entry, Heckewelder noted that "Nihmha, a Monsey chief, [was] born at Minisink, on Delaware [River]; afterwards a chief on the Susquehanna and on Ohio."⁵⁶

Chief Nimham and the Wappinger tribe's removal from the Susquehanna River Valley was perhaps facilitated by an invitation made earlier by western Delaware leaders, Nutimus and Beaver, in November of 1762. The two chiefs had sent a wampum belt expressing their desire that Teedyuscung and his people, along with: "the Wapings & Mohickons settled at Wyomink, would remove thence, and come and live at Allegheny."⁵⁷ Unfortunately, Teedyuscung did not accept the invitation, but his death five months later during a mysterious fire that consumed Wyoming (it was suspected as arson committed by

⁵⁴ MPCP, 8: 667-70 (October 1, 1761). Nimeham's concerns over tribal authority pertain to Oping chief, Wyoweenhunt, mistakenly noted earlier in April by Pennsylvania officials as "their King," MPCP, 8: 594-95. Mohican chief Good Tomach (a.k.a. Guttamaack, MPCP, 8: 594), or "Aguttamak" of Wechquadnach, Connecticut, was a Moravian Indian convert baptized as Moses, on December 12, 1742, MOA, box 111, folder 1; and noted in Connecticut land records under the spelling variants, Quotomack alias Moses in 1747, and Nequitimaug alias Moses in 1752, Dunn, *The Mohican World*, 359. Old Moses died after a ten-day illness at Wyoming on September 30, 1762, MOA, box 125, folder 3.

⁵⁵ PWJ, 3: 771. Signers with Nemeham included Moses (or Guttamaack) and Mackcuwas (or Mackeeus, a Minisink chief). For prosopography on Mackeeus, see Waterman and Smith, *Munsee Indian Trade*, 283-84.

⁵⁶ Peter S. Du Ponceau, ed., "Names Which the Lenni Lenape or Delaware Indians, Who Once Inhabited This Country, Had Given to Rivers, Streams, Places, &c., within the Now States of Pennsylvania, New Jersey, Maryland and Virginia: And Also, Names of Chieftains and Distinguished Men of That Nation; With the Significations of Those Names, and Biographical Sketches of Some of Those Men," in *Transactions of the American Philosophical Society, held at Philadelphia, for Promoting Useful Knowledge*, volume 4, article 11 (Philadelphia, PA: James Ray, Jun. & Co., 1834), 387.

⁵⁷ MPCP, 9: 8.

settlers) led to the Indians' departure from the town.⁵⁸ Although there are no records dating chief Nimham's death, he probably died in the Ohio country a few years later, in 1765, the same year that Daniel Nimham was first recognized as tribal spokesman.

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

that he understands their language, 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; and at the same time heard him ask Mr. Philipse whether he was then come to make them restitu[t]ion.⁵⁹

In 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 his initial attempt to assert 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 Governor Robert Monckton at Fort George in New York City. Arriving without legal counsel, he was "laying Claim to Lands near the Fish Kill in Dutchess County, formerly granted by Patent to Adolph Philipse...and to other Lands formerly granted to [Francis] Rumbout and Company."⁶⁰ 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 (see Figure 7 on page 40). Created in 1737, these precincts largely followed the boundaries of the original patent grants established in the late seventeenth century. However, a parallel tract of land lying along the west bank of Wappinger Creek, a partition of the Rombout Patent, fell under the

⁵⁸ Anthony F. C. Wallace, *King of the Delawares: Teedyuscung 1700-1763*, (Syracuse, NY: Syracuse University Press, 1990) 258-59.

⁵⁹ Anonymous, *A Geographic, Historical Summary; or, Narrative of the Present Controversy, Between the Wappinger Tribe of Indians, and the Claimants, under the Original Patentee of a Large Tract of Land in Philipse's Upper Patent, So Called*, (Hartford, CT: Green & Watson, 1768), 31-32; see also, NYECM, 26: 83, "Hearing of the Claim of the Wappinger Indians" (March 5-7, 1767), for mention of Judge Terboss' deposition dated August 20, 1765, entered as evidence at the trial.

⁶⁰ NYECM, 25: 454.

jurisdiction of the Poughkeepsie Precinct after the redivision of the county from an earlier system of wards.⁶¹

Historians investigating the Wappinger land controversy note that prior to 1762 the tribe “had remained silent” concerning their rights and was only spurred to action by a proclamation from the King of England enacted to protect Indians from excessive land grants; or, moreover, they unduly credit settlers like Samuel Monroe “for inducing” the tribe to pursue the claims.⁶² While the king’s declaration most certainly encouraged Wappinger Natives, records indicate 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 begun efforts several years earlier. The two letters from Hendrick Waumaue (or Wamash), including other named family leaders (“Arie Sawk, Out Quamos, and John Backto”), and a second from Mehlous, granted him legal powers “respecting their Lands at Wickapee &c.” and other “Lands in the Province of New York.”⁶³

A month after Nimham’s appearance before the governor, Catharyna Rombout Brett, the daughter and heir of Francis Rombout, wrote to Sir William Johnson. Brett reported she had already met with “Cap^t Nimham,” who claimed he was being “Kept Out of his Right” to improved lands reserved for “Old Nimham and two of his Sons.”⁶⁴ She further revealed 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 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, Beekman, and Great Nine Partner proprietors. In this regard, he was following Native protocol, where Indian leaders preferred to settle disputes directly with provincial officials and landowners, as opposed to litigation in open court.⁶⁵

⁶¹ William P. McDermott, “Colonial Land Grants in Dutchess County, NY: A Case Study in Settlement,” *The Hudson Valley Regional Review*, 3, no. 2 (1986): 3.

⁶² Nammack, *Fraud, Politics, and the Dispossession of the Indian*, 72-73; Sung Bok Kim, *Landlord and Tenant in Colonial New York: Manorial Society, 1664-1775* (Chapel Hill, NC: University of North Carolina Press, 1978), 376-77. Daniel Nimham’s decision to pursue Wappinger claims may have been inspired by his participation with Benjamin Kaukewenauhaunt (a.k.a. King Ben) and other Mohican spokesmen in effective land claims in and around Stockbridge from 1759 to 1763, see Massachusetts Archives Collection, 1629-1799, University of Massachusetts, Boston, 32: 773 (May 23, 1759: Dannel Neemhum), 56: 327-28 (May 31, 1759: Ninneham), 33: 210-12 (May 27, 1762: Daniel Nemham); PWJ 10: 601-03 (December 20, 1762: Daniel Nimham); Berkshire Middle District Deed Books, Berkshire County Clerk’s Office, Pittsfield, Massachusetts, book. 2, 172-75 (January 12, 1763: Daniel Nimh/Nimham). See Frazier, *The Mohicans of Stockbridge*, 153-54, for Mohican land negotiations and settlement of £ 1,700 pounds.

⁶³ NYECM, 26: 82, “Hearing of the Claim of the Wappinger Indians” (March 5-7, 1767).

⁶⁴ PWJ, 10: 493-95 (August 26, 1762). Brett alleged the reserved land had been sold, telling Johnson that “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 to One Cap^t 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 Emprovement, I Give him Leave to Sell y^e Improvement, and he Sold it for Twenty Pound.”

⁶⁵ For a brief discussion of Hudson Valley Natives and English jurisprudence drawn from extant court case records across the province of New York, see Allen W. Trelease, *Indian Affairs in Colonial New York: the Seventeenth Century* (Lincoln and London, NE: University of Nebraska Press, 1960), 185-86.

It was only after the colonial council's inaction on the 1762 claim that Nimham began actively seeking support from nearby settlers, efforts that would lead to trial and ultimately a personal appeal to the King of England and a rehearing of the case.

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 after receiving the land claims in writing that he would take the matter into consideration. The ensuing report is a unique document relating to the study of American Indian history. The testimony provided 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 copy of Kempe's report. Kempe presented the governor with an official version of the report five days after the meeting with Nimham, on August 2, 1762.⁶⁶

Historians citing the official report wrongly interpret the joint tribal claim described by concentrating solely on either of the Indians' actions against the Rombout or Philipse Patent proprietors separately.⁶⁷ Furthermore, these authors overlook important kinship data, found in both the official report and the draft copy, concerning the twelve Native individuals named by Nimham in the unfolding narrative. While the two 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 the later trials. Nimham's 1762 testimony is therefore the closest representation approaching his voice on these matters.

Claims in the South Precinct

Daniel Nimham's testimony in the first section of the draft report details Wappinger claims against the proprietary heirs of Adolph Philipse in the South Precinct (see Figure 8 on page 41). The Native individuals identified in this section are his maternal relatives. The later court cases focused almost entirely on this aspect of the land controversy, listing Philip Philipse (the son of Adolph Philipse's nephew and heir, Frederick Philipse), Beverly Robinson, and Roger Morris as the principal defendants. Robinson and Morris were the husbands of Frederick Philipse's daughters, Susanna and Mary. These women, along with their brother Philip, were the surviving heirs to the land patent.⁶⁸

In his description of tribal claims in the South Precinct, Nimham provides the Native placenames for the two main boundary areas on the Hudson River demarcating the land patent granted to Adolph Philipse: Mataowawmungh and Wacoghquaneek. These Native names are not included in the letters patent or in either of the two Indian deeds associated with the land grant made in 1691 and 1702, which give only the English equivalents, "mouth of the Fish Kills" and "Anthony's Nose." Mataowawmungh is a longer spelling variant of Matteawan, cited in land records associated with the neighboring

⁶⁶ KCCR, box 10, folder 9, "State of Nimham's Case" (undated); Chalmers Papers, Papers Related to New York, Volume II, 26, "Attorney General Kempe's Report Concerning Nimham the Indian" (August 2, 1762): New York Public Library, Manuscripts and Archives Division, Astor, Lenox, and Tilden Foundations.

