

This writing, indented and made this seventeenth day of August, in the year of our Lord one thousand eight hundred and twenty, by and between Lothrop Lewis of Gorham in the county of Cumberland and State of Maine, Esquire, Commissioner, appointed by William King, Esquire, Governor of said State, by and with the advise and consent of the Council, in conformity to a resolve of the Legislature of said State, passed the twentieth day of June, in the year of our Lord, one thousand eight hundred and twenty, to treat with the Penobscot tribe of Indians, in said State upon the subject expressed in said Resolve, on the one part; and the said Penobscot tribe of Indians, by the undersigned, Chiefs, Captains, and men of said tribe, representing the whole thereof, on the other part; Witnesseth, That, the said Penobscot tribe of Indians, in consideration of the covenants and agreements, herein^{after} mentioned on the part of said Commissioner, in behalf of said State, to be performed, kept and fulfilled, do hereby grant, sell, convey, release and quitclaim, to said State, all their, the said tribes right, title, interest and estate, in and to all the lands and possessions, granted, sold and conveyed by us, to the Commonwealth of Massachusetts, by our writing of indenture, made with said Commonwealth by their Commissioners, the Honourable Edward A. Robbins, Daniel Davis and Mark L. Aill, Esquires, June the twenty ninth, in the year of our Lord, one thousand eight hundred and eighteen; saving and excepting, the reservations, in said indenture made and expressed, meaning and intending hereby, to substitute and place, the said State of Maine, in the stead and place of the said Commonwealth of Massachusetts, to all intents and purposes whatsoever, as it regards said indenture last mentioned, with the said tribe of Indians, so that all and singular, the lands, rights, immunities or privileges, whatsoever, which said Commonwealth of Massachusetts, did, might or could hold, possess, exercise and enjoy, under or by virtue of said indenture, or treaty, or by any other indenture, treaty or agreement whatsoever, shall be held possessed, exercised and enjoyed in as full and ample a manner by said State of Maine:—

And the undersigned Commissioner, on his part
in

in behalf of said State of Maine, in consideration of the premises, and of the foregoing covenants and engagements of said tribe, does hereby, covenant with said tribe that they shall have and enjoy, all the reservations made to them, by virtue of said treaty, of the twenty ninth of June, one thousand eight hundred and eighteen. — And the under-signed Commissioner, in behalf of said State of Maine, does hereby further covenant and agree with said tribe, that, as soon as the Commonwealth of Massachusetts, shall have made and fulfilled, the stipulations on her part, to be done and performed, under and by virtue of the fifth article of an act, relating to the separation of the District of Maine from Massachusetts Proper, and forming the same into a separate and independent State, passed June the nineteenth, one thousand eight hundred and nineteen, then the said State of Maine, shall and will annually, and every year in the month of October, so long as they shall remain a nation, and reside within the said State of Maine, deliver for the use of the said Penobscot tribe of Indians, at old Town, the following articles; to wit: Five Hundred bushels of corn, fifteen barrels of wheat flour, seven barrels of clear pork, one hoghead of Molasses, and one hundred yards of double breadth broadcloth, to be of red colour one year, and blue the next year, and so on alternately, fifty good blankets, one hundred pounds of gun powder, four hundred pounds of shot, six boxes of Chocolate, one hundred and fifty pounds of tobacco, and fifty dollars in silver.

It being meant and intended, to assume and perform, all the duties and obligations of the Commonwealth of Massachusetts toward the said Indians, whether the same arise from treaties or otherwise, and to substitute and place the said State of Maine in this respect to all intents and purposes whatever, in the stead and place of the Commonwealth of Massachusetts, so that said tribe may have continued to them, all the payments and enjoy all the immunities and privileges, in as full and ample a manner, under this indenture or treaty, as they could have received or enjoyed under the said treaty, of the twenty ninth of June one thousand eight hundred and eighteen. if

This —

this present treaty had not been made. — Saving and excepting the two acres of land, which were by the treaty of June twenty ninth one thousand eight hundred and eighteen, to be purchased for the use of said tribe, in the town of Brewer, the performance of which, has been relinquished by the said tribe to the Commonwealth of Massachusetts. Reserving however to the Government of this State, the power and right to ratify and confirm, at pleasure, the doings of said commissioner in the premises. — In Witness whereof the parties aforesaid. have hereunto set our hands and seals the day and year first within written. —

Signed Sealed and

delivered in presence of us.

W^m Williamson,

W^m Emerson,

Joseph Treat,

Stephen L. Lewis,

John Blake,

Eben Webster,

Lothrop Lewis

(seal)

John Etien Governor x his mark (seal)

John Neptune Lt Governor x his mark (seal)

Captain Francis Lolan x his mark (seal)

Captain Etien Mitchell x his mark (seal)

Captain Piel Mitchell x his mark (seal)

Lock Joseph Captain x his mark (seal)

Piel Marie Captain x his mark (seal)

Luasin Neptune Captain x his mark (seal)

Awassos Mitchell Captain x his mark (seal)

John Orson Captain x his mark (seal)

Joseph Marie Neptune Esq^r x his mark (seal)

Joseph Lion — x his mark (seal)

Glocian Awassos — x his mark (seal)

Captain Nicholas Tomah x his mark (seal)

Sabatis Tomah x his mark (seal)

Penobscot s.s. August 17. 1820. Personally appeared Lothrop Lewis, John Etien, John Neptune, Francis Lolan, Etien Mitchell, Piel Mitchell, Lock Joseph, Piel Marie Luasin Neptune, Awassos Mitchell, John Orson, Joseph Marie Neptune, Joseph Lion, Glocian Awassos, Nicholas Tomah and Sabatis Tomah, subscribers to the foregoing Instrument and acknowledged the same to be their free act and deed.

Before me W^m Williamson Jus Peace

Secretary

Secretary of State's Office,
Portland, January 30. 1821.

I hereby certify that the foregoing is a true copy of the
original treaty, deposited in this office.

Attest, Ashim Ware Secretary of State.

Copy of the Treaty with
the Penobscot Indians

August 17. 1820.