

ARTICLES OF A TREATY

MADE AND CONCLUDED AT

BUFFALO CREEK, IN THE STATE OF NEW YORK,

THE FIFTEENTH DAY OF JANUARY,

In the year of our Lord one thousand eight hundred and thirty-eight,

BY RANSOM H. GILLET,

A Commissioner on the part of the United States, and the Chiefs, Head-men and Warriors, of the several Tribes of the New York Indians, assembled in council, witnesseth:

Whereas, the Six Nations of New York Indians, not long after the close of the war of the revolution, became convinced, from the rapid increase of the white settlements around them, that the time was not far distant when their true interest must lead them to seek a new home among their red brethren in the west: And whereas, this subject was agitated in a general council of the Six Nations as early as 1810, and resulted in sending a memorial to the President of the United States inquiring whether the Government would consent to their leaving their habitations, and their removing into the neighborhood of their western brethren, and if they could procure a home there, by gift or purchase, whether the Government would acknowledge their title to the lands so obtained in the same manner it had acknowledged it in those from whom they might receive it; and, further, whether the existing treaties would, in such a case, remain in full force, and their annuities be paid as heretofore: And whereas, the President answered by saying that their request should be granted: And whereas, with the approbation of the President of the United States, purchases were made by the New York Indians from the Menominee and Winnebago Indians of certain lands at Green Bay, in the Territory of Wisconsin, which, after much difficulty and contention with those Indians concerning the extent of that purchase, the whole subject was finally settled by a treaty between the United States and the Menominee Indians, concluded in February, 1831, to which the New York Indians gave their assent on the seventeenth day of October, 1832: And whereas, by the provisions of that treaty, five hundred thousand acres of land are secured to the New York Indians of the Six Nations and the St. Regis tribe, as a future home, on condition that they all remove to the same within three years, or such reasonable time as the President should prescribe: And whereas, the President is satisfied that various considerations have prevented those still residing in New York from removing to Green Bay, and, among other reasons, that many who were in favor of emigration preferred to remove at once to the Indian Territory, which, they were fully persuaded, was the only permanent and peaceable home for all the Indians. And

they therefore applied to the President to take their Green Bay lands, and provide for them a new home among their brethren in the Indian Territory: And whereas, the President being anxious to promote the peace, prosperity, and happiness of his red children, and being determined to carry out the humane policy of the Government in removing the Indians from the east to the west of the Mississippi, within the Indian Territory, by bringing them to see and feel, by his justice and liberality, that it is their true policy and for their interest to do so without delay:

Therefore, taking into consideration the foregoing premises, the following articles of a treaty are entered into between the United States of America and the several tribes of the New York Indians, the name of whose chiefs, headmen, and warriors are hereto subscribed, and those who may hereafter give their assent to this treaty, in writing, within such time as the President shall appoint.

GENERAL PROVISIONS.

ARTICLE 1. The several tribes of New York Indians, the names of whose chiefs, headmen, warriors, and representatives are hereunto annexed, in consideration of the premises above recited, and the covenants hereinafter contained, to be performed on the part of the United States, hereby cede and relinquish to the United States all their right, title, and interest to the lands secured to them at Green Bay by the Menominee treaty of 1831, (excepting the following tract, on which a part of the New York Indians now reside: Beginning at the southwesterly corner of the French grants at Green Bay, and running thence southwardly to a point on a line to be run from the Little Cocaclin, parallel to a line of the French grants, and six miles from Fox river; from thence, on said parallel line, northwardly six miles; from thence eastwardly to a point on the northeast line of the Indian lands, and being at right angles to the same.)