⁶⁷ Kim, *Landlord and Tenant in Colonial New York*, 377n.88; Irving Mark, *Agrarian Conflicts in Colonial New York, 1711-1775*, (New York: Columbia University Press, 1940), 131-32n.5.

⁶⁸ NYECM, 26: 5-6 (March 6, 1765), 26: 81-84 (March 5-7, 1767); Nammack, *Fraud, Politics, and the Dispossession of the Indian*, 71-72.

Rombout Patent, a Munsee placename referring to present-day Dennings Point on the Hudson River in the City of Beacon noted on period maps.⁶⁹ Other Munsee placenames listed by Nimham in the South Precinct, Kichtondacong and Paukeminshingh — lowlands located on the Upper Peekskill (present Annesville) Creek — are not mentioned at all in Dutchess County land records (note: text in brackets is scratched out in the manuscript):

May it please your Excellency. In pursuance [~~to~~] of your Excellencys Order in Council of 28th of July [~~Inst~~] last: [~~I have examin~~] 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 deced, and [~~of~~] to other Lands formerly granted to Rumbout & Company, now in the possession of Mrs. Brett. [~~and~~] His Claim to the [~~se several~~] 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 Kichtondacong and a piece of low Land lying Southeasterly from Kichtondacong 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, [~~sealing their Grant by~~] & sacrifice. 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

⁶⁹ PGP, pocket 14: item #61, Letters Patent (June 17, 1697). PGP, pocket 14: Native Deed Indentures, items #59 (July 15, 1691), #56 (August 13, 1702). For references to the placename Matteawan, see NYBP, 5: 72-75, 206-10; for eighteenth-century maps depicting Dennings Point as “Casper princes or Mattawan,” and “Casper Princes Point otherwise Matewan,” see PGP, pocket 18: item #99, survey map, ca. 1721, north line of the Highland Mountains in Dutchess County; Jona Hampton, Surveyor, 1753, “Draft of the lands disputed by Philipse Patent against Beekmans & Rambaults,” Library of Congress, Geography and Map Division, Washington, D.C., G3803.D8G465 1753 .H3.

[~~John Van Gilder in the year of the Defeat at Ticonderoga gave it to the~~
hath since given the whole of these Lands to the complainant...⁷⁰

Claims in the Fishkill Precinct

Daniel Nimham's testimony in the draft report continues with tribal claims against Catharyna Rombout Brett of the Fishkill Precinct. The Natives identified in this section 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, Sr., and Stephanus van Cortlandt. These men's heirs, along with Brett, were implicated in appeals by Hendrick Wamash, a grandson (or more likely grand-nephew) of Old Nimham, made later to Sir William Johnson and New York Lieutenant Governor Cadwallader Colden in 1763.⁷¹ Wamash, who reported that the settlers "at Fishkill and Poughkepsy" 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 or Poghquajawonk portion of the Beekman Patent along the Connecticut border.

Descriptions of claims in this section of the report also include additional Native placenames not mentioned in the provincial land grant or the 1683 Indian deed associated with the Rombout Patent: Coghhapsens and Pasakesung.⁷² The latter is a spelling variant of Pakakincq (or Pooghkepesingh), a Munsee placename cited in seventeenth-century Wappinger land cessions in the City of Poughkeepsie.⁷³ Nimham's description locating Pasakesung in relation to a large white oak tree — perhaps the same tree listed as a boundary marker in the 1730 Indian deed to the Nine Partners Company and a shared boundary with the Rombout, Poughkeepsie, and Beekman lands — defines the northern limits of Wappinger claims in the Fishkill Precinct. A 1779 map by Claude Sauthier illustrating land grants in New York confirms the location of a white oak tree at a fixed point where the four land tracts meet (see Figure 9 on page 42).⁷⁴ Nimham sited the tract's western bounds at "Weekapee Brook," then east to the "Top of the high Mountains." The tract's eastern boundary refers to an imprecise point of land near present-day Stormville Mountain, at the northernmost geographic reach of the Hudson Highlands in the Town of East Fishkill. The same boundary was noted during the Rombout land dispute in 1721 as being "four Houers going into the woods" from the Hudson River, "Easterly on the South Side of the Fish Kill" measuring "16 miles to the Mountains" (see Figure 2 on page 34).⁷⁵

The dimensions of the land tract delineated by Daniel Nimham show the tribal claim included nearly half of the land in the Fishkill Precinct. However, his account that

⁷⁰ KCCR, box 10, folder 9, "State of Nimham's Case."

⁷¹ PWJ, 10: 853-54; Colden, *The Colden Letter Books*, 1: 247-48. Hendrick Wamash, the son of Quawamaus (i.e., Old Quamaus or Old Quain House), is noted in records from 1758 to 1769 under multiple variants of his sir-name, Wamost, Waumaue, Quamash, Quamaus, and Quain House (author's prosopography, n.p.).

⁷² NYBP, 5: 206-10 (Letters Patent, October 17, 1685), 5: 72-75 (Native Deed Indenture, August 8, 1683).

⁷³ Pearson and Van Laer, *Early Records of the City and County of Albany and Colony of Rensselaerswyck*, 2: 84-85 (June 15, 1680), 3: 556 (May 5, 1683). The placename Pakakincq is incorrectly spelled as Pakakeincq in the 1680 transcription cited, see Helen W. Reynolds, *Poughkeepsie: The Origin and Meaning of the Word* (Collections of the Dutchess County Historical Society, Poughkeepsie, NY, 1924), 49n.34.

⁷⁴ Claude J. Sauthier, 1779, "A chorographical map of the province of New York in North America." Library of Congress, Geography and Map Division, Washington, DC., G3800 1779 .S3 1849.

⁷⁵ PGP, pocket 18: item #99, survey map, ca. 1721, north line of the Highland Mountains in Dutchess County.

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 land in and around Weikopieh that were reserved during the 1721 land dispute — lands he reported in his testimony as actually being set aside earlier, “when Mr. Rumbout bought Rumbout Precinct from the Wapingoes, this Tract was reserved for the Indians and not sold, which...Mrs. Brett well knows having confirmed that Reservation.” His statement that 200 out of the 1,200 acres were sold by Brett to Theodorus van Wyck, one of two brothers from Hempstead, Long Island, who settled in the Town of Fishkill in the 1730s near the reserved Indian lands, lends support to the latter interpretation (see Figure 10 on page 43). In fact, Dutchess County deed books reveal that Brett had indeed sold lands to Van Wyck on May 13, 1745, for 364 pounds. They comprised “Two parcels at Wickopee in Rombout [Precinct]; one of 193 acres, 2 roods, 21 perches; one of 28¾ acres” — or roughly 221 acres.⁷⁶ Coincidentally, the purchase was made nine days after Old Nimham renewed the Covenant Chain Alliance with Governor Clinton at New York City on May 4. Unfortunately, Daniel Nimham provides no date for when his father received land from the tribe in the Fishkill Precinct. But the events he describes probably took place following his father’s selection as spokesman during the winter of 1745-46:

Dan¹: Nimham states his claim to the [~~Rum~~] 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 ~~Pasake~~ 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~~] one of his sons & Qua Wamaus his Cousin – [~~to Sack about one hundred Wapenaus~~] The other half to Wapenaus another of his Cousins Sack & [~~Awansous~~] Wapenaus have leased out the whole for Ninety Nine years, [~~the other two hundred acres~~] 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

⁷⁶ William W. Reese, and Helen W. Reynolds (ed), *Eighteenth Century Records of the Portion of Dutchess County, New York, that was Included in Rombout Precinct and the Original Town of Fishkill*, (Albany, NY: J.B. Lyon Company Printers, 1938), 50; see also 46-47 for an additional land sale by Brett to Theodorus van Wyck on May 15, 1736, for a: “Parcel of 900 acres, on the east side of Hudson’s river, at the north side of the Highlands, on the south side of the Fishkill,” and 45-46, for a land sale by Brett of 959 acres to the elder brother, Cornelius van Wyck on April 9, 1733, near the Fishkill Creek, “part of Francis Rombout’s share of a large tract; adjoining lands of Henry Terboss and Henry Rossekrance.” The Van Wyck brothers, both surveyors, were frequently employed by Brett in the decades before these purchases. See also BSDC: book 2: 144, 154, and 155 for alternate spellings referring to the Hamlet or *Neighborhood* of Wickapee, Weekepe, and Weakepey, recorded from 1730 to 1736.

