



# St. Regis Mohawk Tribe

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## PRESS RELEASE

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### MOHAWK TRIBE FILES TREATY BOUNDARY LAWSUIT

*Seeks Declaration that Hogansburg Area is Reservation Land*

**Akwesasne Territory.** Seeking a judgment that the boundaries of the St. Regis Mohawk Reservation have remained unchanged since 1796, the St. Regis Mohawk Tribe filed a civil lawsuit against the State of New York and Franklin County. The “Hogansburg Triangle” is the area in dispute. The lawsuit was filed at the behest of community members during the August tribal meeting, formally requesting that a resolution be passed by Tribal Council, stating that it was time to proceed with a proposed civil action on the matter. The law firm of Hobbs, Strauss, Dean and Walker of Washington D.C. filed the suit on behalf of the Tribe in the U.S. District Court of Northern New York on Thursday, August 6<sup>th</sup>.

Federal law prohibits the exercise of state civil jurisdiction within an Indian reservation, including state or local taxes or any judgments from State courts. The lawsuit contends that both New York State and Franklin County have attempted to enforce their civil laws on the tribe and its members living and working in the Hogansburg Triangle.

Although settlers pressured the Mohawks to move from their aboriginal lands, the Tribe refused to do so, having lived for hundreds of years along the St. Lawrence River in the areas that are now Franklin and St. Lawrence Counties. In the late 1700’s, land speculators attempted to purchase land from the State of New York that was actually owned and occupied by the Mohawks. As a result, the State of New York agreed in the 1796 Treaty with the Seven Nations of Canada to set aside land for the Mohawks as a federal reservation. Since then, the U.S. Congress has never enacted any law that changed the original borders of the reservation, the only way to change reservation borders.

The Tribe provides many services to the Hogansburg Triangle including road construction, water, sewage, trash collection, police services, business licensing, and it funds fire and emergency services. Local governments have attempted to apply local building codes, business licensing laws and property taxes within the disputed area.

The Tribe is asking for a declaratory judgment that Congress has never diminished the boundaries of the reservation and that the Hogansburg Triangle continues to be part of the 1796 reservation. Federal law, as it applies to federal Indian reservations, should govern the jurisdiction of the Tribe, State and local governments.

In the 1980s the Tribe filed a "land claim" lawsuit in federal court seeking to recover title to all lands within the 1796 Treaty boundaries that were illegally sold to New York State and that case is still pending. "We are filing this lawsuit separately from the land claim suit, not to resolve land title issues, but to resolve jurisdictional issues, which is distinct from title claim," said Dale White, Legal Counsel for the tribe. "Understandably, all parties have an interest in having this matter settled so that we can continue to move forward."

The State and the County are currently being served with the Court filings and they will have 20 days to file a response to the complaint.

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The St. Regis Mohawk Tribal Council is the duly elected and federally recognized government of the St. Regis Mohawk People.