ARTICLE 2. In consideration of the above cession and relinquishment, on the part of the tribes of the New York Indians, and in order to manifest the deep interest of the United States in the future peace and prosperity of the New York Indians, the United States agree to set apart the following tract of country, situated directly west of the State of Missouri, as a permanent home for all the New York Indians now residing in the State of New York or in Wisconsin, or elsewhere in the United States, who have no permanent homes, which said country is described as follows, to wit: Beginning on the west line of the State of Missouri, at the northeast corner of the Cherokee tract, and running thence north along the west line of the State of Missouri twenty-seven miles to the southerly line of the Miami lands; thence west so far as shall be necessary, by running a line at right angles, and parallel to the west line of Missouri aforesaid, to the Osage lands; and thence easterly along the Osage and Cherokee lands to the place of beginning, to include one million eight hundred and twenty-four thousand acres of land, being three hundred and twenty acres for each soul of said Indians, as their numbers are at present computed: To have and to hold the same in fee simple forever, by patent from the President of the United States, with full power and authority to divide the same among the members of the different tribes in severalty, with power and authority to sell among each other and their Indian brethren of the Indian Territory, under such laws and regulations as may be adopted by the respective tribes themselves, or by a general council of the

New York Indians. It is understood and agreed that the above described country is intended as the future home of the following tribes, to wit: The Senecas, Onondagas, Cayugas, Tuscaroras, Oneidas, St. Regis, Stockbridges, Munseos, and Brothertowns, residing in the State of New York and at Green Bay; and the same is to be divided equally among them, according to their respective numbers, as mentioned in a schedule hereto annexed. It is further agreed that if the United States, by any future arrangement, can procure the Cherokee tract lying between the Osage lands and the State of Missouri, that then the New York Indians shall have the same, and a like quantity is to be taken off the western end of the tract herein set apart for the N. York Indians. And in order to convince the New York Indians of the great desire of the United States to gratify their wishes, it is agreed that the President shall invite a delegation of the Cherokees, and also a delegation of the New York Indians, to assemble at the city of Washington, to participate in the negotiations for the said Cherokee country, the expense of which shall be borne by the United States. It is agreed that the New York Indians shall confer on their delegates such power as shall be given in exchange with the Government for the Cherokee lands, and such other powers as each tribe may confer, relating to the interest of itself.

ARTICLE 3. The United States stipulate and agree to remove all the New York Indians of the several tribes described in the foregoing article, to their new homes, and to supply them with provisions for one year after their arrival there. But if any chief, who shall be, in the opinion of the agent, competent to take care of and remove himself and family, in his own conveyance or otherwise, wishes to do so, he shall be allowed that privilege, and he shall be allowed the same compensation for each person so removed, as it would cost the United States, which shall not be less than twenty dollars for each person so removed. And any chief who shall be, in the opinion of the agent, competent to act as a sub agent in the removal of his party, and does actually remove them, shall be paid at the rate of five hundred dollars for every party of one hundred persons so by him removed, and in the same ratio, be the number more or less. It is understood that when any chief gives notice to the agent of the Government that he and his party are ready to remove, that the means shall be furnished for that purpose by the Government, and a disbursing agent shall accompany them. It is further agreed that such Indians as prefer to remove by land, with their own conveyances, shall be permitted to do so, and those who are removed by the Government shall have every attention paid to their health and comfort, by having good and sufficient conveyances for their accommodation, and a physician to accompany each party of emigrants, if they desire it. It is agreed that the Indians shall be permitted to commute their one year's support for such a sum as the rations would cost the Government at their new homes.

ARTICLE 4. It is further agreed that the United States will erect in the country set apart for the New York Indians, for the use of the respective nations, as many council-houses, churches, school-houses, saw-mills, gristmills, and blacksmith shops, not to exceed one for each nation, except where otherwise specially provided, as shall be necessary and desired by the said nations. But in case any portion of any tribe removes, then a proper proportion of the abovementioned buildings are to be erected. It is further agreed that the United States shall pay suitable teach-

ers, millers, and blacksmiths, and furnish the necessary coal, iron, steel, and blacksmiths' tools for ten years, and as much longer as the President shall deem proper.

ARTICLE 5. It is expressly agreed that if, in the opinion of the President of the United States, he shall hereafter deem it proper to locate the seat of Government for the Indian Territory within the territory set apart for the New York Indians, that then he shall be at liberty to select a tract, not to exceed a township, for that purpose, which shall be excepted from the foregoing grant, and remain the sole property of the United States; and there shall be added to the territory set apart for the New York Indians, a quantity of land which shall be equally valuable.