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~~] but now has warned the Tenants of the Indians from paying them the rent, on which acc^t: 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 Wapenaus, 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 Wappinger land claims concludes with observations he intended to present to the governor. Kempe took issue with the boundary descriptions provided and those boundaries mentioned in an earlier 1718 document granting land rights to members of the tribe: "John Van Gilder & an Indian named Sasckamuk." In his official report to the governor, Kempe offered no other legal opinions regarding the claims but did note Daniel Nimham's sentiments "that the Grant of these Lands to Rumbout & Company, and of the other Land to Mr. Adolph Philipse, belonging to Awansous and not purchased from him is 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."⁷⁷ The Native recipient listed in the 1718 tribal land grant, Sasckamuk (or Sacekamuk), likely refers 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 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 2nd Sept. 1718, [~~the land Description in that Instrument~~] the Indian Names Widely differing, [~~I observed this to~~] the Complainant, [~~who alleges~~] 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

⁷⁷ Chalmers Papers, Volume II, 26, "Attorney General Kempe's Report Concerning Nimham the Indian."

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.

Wappinger Kinship, Descent, and Inheritance

The kinship data from Daniel Nimham's testimony and other eighteenth-century documents referencing Wappinger kindred provides relevant information about Native descent, inheritance, and land ownership. Kinship associations identifying Nimham's relatives and their inherited rights to lands in Dutchess County are shown in Figure 11 (on page 44). Most of the kin relations noted identify the sons of particular men — individuals who represent the generational leaders of family kin-groups and their heirs. Seventeen such instances are recorded. Other relations pertain to cousins, brothers, mothers, sisters, daughters, wives, and, by extrapolation, kinfolk recognizable as in-laws. Kinship references by Nimham to *his grandfather on the mother's side* and *his uncle, or his mother's brother*, are terms considered important to Indian people reckoning descent along maternal lines.⁷⁸

While the numbers of Wappinger leaders and their sons identified in records are historically significant, the documents themselves give no indication of 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 brother's sister's children*.

However, Daniel Nimham's identification of Awansous as his maternal grandfather indicates that his relations with his father and Old Nimham were physiological. This supports the statement in the 1765 anonymous testimonial cited earlier purporting he had inherited tribal leadership through a paternal "line of succession." The observation suggests that some of the father-son relationships identified by Nimham could also be biological and that a few of these men may have inherited land rights along paternal lines. In contrast, references to the Native land rights of his grandfather and uncle *on the mother's side* reveal aspects of matrilineal descent and bilateral inheritance among Wappinger Indians 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

⁷⁸ Robert S. Grumet, "That Their Issue Not Be Suprious: An Inquiry into Munsee Matriliney" *Bulletin of the Archaeological Society of New Jersey* (1990), 45: 21-22. For references to the seventeen father-son relationships identified, see ELP, Subseries 17D, box 157, folder 1, "Indian Deed of Topaksienk" (April 19, 1727), -Neckarent Weretchepe's son -Pasiewin Nemhams son -Seek one other son of Nimham -Asioegkaweg [son?] of Seek; Buck and McDermott, *Eighteenth Century Documents of the Nine Partners Patent*, 109-113 (October 13, 1730), -Seeck's son named Arye; KCCR, box 10, folder 9 (1762), -John Van Gelder and Sancoolakheekhing sons of Awansous -Sack son of Nimham -Hendrick Wamash son of Quawamaus -Mehloos son of Wappenaus -Arie Sawk son of Sack; KCCR, box 10, folder 9 (November 17, 1764), -Stephen Kounhum son of Kounhum -Daniel Nimham son of Nimham -Nimham the son of Sackoemack -One Pound Pocktone son of Ahtaupeanhond -Jacob Aaron son of Aaron -Jacobus Nimham son of Nimham.

near the end of the seventeenth century. The same name appears on the first of the two Indian deeds associated with Philipse Upper Patent that lists grantors ceding territory in the Hudson Highlands.⁷⁹ He first appeared in records in 1680 as the “Indian named Awannis,” an individual noted by Albany officials as “having authority” among “Highland Indians” conveying land in Poughkeepsie, the first Native land transfer made in the county.⁸⁰ Wappinger chief Awansous may also be the same man identified in 1697 and 1698, under the names Awannighqaet or Awaannaghqat, appearing on lists of Mohican individuals found in the account ledgers of Albany merchant Evert Wendell. He was 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.”⁸¹ The notation implies that Awansous, although listed among Mohicans trading with Wendell, was not native to the Albany region and was not ethnically a Mohican Indian.

The most remarkable kinship association noted in Daniel Nimham’s account is his relation to one of his maternal uncles, Tawanout, or John van Gelder, a man reported in all other primary accounts as a Mohican Native. Little is known about Nimham’s other uncle, Sancoolakheekhing, but he is possibly the same man as “Sankoonakehek,” listed among witnesses to a 1719 Mohican land cession around Weatauk, in northwestern Connecticut.⁸² Late nineteenth- and early twentieth-century town and county histories that mention 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 such source claims that as a youth, he was known by the name Konkapot, suggesting Van Gelder had family ties with a well-known Mohican sachem who was originally from the Hudson Valley. However, the validity of these local traditions is debatable and juxtaposed with eighteenth-century records documenting the last three decades of his life.⁸³

More definitive references qualifying John van Gelder’s Native 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 Van Gelder’s son, Joseph, 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, Massachusetts, west of Sheffield. One deponent,

⁷⁹ NYCM-LP, 18: 128 (October 30, 1765); PGP, pocket 14: item #59 (July 15, 1691).

⁸⁰ Pearson and Van Laer, *Early Records of the City and County of Albany and Colony of Rensselaerswyck*, 2: 84-86 (June 15, 1680). One of the Highland Indian signers to the deed, “Waspacheek alias Spek” was also identified the previous year as “Waespacheek,” one of five grantors “all Westenhoek Indians,” selling meadow lands on the upper Kinderhook Creek in southwestern Massachusetts, and noted with the Native signer Pinonak, as one of two cousins to the brothers Wieshaghcaet, Powhyates, and Maxinhaet, see Pearson and Van Laer, 2: 63-64 (October 1, 1679).

⁸¹ Kees-Jan Waterman, *“To Do Justice to Him and Myself”: Evert Wendell’s Account Book of the Fur Trade with Indians in Albany, New York, 1695-1726* (Philadelphia, PA: American Philosophical Society, 2009), 2, 8, 15 (quote).

⁸² For reference to “Sankoonakehek,” see Dunn, *The Mohican World*, 320-21, 368 (see figure).

⁸³ Dunn, *The Mohican World 1680-1750*, 169; Debra Winchell, “The Impact of John Van Gelder: Mohican, Husbandman and Historical Figure” in *The Journey: An Algonquian Peoples Seminar*, ed. Shirley W. Dunn, (Albany, NY: New York State Museum Bulletin, 511, University of the State of New York, 2009), 128. See PWJ, 10: 599, for Hudson Valley connections of Konkapot (i.e., “John Pophenhonnuhwoh”) as a grantor of land “between Stockbridge and Kenderhook,” NY. For prosopography on John van Gelder, see Waterman and Smith, *Munsee Indian Trade*, 295-96; see also, Frazier, *The Mohicans of Stockbridge*, 148-52, for Van Gelder’s involvement in a land dispute with Robert Livingston Jr., of Livingston Manor from 1756-57.

Richard Moore, reported his belief that Van Gelder “belonged to the Catt’s Kills.”⁸⁴ The statement suggests that John van Gelder’s father Awansous had married a Mohican woman from the Catskill region, an association in the eyes of matrilineal peoples that would have made their son John entirely Mohican. Such an association was plainly expressed in a letter from Mohican spokesman Benjamin Kaukewenauhnaunt at Stockbridge. He informed William Johnson in 1756 that the “Old Man” (John van Gelder) was “one of our tribe” and “belongs to us.”⁸⁵

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 for the “Housatonack” or Stockbridge Indians in a 1724 land cession establishing the colonial townships of Sheffield and Great Barrington, in southwestern Massachusetts.⁸⁶ The Indian reserve created 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 owners living there.

John van Gelder’s rights to these lands were confirmed later in two tribal grants made in 1737 and 1756. Native signers listed in the deeds conveyed the lands “for the love and affection” they bore toward van Gelder.⁸⁷ The language used in both grants implies close interpersonal relations. The first grant was endorsed by the three principal signers noted in the 1724 conveyance and confirmed his rights to: “One half of all the [reserved Indian] land from Sheffield West bounds To the foot of the ... Tauconnock Mountain[s].” It is possible van Gelder’s mother could have been the sister of one of the three men listed in the 1737 tribal grant. Such an association would provide van Gelder with a definite maternal connection to these lands. The principal signer to the tribal conveyance, John Pophnehaunauwack, better known by the Dutch nickname Konkapot,⁸⁸ is a probable candidate and could have been his maternal or social father. Although no direct evidence has been located to verify a family relationship between the two men, this interpretation lends some credence to the nineteenth-century source reporting that John van Gelder was called Konkapot as a boy.⁸⁹

⁸⁴ Miscellaneous Manuscript, Van Rensselaer, John, 1768, New-York Historical Society, NY, “Notes of Evidence with Some Information Filed by the King Against John Van Rensselaer, For an Alleged Intrusion Upon Lands Claimed to be Vacant Between the Manors of Livingston and Rensselaerwick, in the Rear of Kinderhook” – Timothy Woodbridge deposition: “Joseph Van Gelder ... his Father an Indian his Mother a White Women.”

⁸⁵ PWJ, 9: 581-82.

⁸⁶ Wright, *Indian Deeds of Hampden County*, 116-19 (“Conkepot” conveyance, April 25, 1724). The reserved Indian land ran west of the Housatonic River and was bounded on the north and south by the Green River and White River tributaries respectively.

⁸⁷ Wright, *Indian Deeds of Hampden County*, 141-42 (“John Pophnehaunauwack” conveyance, October 24, 1737), 155-57 (“Noch Namos” conveyance, June 1, 1756).

⁸⁸ Dunn, *The Mohican World*, 170, 354.

⁸⁹ See Berkshire Middle District Deed Books, Berkshire County Clerk’s Office, Pittsfield, Massachusetts, Bk. 21: 167 (May 20, 1785), for evidence of connections between the Nimham and Konkapot families in a deed listing “Elinor Nimham, widow of Abraham Nimham, Abraham Konkapot, and Rhoda Konkapot his wife,” among grantors of “the Mohuckunnuk Tribe” ceding land in Stockbridge. See Frazier, 1992: 243, 279n26, for reference that the widows of Solomon Uhaunauwaunmut and Daniel Nimham, along with Jehoiakim Mtohksin and some of the Konkapots, were among Indian residents still living at Stockbridge, before relocating to New Stockbridge in central New York during April of 1788.

The 1756 tribal grant was signed by a woman named Nochnamos, who described herself as a Native “now of the Fishkills in Dutchess County in the Province of New York formerly of Housatunnock.” On June 1, Nochnamos granted van Gelder all the reserved Indian lands in Sheffield that she claimed to be the “Sole and lawfull owner” of, and which she held by an “Estate of Inheritance In fee Simple.” While it has been suggested this woman 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. 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. Accordingly, by inference from the testimony before the New York attorney general, John van Gelder’s sister would be the wife of “Nimham the Father,” although Daniel Nimham never qualifies a marital relationship in his account. Nochnamos was probably among the 196 Natives and their families who relocated from Fishkill to Fort Johnson for war service, arriving on July 9, a month after the van Gelder grant.⁹⁰

References in 1721 and 1723 by an anonymous Dutch trader in Ulster County to an Indian woman, “Jan van gelder’s sister,” also likely pertain to Daniel Nimham’s mother and events occurring several years before his birth.⁹¹ It was around this same period in September of 1721 that the Dutch trader listed accounts with “Nemham[’]s sister” and “His mother.”⁹² Moreover, the trader’s entry coincides with the September 7, 1721, certificate of protection given to Old Nimham by Governor Burnet during the Rombout land dispute. That confirms these women (including his daughter-in-law, van Gelder’s sister) 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 New York attorney general, Daniel Nimham clearly identifies himself as the recipient of land inherited from “*his Mothers Brother*” John van Gelder in the South Precinct of Dutchess County. Nimham was probably not the only recipient of lands from his uncle there, given the number of individuals he identifies as inheritors of land in the Fishkill Precinct. Unfortunately, he names no one else as heirs to the tract, apart from the tribal grant of “Awansous Rights” to his son’s “John Van Gilder and Sancoolakheekhing.”⁹³ Later court records from the 1765 trial list Jacobus Nimham, Stephen Cowenham, and One Pound (or John) Pocktone as the only other known claimants to lands in the South Precinct.⁹⁴ Attorney General Kempe’s compilation of the named inheritors in the Fishkill Precinct is discontinuously spaced in the draft report and contains cross-out edits not found in the official version presented to the governor. Therefore, citing

⁹⁰ Dunn, *The Mohican World*, 187. For the removal of 196 “Indians & their Familys from the Fish Kills” to Fort Johnson, between May 28, and July 9, 1756, see PWJ, 2: 477-78, 615, 624; NYCD, 7: 152-53, 159.

⁹¹ Waterman and Smith, *Munsee Indian Trade*, 101, 106. Van Gelder’s sister is listed with her own account in 1721, and later in 1723 in the credit accounts of an Indian man named, “Jores Hester’s son,” where she is noted as, “his wife Jan van gelder’s sister.” For debit transactions with Jores or Jors, see 99-100. The 1723 entry suggests Daniel Nimham’s father had a Dutch personal name like other Indians in the region. For a list of over 30 Natives with Dutch personal names, see Waterman and Smith, *Munsee Indian Trade*, 45n.113. The Indian woman Hester has no account of her own, and is noted only as the mother of Jores, and another Indian man named Antony, 86, 208n.36-37. Hypothetically, Hester could have been Old Nimham’s wife and Daniel Nimham’s paternal grandmother.

⁹² Waterman and Smith, *Munsee Indian Trade*, 111-12.

⁹³ KCCR, box 10, folder 9, “State of Nimham’s Case.”

⁹⁴ NYECM, 26: 5-6 (March 6, 1765).

the more amalgamated passage from the latter document is helpful for evaluating the generational land rights recorded:

Nimham the Father of the Complainant gave half of these Lands to Sack one of his Sons & Qua [Wa]maus his Cousin, the other half to Wapenaus another of his Cousins. Sack and Wapenaus have leased out the whole for ninety nine years, all but two hundred acres which Mrs. Brett has sold to Theodorus Van Wyck — Wapenaus is since dead having given his Right to these Lands to John Packto, Sack has given his Right to Arie Sack his son, and Quamaus who is still living hath given his Right to part of these Lands to Hendrick Quamaus his son – and these the Complainant says have given all their Right to him, and is confirmed to him by Mehloos the son of Wapenaus, 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 these Lands – On my observing this to him he says it was the Intent by those Writings to pass the Land to him, and it is a mistake in the Drawer of the Writings, who thought them a sufficient Transfer of their Right to him.⁹⁵

In the attorney general's report, Daniel Nimham is not listed as a recipient of land granted by his father in the Fishkill Precinct. Another son named Sack and two other men, Quawamaus and Wapenaus, identified as cousins of "Nimham the Father," were the principle inheritors of these lands. Daniel Nimham's rights in the Fishkill Precinct, as cited in John Kempe's report, were based on "Powers of Attorney" granted to him in letters by members of the tribe as their legal representative. The letters were given to him earlier in 1758 by Hendrick Wamash and Mehloos, the same men listed in the report as the sons of chief Nimham's two cousins. Arie Sack (or Arie Sawk), a man noted in the testimony as the son and heir of Sack (the implied brother of Daniel Nimham, possibly by another marriage), is listed in the Wamash letter.⁹⁶ The Natives, Hendrick Wamash and Mehloos, were likely Daniel Nimham's second cousins; Arie Sawk could have been Daniel's first cousin.

The evidence from Kempe's report 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 ties to Mohican Natives and his participation with leading tribal spokesmen in land cessions and land claims in and around Stockbridge. Furthermore, land records confirm the close relations between Nimham and his uncle's immediate family. In 1757, he and two women from Stockbridge, Rhoda Ponoant and Mary Fast Case, gifted additional Indian land west of Sheffield to one of Van Gelder's sons.⁹⁷ Later in 1766, Daniel Nimham's brother,

⁹⁵ Chalmers Papers, Volume II, 26, "Attorney General Kempe's Report Concerning Nimham the Indian."

⁹⁶ NYECM, 26: 82, letters of attorney from "Hendrick Waumaue" and "Mehloos" (July 3, 1758).

⁹⁷ Berkshire Middle District Deed Books, Berkshire County Clerk's Office, Pittsfield, Massachusetts, 12: 134-35 (May 25, 1757). See Stockbridge Town Meeting Records, Stockbridge Town Hall, Massachusetts, for references to Daniel Nimham as an elected official in the township, on March 13, 1758, as town constable, March 10, 1760, as town hog reave, and March 18, 1766, as town warden. For land affairs of the Nimham family at Stockbridge from 1762 to 1810, see Indian Proprietors Book, Stockbridge Town Hall, 32 (May 20,

Jacobus Nimham, and several of John van Gelder's children, had a letter of attorney drafted that invested 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."⁹⁸

However, Nimham's testimony suggests that his uncle John van Gelder inherited land in the South Precinct directly from his father Awansous as a *natural son*. That would imply Van Gelder was an inheritor of Wappinger and Mohican lands from both his father's and mother's families. The inference to bilateral inheritance among Wappingers and their neighbors is supported by a statement made in 1735 by Delaware spokesman Nutimus, 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."⁹⁹ Later Delaware leaders, pursuing claims in 1798 to reserved lands at Coaxen (or Weekping) in New Jersey, confirmed the practice of bilateral inheritance as well, but stipulated that paternal rights by their "Ansestors Laws" were conditional. The Indians reported:

That Every [Native] Proprietor owned a Certain Tract of Land which ran the same as your Townships do – the way they Commonly heirsed their Lands is this, Supposing for an Instance a Proprietor has Brothers Sisters and Children and he the said Proprietor fall away, he cant heir his Lands to his Children nor yet to his Brothers Children, but must heir it to his Sisters Children, for they are the proper heirs according to our Antiant Proprietors Rules But, Yet Not withstanding, if he (the said Proprietor) has an obedient Son, he may if he pleases heir part of his Land but Yet Not Equal to his Sisters Children to his s[ai]d Son.¹⁰⁰