ARTICLE 6. The United States, taking a deep interest in the improvement of the Indians in useful knowledge, and believing that a literary institution for their instruction in the higher branches of education, to be established in the Indian Territory, will be highly beneficial to the Indians, hereby stipulate to set apart for that purpose, as a permanent fund, the sum of thirty thousand dollars, to be invested in some safe stock by the President of the United States, the income of which shall be applied to the purchase of the necessary books and apparatus, and the support of suitable teachers, who shall always be selected from among the Indians themselves, if persons of the necessary qualifications can be found among them. It is understood that this institution shall be organized under such rules and regulations as the President of the United States shall, from time to time, prescribe, and to be established at such place as shall be finally selected as the seat of Government of the Indian Territory, if that shall be located within the country assigned to the New York Indians; and if not, then the said institution shall be located at such place in said country as shall be determined in a general council of the New York Indians residing there.

ARTICLE 7. It is further agreed that such of the tribes of the New York Indians as do not accept and agree to remove to the country set apart for their new homes within five years, or such other time as the President may, from time to time, appoint, shall forfeit all interest in the lands so set apart to the United States.

ARTICLE 8. Perpetual peace and friendship shall exist between the United States and the New York Indians; and the United States hereby guaranty to protect and defend them in the peaceable possession and enjoyment of their new homes, and hereby secure to them, in said country, the right to establish their own form of government, appoint their own officers, and administer their own laws; subject, however, to the legislation of the Congress of the United States, regulating trade and intercourse with the Indians. The lands secured to them by patent under this treaty shall never be included in any State or Territory of this Union. The said Indians shall also be entitled, in all respects, to the same political and civil rights and privileges that are granted and secured by the United States to any of the several tribes of emigrant Indians settled in the Indian Territory. It is expressly understood and agreed that if any of the several tribes of New York Indians shall suffer depredations from any other Indian tribes residing in the Indian Territory, or from citizens of the United States, and the same is proved to be the case to the satisfaction of the agent residing among them, and the property cannot be recovered, nor satisfaction therefor obtained by such agent, that then

the United States will pay the Indians so sustaining such loss for the same.

ARTICLE 9. The United States agree to pay the New York Indians, at their new homes, each year, for five years, ten thousand dollars, in farming utensils, looms, and spinning wheels, and in money to support proper persons to instruct them in the use of the same, and in domestic animals, under such regulations as shall be prescribed by the President of the United States. The rejection of this article by the Senate shall not invalidate the residue of the treaty, and the Senate shall be at liberty to modify and alter this article as they shall deem proper.

ARTICLE 10. The Oneidas are to have their lands in the Indian Territory, in the tract set apart for the New York Indians, adjoining the Osage tract and that hereinafter set apart for the Senecas; and the same shall be so laid off as to secure them a sufficient quantity of timber for their use. Those tribes whose lands are not specially designated in this treaty, are to have such as shall be set apart by the President.

ARTICLE 11. It is further agreed that the United States will pay to those who remove west, at their new homes, all such annuities as shall properly belong to them, and the Government will have one of its agents reside among the New York Indians at the west. The schedules hereunto annexed shall be deemed and taken as a part of this treaty.

ARTICLE 12. It is expressly understood and agreed, that this treaty must be approved by the President, and ratified and confirmed by the Senate of the United States, before it shall be binding upon the parties to it. It is further expressly understood and agreed, that the rejection, by the President and Senate, of the provisions thereof, applicable to one tribe, or distinct branch of a tribe, shall not be construed to invalidate it as to the others, but as to them it shall be binding, and remain in full force and effect.

ARTICLE 13. It is stipulated and agreed that the accounts of the commissioner, and expenses incurred by him in holding a council with the New York Indians, and concluding treaties at Green Bay and Duck Creek, in Wisconsin, and in the State of New York, in 1836, and those for the exploring party of the New York Indians, in 1837, and also the expenses of the present treaty, shall be allowed and settled according to former precedents.