Land rights in Dutchess County belonging to Wappenaus — one of the two cousins

1762: *Daniel Nimham*), 34 (May 20, 1762: *Aaron Nimham*), 46 (April 2, 1765: *Daniel Nimham / Aaron Nimham*), 50 (April 22, 1765: *Daniel Nimham*), 63 (October 14, 1766: *Aaron Nimham*), 85 (August 21, 1769: *Daniel Nimham*), 110 (February 7, 1772 *Daniel Nimham*), 138 (May 24, 1774: *Abraham Nimham*), 142 (September 23, 1774: *Abraham Nimham*), 147 (June 27, 1776: *Abraham Nimham*), 149 (June 29, 1776: *Aaron Nimham*), 153 (May 15, 1780: *Aaron Nimham*), 158 (May 28, 1781: *Daniel Nimham's Widow*) 161 (May 20, 1782: *Aaron Nimham*); Stockbridge Library Museum and Archives, Stockbridge Indian Collection, Box 1, miscellaneous notes (1764?: *Aaron Nimham*); Berkshire Middle District Deed Books, 13, 156-57 (April 28, 1778: *Abraham Nimham*), 21: 167 (May 23, 1780: *Elinor Nimham, widow of Abraham Nimham*), 49: 135-36 (November 6, 1810: *Lucretia Ninham*). For other documents noting Daniel Nimham's residency at Stockbridge, see Misc. Mss., Columbia County, New York Historical Society, 1769 deposition by "Humphrey Moore of Claverack" "that he has been brought up at Stockbridge...that he also knows Jabae Wilbacks who also lived at Stockbridge this deponent also knows Daniel Nimham who is an Indian from the high lands." See KCCR, box 1, folder 8 (Supreme Court of Judicature, Criminal, Lydius), for a 1762 letter of recommendation from Stephen West, "Pastor of the Church in Stockbridge" — "These may certify whomever it concerns that from more than three years acquaintance, Daniel Nimham appears to me to be an Intelligent Man of good natural abilities considerably improved by English Instruction & Education and addicted to no Vice that I know of, which may render his word & affirmation justly suspicious." Acknowledgment to Professor James Merrell, Vassar College, Poughkeepsie, NY, for sharing this document.
⁹⁸ NYECM, 26: 83 (December 4, 1766).

⁹⁹ Grumet, "That Their Issue Not Be Suprious," 19.

¹⁰⁰ Foster-Clement Collection, Indian Papers, 1777-1819, Historical Society of Pennsylvania, Philadelphia, box 6, folder 1, "Indian Rules for De[s]cent of Lands."

of Nimham the father — reveal other potential evidence of bilateral inheritance. Wappenaus, a signer to the earlier 1730 Nine Partners deed,¹⁰¹ may have inherited lands in the Fishkill Precinct near the area noted in testimony as Coghhapaens and Pasakesung. In his account, Daniel Nimham states that Wappenaus granted his rights to John Pocktone, a man listed elsewhere as the son and heir of Ahtaupeanhond. Mehlous, the suspected biological son of Wappenaus, is not listed as a direct recipient of land from his father in the Fishkill Precinct. In Kempe's report, Mehlous is cited as having "confirmed" tribal powers of attorney over the Fishkill lands to Daniel Nimham, and he may have inherited family rights in the area from an unknown maternal uncle. In general, the testimony suggests John Pocktone, additionally reported as a claimant to lands in the South Precinct, was an inheritor of maternal and paternal rights to Wappinger lands. The testimony regarding the partial land rights inherited in the Fishkill Precinct by Hendrick Wamash — from Quawamaus, the other cousin of Nimham the father — appears to be paternal in nature based on the present evidence. Conversely, the Fishkill lands initially granted by Daniel Nimham's father to "*his Cousins*" likely reflect matrilineal rights. The two cousins in Kempe's report could have been sons of the unnamed Indian woman identified earlier in 1721 as Old Nimham's sister, a woman who would be Daniel Nimham's paternal grand-aunt.

Conclusion

Bilateral inheritance of land rights indicated in Daniel Nimham's 1762 testimony may reflect the process of acculturation resulting from over 100 years of contact and interaction with Europeans. Significant cultural changes among American Indians were evident to colonial officials like Cadwallader Colden and William Johnson, men with considerable knowledge of Native sociopolitical systems. Writing in 1750 about the Iroquois (and Mohawks particularly), Colden reported that "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."¹⁰² Johnson, writing in 1771, reported similar observations, adding that the degrees of acculturation among "Indian Nations" differed appreciably between "the more remote Tribes & those Ind^{ns}...having been next to our settlem^{ts} for sev^l years."¹⁰³

Determining degrees of culture change based on Daniel Nimham's testimony alone is no easier today. Although the kinship data he cites is extensive it is not ethnographically complete. Information pertaining to the women and their interpersonal relations that would have been prominent in the kin groups of the fathers and sons identified is not known; Nimham only includes such information concerning himself. The absence of such data

¹⁰¹ Wappenaus is listed on the 1730 deed as "Wappenas," and is likely the same man as "Wapanoos" a witness to a 1732 Mohican land cession near a: "Certain Tract of Land Called Ho[o]sick," see NYCM-LP, 11: 49B. See Waterman and Smith, *Munsee Indian Trade*, 297-98, for trade accounts with an individual variously known as Wappanack, Wappenak or Wappaneck, in Ulster County from 1724 to 1728, along with his mother Kisay, his sister (the wife of Keman), his wife, and his son Mattasson, that may also identify this man.

¹⁰² William N. Fenton, "The Iroquois in History," in *North American Indians in Historical Perspective*, Eleanor Burke Leacock and Nancy Oestreich Lurie, eds., (NY: Random House Publishers, 1988), 147, 153-54.

¹⁰³ O'Callaghan, *Documentary History of the State of New York*, 4: 431.

makes more definitive conclusions about social change among Wappingers and Mohicans difficult. Current documentation enables only a limited reconstruction of Daniel Nimham's family tree. Nonetheless, Nimham's testimony naming 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.

Daniel Nimham's account before the New York attorney general provides a unique indigenous perspective on Wappinger land claims in Dutchess County. The testimony provided highlights the tribes' many grievances over their land rights during the eighteenth century, despite repeated assurances of those rights made by colonial governors. The information contained in the attorney general's report and other documents substantiates tribal claims as an accurate record of past transgressions by various land patent holders in the county. The testimony by Nimham also provides important kinship data revealing the close interpersonal relationships between Wappinger and Mohican families, kinship associations with a longer time depth in the region than once thought. These relationships predate the nineteenth-century reservation period, when expatriate Munsee Natives who had moved to Canada after the American Revolution resettled with the Stockbridge-Mohicans in Wisconsin in the 1830s. Other legal papers listed as evidence during the 1767 trial, in particular the powers of attorney (yet unlocated) from Hendrick Wamash, Mehloos, and Jacobus Nimham hold the potential for discovering further information about Daniel Nimham and his extended family relations.

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Figure 1. Marks made by Old Nimham and other signers on Native deeds in Dutchess County. Top, 1696 indenture to the Aquasing (or Crum Elbow) tract in the Town of Hyde Park (Courtesy, FDR Presidential Library and Museum). Bottom, 1712 indenture to the Matapan tract in the Towns of Poughkeepsie and Wappinger (Courtesy, New York State Archives, Indorsed Land Papers, 5: 124)

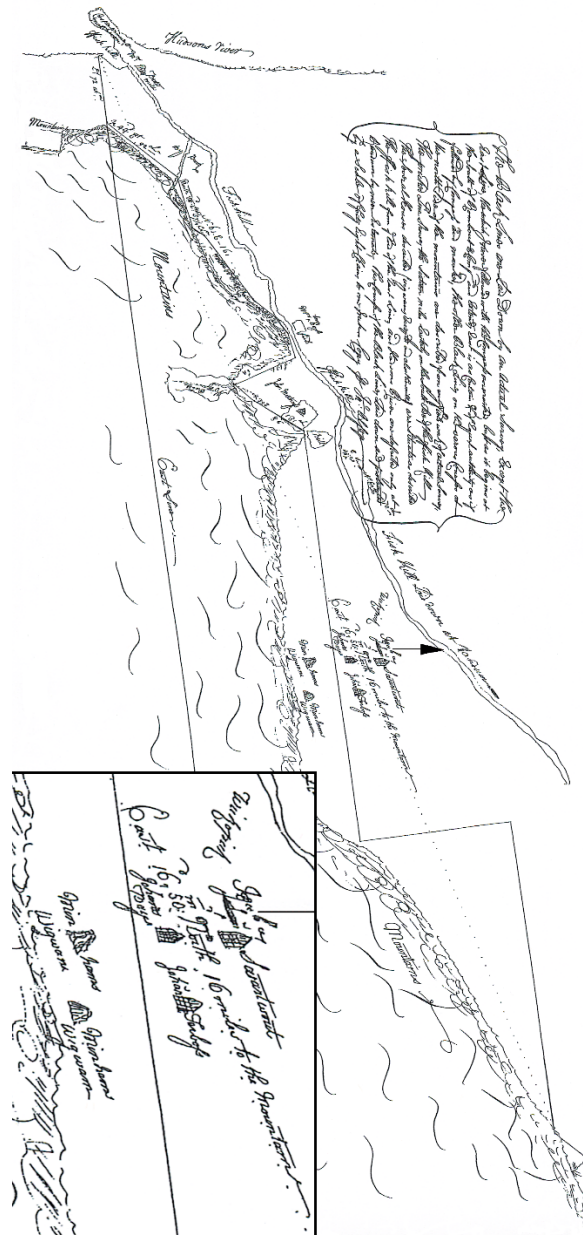


Figure 2. Undated survey map (at top, with a detail below), north line of the Hudson Highlands in Dutchess County made by John Alsop. “Minhams” wigwams and the houses of early settlers, Jacobus Swartout, Johannes Terboss, and Johannes Buys (i.e., Boyce) at “Weikopieh” (present-day Wiccopee) are depicted 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 Indians. 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, Oversized, “Draft of y^e High Land Patent by John Alsop” (ca. 1721), Courtesy, Rare Book and Manuscript Library, Columbia University, New York)

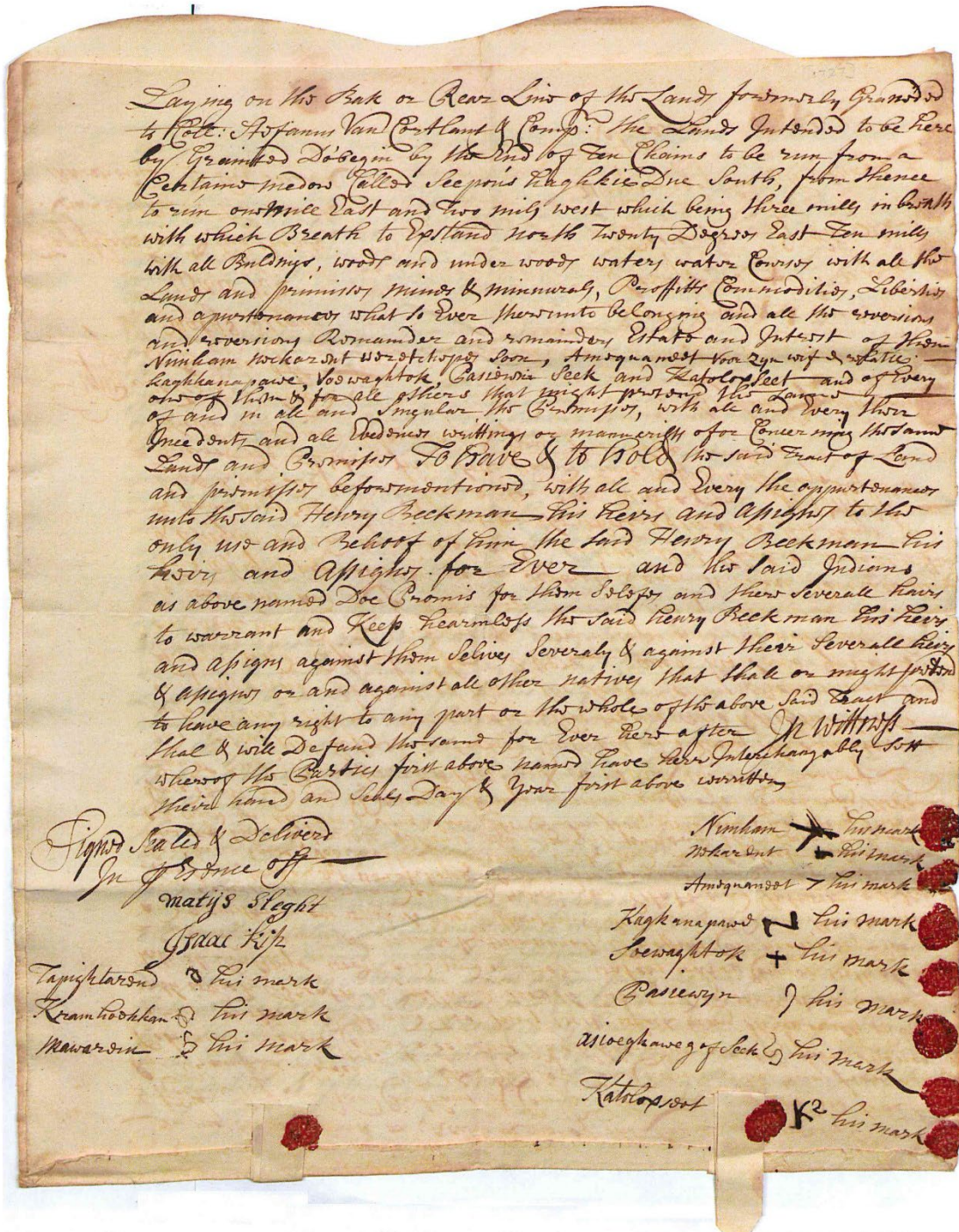


Figure 3. Marks of the “Proprietors or Indian Inhabitants” of the Poghquajawonk or Back-Lots portion of the Beekman Patent, “Indian Deed of Topaksienk,” April 19, 1727 (Courtesy, Firestone Memorial Library, Rare Books and Manuscripts Division, Department of Special Collections, Princeton University Libraries, New Jersey)

(78)

from New York
Wappinger,
as far as
was in book.

At a conference held between
his Excellency & the River Indians
at Sachacongo
A. D. May 1715

(19)

Present

His Excellency the Gov
His Honour the Lieut Gov.

The Council viz
Chief Justice
Mr Collard
Mr Hornandon
Mr Wood.

Nimham a sachem... spoke as followeth
The Reason of their coming here was to banish
all suspicious ^{not intended} & give away all evil Reports which
may have been spread against ^{us} them.

(1)

at blanketing
a piece of Dutch
kinto a piece.

Gave some ^{members of the} skins
that they are
Lays for us come as a Brother fearing the Costly
made to find bright to ward out & forget a to give
a new glop to them that they may be brighted &
perpetuated.

(2)

may be a peace
with the Indians
every day they live

that we
Lays they come in hopes to ^{continue} make such a peace
as may endure while the Stars shine & that they
may behold the sun rise in peace with them
every day they live

Bolt of Wampum

Gave a Bolt of Wampum &
a bundle of skins.

(3)

That they rejoice if they have an opportunity
to come before his Excellency to show ^{our} sincerity
not only ^{by} their words but from ^{our} hearts &
therefore bring their youth with them that they may
bear witness & perpetuate the same.

Do with things.

a Bolt of Wampum & some
skins with some skins.

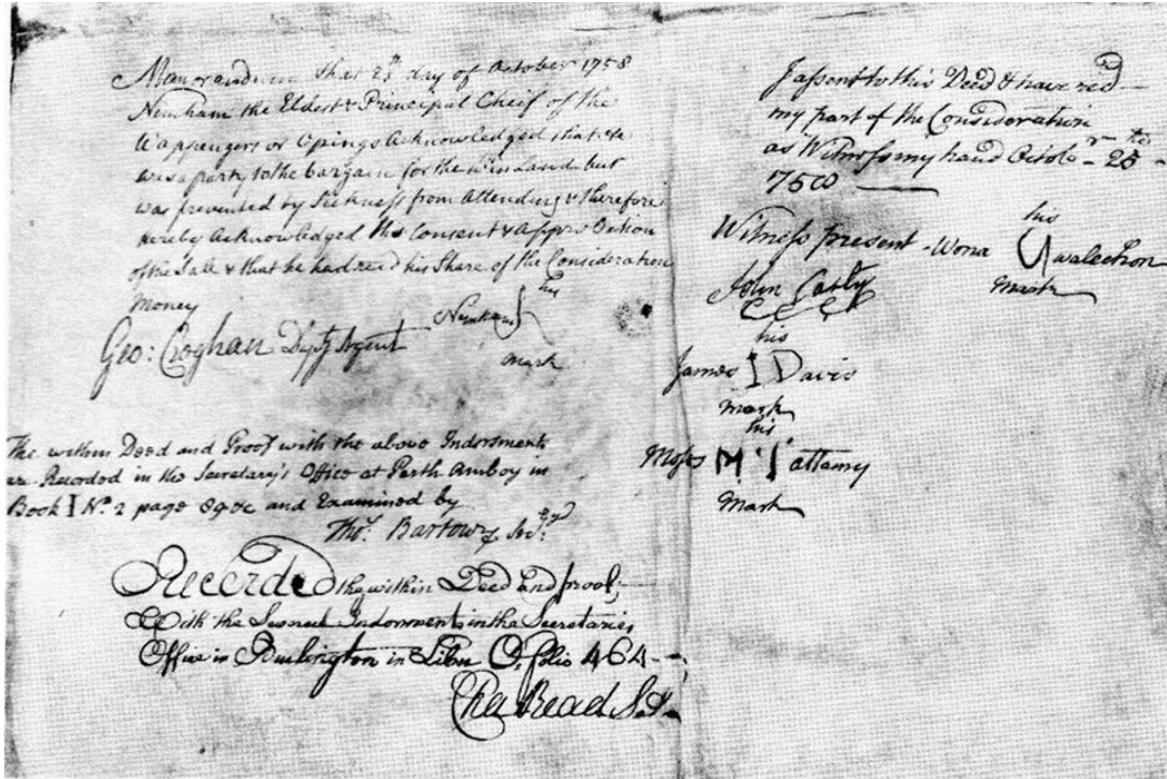


Figure 5. Mark made by “Nimham the Eldest & Principal Chief of the Wappingers or Opings” (center-left) on the 1758 Easton Treaty ceding lands in northern New Jersey, Brawer et.al., *Many Trails: Indians of the Lower Hudson Valley* (Katonah Gallery, Katonah NY, Eilert/Appleton Printing Corp., 1983), 65, figure 55