SPECIAL PROVISIONS FOR THE ST. REGIS.

ARTICLE 14. It is agreed with the American party of the St. Regis Indians, that the United States will pay to the said tribe, on their removal west, or at such time as the President shall appoint, the sum of five thousand dollars, as a remuneration for moneys laid out by the said tribe, and for services rendered by their chiefs and agents in securing the title to the Green Bay lands, and in removal to the same; the same to be apportioned out to the several claimants by the chiefs of said party and a United States commissioner, as may be deemed by them equitable and just. It is further agreed that the following reservation of land shall be made to the Rev. Eleazer Williams, of said tribe, which he claims in his own right and in that of his wife, which he is to hold in fee simple by patent from the President, with full power and authority to sell and dispose of the same, to wit:—Beginning at a point in the west bank of the Fox river, thirteen chains above the old milldam at the rapids of the Little Kackalin; thence

north fifty-two degrees and thirty minutes west, two hundred and forty chains; thence north thirty-seven degrees and thirty minutes east, two hundred chains; thence south fifty two degrees and thirty minutes east, two hundred and forty chains to the bank of Fox river; thence up along the bank of Fox river to the place of beginning. But if the President and Senate shall not ratify and confirm this reservation, then the said Williams is to receive, in lieu thereof, ten thousand dollars, and have the pre-emption right to purchase the said lands at Government price.

SPECIAL PROVISIONS FOR THE SENECA.

ARTICLE 15. It is agreed with the Senecas that they shall have for themselves and their friends the Cayugas and Onondagas, residing among them, the easterly part of the tract set apart for the New York Indians, and to extend so far west as to include one half a section (three hundred and twenty acres) of land for each soul of the Senecas, Cayugas and Onondagas, residing among them; and if, on removing west, they find there is not sufficient timber on this tract for their use, then the President shall add thereto timber land sufficient for their accommodation. But in case the Cherokee tract, lying east of the Osages, is obtained by the United States, that then the Senecas are to have that tract, and so much north of it, of the country set apart for the New York Indians, as shall be necessary to make the requisite quantity for them, and their friends the Cayugas and Onondagas, residing among them; that they agree to remove from the State of New York to their new homes within five years, and to reside on the lands set apart for them.

And whereas at the making of this treaty, Thomas L. Ogden and Joseph Fellows, the assignees of the State of Massachusetts, have purchased of the Seneca nation of Indians, in the presence and with the approbation of the commissioner appointed by the United States to hold said treaty or convention, all the right, title, interest, and claim of the said Seneca nation to certain lands, by a deed of conveyance, a duplicate of which is hereunto annexed; and whereas the consideration money mentioned in said deed, amounting to two hundred and two thousand dollars, belongs to the Seneca nation, and the said nation agrees that the said sum of money shall be paid to the United States, and the United States agree to receive the same, to be disposed of as follows: The sum of one hundred thousand dollars is to be invested by the President of the United States in safe stocks, for their use, the income of which is to be paid to them at their new homes, annually, and the balance, being the sum of one hundred and two thousand dollars, is to be paid out to the owners of the improvements on the lands so deeded, according to an appraisalment of said improvements, and a distribution and award of said sum of money among the owners of said improvements, to be made by appraisers, hereafter to be appointed by the Seneca nation, in the presence of a United States commissioner, hereafter to be appointed, to be paid by the United States to the individuals who are entitled to the same, according to the said appraisal and award, on their severally relinquishing their respective possessions to the said Ogden and Fellows. The United States also agree to build at their new homes, for the Senecas, and their friends the Cayugas and Onondagas, residing among them, four saw-mills, and four grist-mills, four council houses, four school-houses, four churches, if they desire it, and three blacksmiths' shops, and one gunsmith shop, and also to provide

and pay the necessary millers, teachers, and blacksmiths, and a gunsmith, for ten years, and as much longer as the President of the United States shall deem proper, and the United States will also supply the necessary blacksmiths' tools, iron, steel, and coal for said shops during that period. It is expressly understood that the gunsmith is to do all the work for all the New York Indians who remove west, and reside at their new homes.

SPECIAL PROVISIONS FOR THE CAYUGAS.

ARTICLE 16. The United States will set apart for the Cayugas, on their removing to their new homes at the west, two thousand dollars, and will invest the same in some safe stocks, the income from which shall be paid to them annually, at their new homes. The United States further agree to pay to the said nation, on their removal west, two thousand five hundred dollars, to be disposed of as the chiefs shall deem just and equitable.

SPECIAL PROVISIONS FOR THE ONONDAGAS RESIDING ON THE SENECA RESERVATIONS.

ARTICLE 17. The United States agree to set apart for the Onondagas, residing on the Seneca reservations, two thousand five hundred dollars on their removing west, and to invest the same in safe stocks, the income of which shall be paid to them annually at their new homes. And the United States further agree to pay said Onondagas, on their removal to their new homes in the west, two thousand dollars, to be disposed of as the chiefs shall deem equitable and just.

SPECIAL PROVISIONS FOR THE ONEIDAS RESIDING IN THE STATE OF NEW YORK.

ARTICLE 18. The United States will pay the sum of four thousand dollars, to be paid to Baptista Powlis, and the chiefs of the first Christian party residing at Oneida, and the sum of two thousand dollars shall be paid to William Day, and the chiefs of the Orchard party residing there, for expenses incurred and services rendered in securing the Green Bay country, and the settlement of a portion thereof, and they hereby agree to remove to their new homes, in the Indian Territory, as soon as they can make satisfactory arrangements with the Governor of the State of New York for the purchase of their lands at Oneida.

SPECIAL PROVISIONS FOR THE ONEIDAS AT GREEN BAY.

ARTICLE 19. The United States agree to pay the sum of three thousand dollars to the Orchard party of the Oneidas, at Green Bay, and the sum of three thousand five hundred dollars to the first Christian party settled at that place, as a remuneration for moneys laid out and expended by the said parties, and for services rendered by their chiefs and agents in securing the title to the Green Bay lands, and the removal to the same; the same to be apportioned and paid out to the several claimants by the chiefs and a United States commissioner, as may be deemed most equitable and just. It is expressly agreed that if the Senate of the United States does not ratify and confirm the above, in relation to the Green Bay Indians, it shall not invalidate any of the other provisions of this treaty. It is expressly agreed that if any Indians now at Green Bay wish to remove to the country set apart as their future homes, they shall be at liberty to do so, and on relinquishing their possessions and improvements to the United States,

they shall be paid the value of said improvements; and when a sufficient number of said Indians remove to their new homes to need them, the United States will make the provisions for this part of the Onondas separate from those at Oneida, if they desire it, which are specified in article fourth of this treaty. This article shall not be construed to authorize the Government to compel them to remove.

SPECIAL PROVISIONS FOR THE TUSCARORAS.

ARTICLE 20. The Tuscarora nation agree to accept the country set apart for them in the Indian Territory, and to remove there within five years, and continue to reside there. It is further agreed that the Tuscaroras shall have their lands in the Indian country, at the forks of the Neosho river, which shall be so laid off as to secure a sufficient quantity of timber for the accommodation of the nation. But if, on examination, they are not satisfied with this location, they are to have their lands at such place as the President of the United States shall designate. The United States will pay the Tuscarora nation, on their settling at the west, three thousand dollars, to be disposed of as the chiefs shall deem most equitable and just. Whereas, the said nation owns, in fee simple, five thousand acres of land, lying in Niagara county, in the State of New York, which was conveyed to the nation by Henry Dearborn, and they wish to sell and convey the same before they remove west. Now, therefore, in order to have the same done in a legal and proper way, they hereby convey the same to the United States, and to be held in trust for them; and they authorize the President to sell and convey the same, and the money which shall be received for the lands, exclusive of the improvements, the President shall invest in safe stocks for their benefit, the income from which shall be paid to the nation at their new homes, annually; and the money which shall be received for improvements on said lands shall be paid to the owners of the improvements when the lands are sold. The President shall cause the said lands to be surveyed, and the improvements shall be appraised by such persons as the nation shall appoint; and said lands shall also be appraised, and shall not be sold at a less price than the appraisal, without the consent of James Cusic, William Mountpleasant, and William Chew, or the survivor or survivors of them; and the expenses incurred by the United States in relation to this trust, are to be deducted from the moneys received before investment.