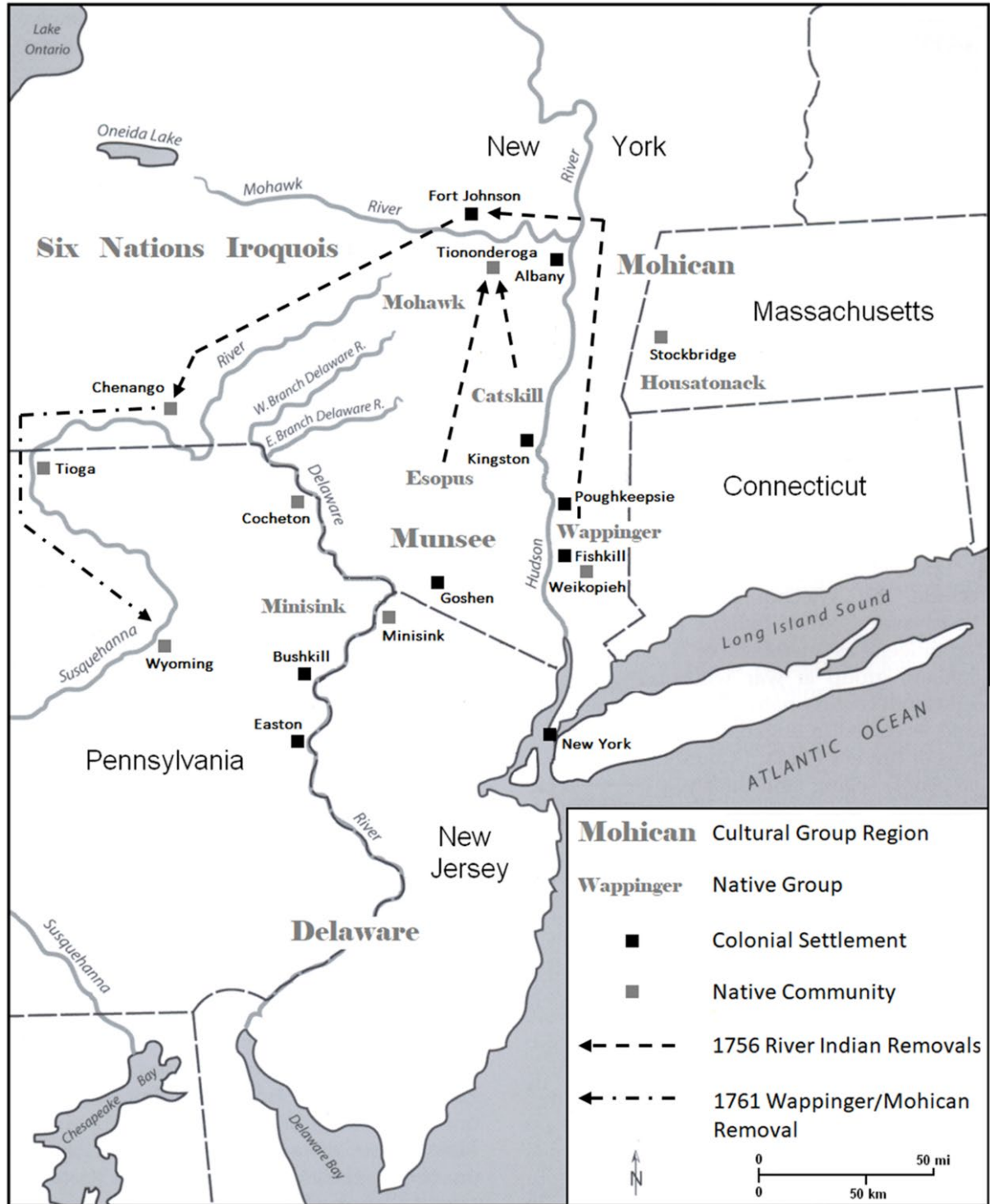


Figure 6. Hudson Valley River Indian Removals. Created by J. Michael Smith

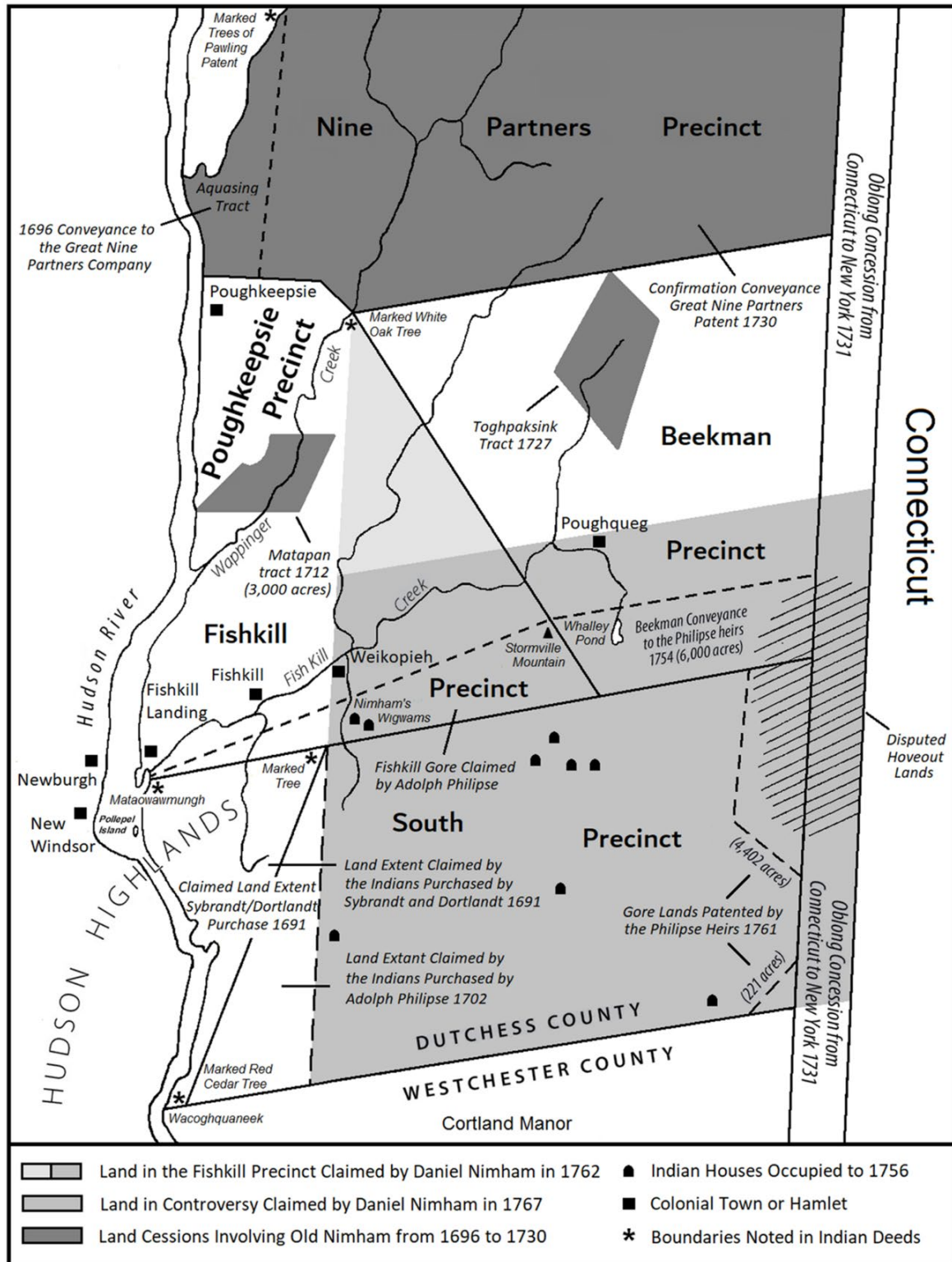


Figure 7. Wappinger Land Cessions and Land Claims in Colonial Dutchess County, New York (1696 to 1767). Created by J. Michael Smith