And whereas, at the making of this treaty, Thomas L. Ogden and Joseph Fellows, the assignees, of the State of Massachusetts, have purchased of the Tuscarora nation of Indians, in the presence and with the approbation of the commissioner appointed on the part of the United States to hold said treaty or convention, all the right, title, interest, and claim of the Tuscarora nation to certain lands, by a deed of conveyance, a duplicate of which is hereunto annexed; And whereas, the consideration money for said lands has been secured to the said nation to their satisfaction, by the said Thomas L. Ogden and Joseph Fellows; therefore, the United States hereby assent to said sale and conveyance, and sanction the same.

In testimony whereof, the commissioner, and the chiefs, headmen, and people, whose names are hereunto affixed, being duly authorized, have hereunto set their hands and affixed their respective seals, at the time and place above mentioned.

R. H. GILLET, [L. s.]
Commissioner.

Senecas.

Dao-nepho-gah weh, or Little Johnson,	his x mark	[l. s.]
Da-ga-o-yeas or Daniel Twoguns		[l. s.]
Gu-odowa neh or Captain Pollard	his x mark	[l. s.]
Joh-nos-ha-dih or James Stevenson	his x mark	[l. s.]
Hure-kau-stak or Captain Strong	his x mark	[l. s.]
So-nch-a-go or Captain Snow	his x mark	[l. s.]
Hau-nch-hoy's-oh or Blue Eyes	his x mark	[l. s.]
Haw-nuw-wah-es or Levi Halftown	his x mark	[l. s.]
Goat-hau-oh or Billy Shanks	his x mark	[l. s.]
Hau-sa-neq-nes or White Seneca	his x mark	[l. s.]
Howah-do-goh-dek or George Bennet	his x mark	[l. s.]
Hoys-tah-jih or Job Pierce	his x mark	[l. s.]
Sho-nan-do-wah or John Gordon	his x mark	[l. s.]
Noh-sok-dah or Jim Jonas	his x mark	[l. s.]
Shaw-nch-dik or William Johnson	his q mark	[l. s.]
Gaw-nch-do-au-ok or Ruben Pierce	his x mark	[l. s.]
Shaw-go-nes-goh-sha-oh or Morris Halftown	his x mark	[l. s.]
Shaw-go-za-sot-loh or Jacob Jameson	his x mark	[l. s.]
Gau-wa-no-oh or George Big Deer	his x mark	[l. s.]
Sho-sho-do-wah or Thomas Jameson	his x mark	[l. s.]
Joh-que-ya-suso or Samuel Gordon		[l. s.]
Gau-ne-oh-doh or Thompson S. Harris		[l. s.]
Gau-yeh-guch-doh or George Jameson	his x mark	[l. s.]
Hon-non-de-uh or Nathl. T. Strong		[l. s.]
Nuh-joh-yau-ch or Tall Peter	his x mark	[l. s.]
Sho-nauh-ga-nes or Tommy Jimmy	his x mark	[l. s.]
So-joh-gwa-us or John Tall Chief	his x mark	[l. s.]
Shau-gau-nes-es-tip or George Fox		[l. s.]
Go-na-dav-goyh or Jabez Stevenson		[l. s.]
Tit-ho-yuh or William Jones	his x mark	[l. s.]
Juncah-dah-glence or George White, by his agent		[l. s.]
White Seneca	his x mark	[l. s.]
Gau nu-dai-yuh or John Snow	his x mark	[l. s.]
Gau-ne-su-goh or Walter Thompson, by his agent, Daniel Two Guns	his x mark	[l. s.]
Dauga-se or Long John	his x mark	[l. s.]
Gau-sa-we-doh or John Bark	his x mark	[l. s.]
Gami-daunh or George Lindsey		[l. s.]
Hoh-ma-ya-was or Jacob Bennet	his x mark	[l. s.]
On-dihoh-oh or John Bennet	his x mark	[l. s.]
Nis-ha-neq-nent or Seneca White	his x mark	[l. s.]
Ha-dya-no-doh or Maris B. Pierce		[l. s.]
Yoh-dih-doh or David White		[l. s.]
James Shongo	his x mark	[l. s.]
Ka-non-da-gyh or William Cass	his x mark	[l. s.]
Ni-go-jos-a or Samuel Wilson	his x mark	[l. s.]
Jo-on-da-goh or John Seneca	his x mark	[l. s.]