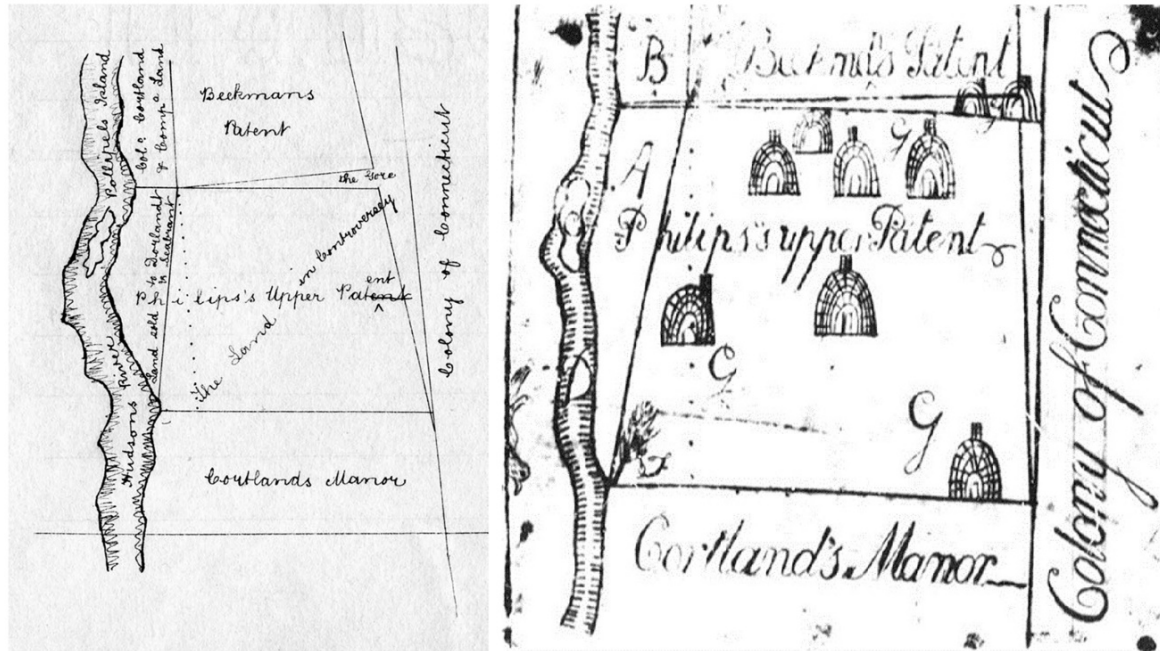


Figure 8. Period maps of the Wappinger Land Controversy. These maps depicting the Native claim are irregularly drawn. The boundaries of the Rombout and Beekman Patents at top and gore tracts delineated are proportionally incorrect. The approximate locations of Indian structures shown at right in Philipse Upper Patent (i.e., South Precinct) and the Fishkill Gore have been transposed to Figure 7 (William Petty Lansdowne Collection, vol. 707, folio 24 [“handwritten transcripts” from the British Library], 1766, Courtesy, Library of Congress, Manuscript Division; Anonymous, *A Geographic, Historical Summary*, Hartford, CT: Green & Watson, 1768)

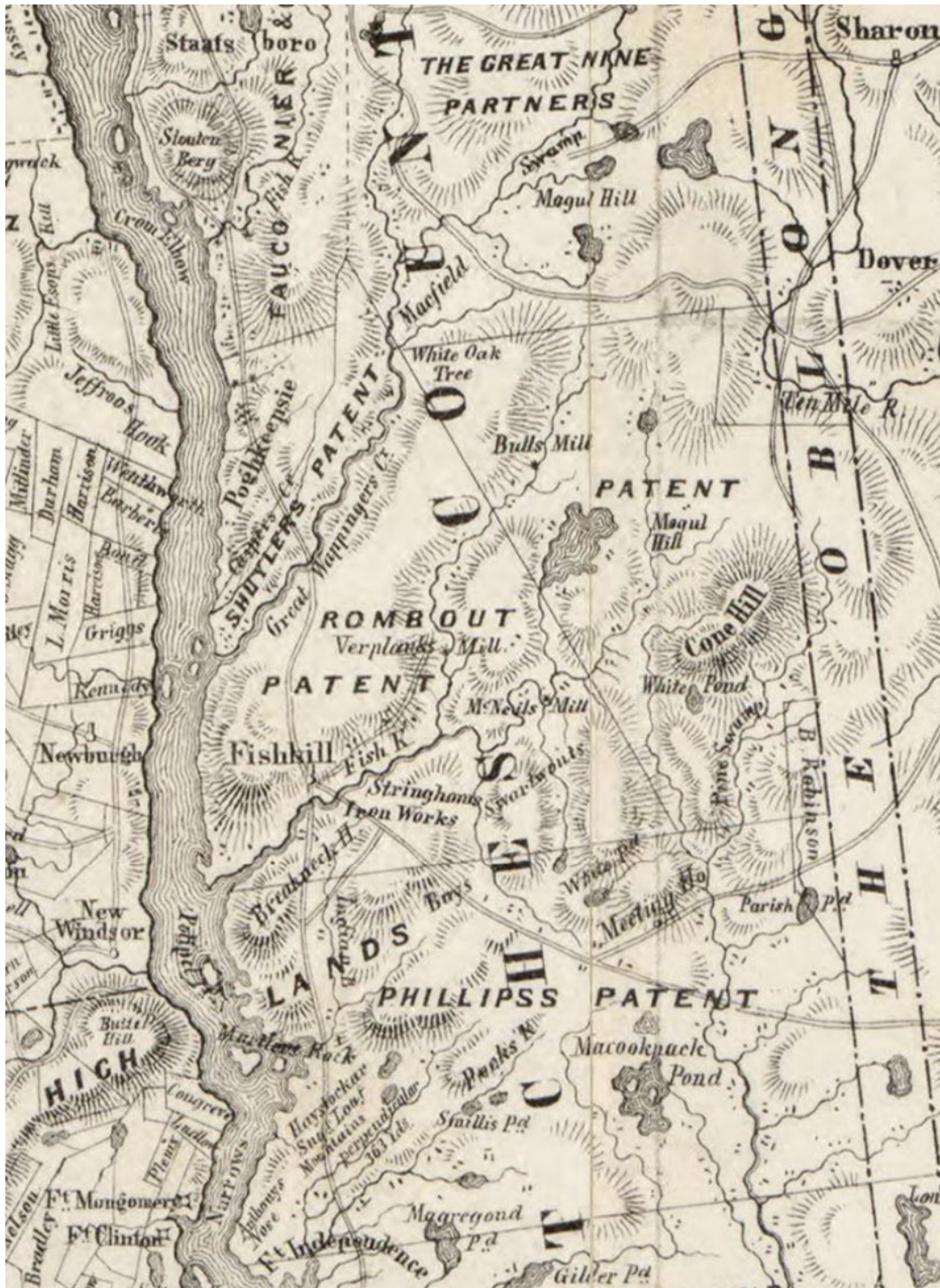


Figure 9. 1779 Sauthier map showing the location of a “White Oak Tree” (top-center) near the Wappinger Creek, a shared boundary marker, and a fixed point where the Fishkill, Beekman, Poughkeepsie, and Nine Partner Precincts meet (Claude J. Sauthier, 1779, “A chorographical map of the province of New York in North America.” Courtesy, Library of Congress, Geography and Map Division, Washington, DC., G3800 1779 .S3 1849)



Figure 10. Detail from a 1753 map showing the homes of Theodorus and Cornelius van Wyck (center) in the Town of Fishkill, near the reserved Wappinger lands east of the “Wakapa [i.e., Wiccopee] Creek” (Jona Hampton, Surveyor, 1753, “Draft of the lands disputed by Philipse Patent against Beekmans & Rambaults,” Courtesy, Library of Congress, Geography and Map Division, Washington, D.C., G3803.D8G465 1753 .H3)

Wappinger Kinship Associations: Daniel Nimham's Family Tree, J. Michael Smith

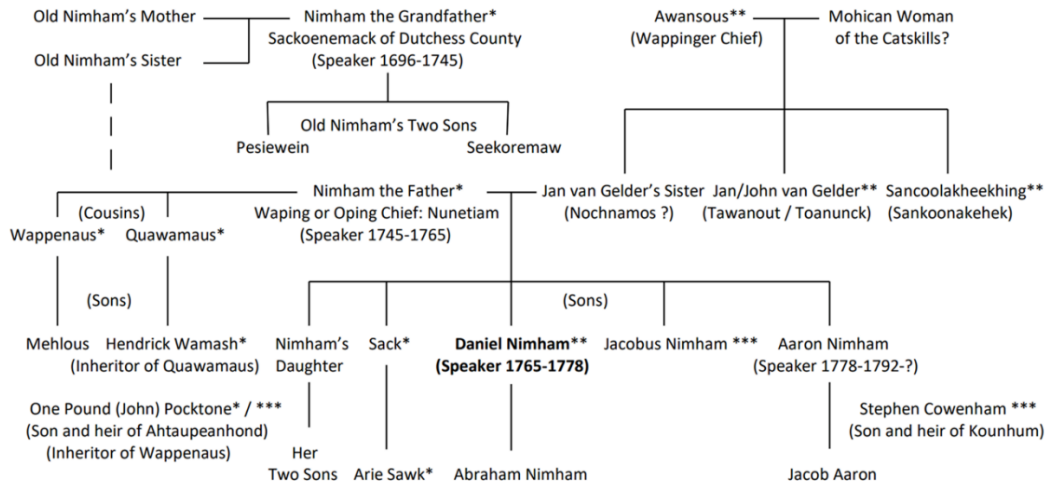


Figure 11. Daniel Nimham's Family Relations and their Inherited Land Rights in Dutchess County (* Inheritors of land in the Fishkill Precinct. ** Inheritors of land in the South Precinct. *** Suspected inheritors of land in the South Precinct. Dashed line indicates suspected mother-son relations). Created by J. Michael Smith