Tuscaroras.

Ka-nat-soyh or Nicholas Cusick	[l. s.]
Sacharissa or Wm. Chew	[l. s.]

Kaw-wa-ah-ka or Wm. Mc Pleasant		[l. s.]
Kaw-wa-a-rock-ka or John Fox	his x mark	[l. s.]
Gee-no or James Cusick		[l. s.]
Ja-hu-ree-at-kak or John Patterson	his x mark	[l. s.]
O'tah-quau-naw-wa or Samuel Jacobs		[l. s.]
Ka-noh-sa-la or James Anthony	his x mark	[l. s.]
Gah-ro-quan or Peter Elm	his x mark	[l. s.]
Tu-nak-sho-a-han or Daniel Peter	his x mark	[l. s.]

Oneidas residing in the State of New York, for themselves and their parties.

Baptiste Powles	his x mark	[l. s.]
Jonathan Jordan	his x mark	[l. s.]

Oneidas at Green Bay.

John Anthony	his x mark	[l. s.]
Honjoit Smith	his x mark	[l. s.]
Henry Jordan	his x mark	[l. s.]
Thomas King	his x mark	[l. s.]

St. Regis.

Eleazer Williams, chief and agent (For himself and in behalf of the nation.)	[l. s.]
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Onondagas residing on the Seneca reservation.

Ho-no-ne-ya-doh or Silver Smith	his x mark	[l. s.]
(For himself and in behalf of his nation.)		

Hoge-waghtah or William Jacket	his x mark	[l. s.]
Sah-ku-gae-no or Button George	his x mark	[l. s.]

Principal Onondaga warriors in behalf of themselves and the Onondaga warriors.

Ka-noh-qua-sa or William John	his x mark	[l. s.]
Dah-gu-o-a-dah or Noh Silver Smith	his x mark	[l. s.]

Cayugas.

Skok-no-eh or William King	his x mark	[l. s.]
Geh-da-or-loh or James Young		[l. s.]
Gay-on-weh or Jack Wheelbarrow	his x mark	[l. s.]
D'yo-ya-toh or Joseph Isaac	his x mark	[l. s.]

Principal Cayuga warriors, in behalf of themselves and the Cayuga warriors.

Hah-oh-u or John Crow	his x mark	[l. s.]
Ho-na-e-geh-dah or Snow Darkness	his x mark	[l. s.]
Gone-ah-ga-u-do or Jacob G. Seneca		[l. s.]
Do-i-en-use or Ghastly Darkness	his x mark	[l. s.]
Hon-ho-gah-dyok or Thomas Crow	his x mark	[l. s.]
Wou-wah-wa-na-onk or Peter Wilson		[l. s.]
So-en-dagh or Jonathan White	his x mark	[l. s.]
Sago-gan-e-on-gwus or Harvey Rowe	his x mark	[l. s.]
To-ga-no-ah-doh or David Crow	his x mark	[l. s.]
Soh-win-dah-nel or George Wheeler		[l. s.]
De-goh-no-do-nio or Simon Isaac	his x mark	[l. s.]
He-dai-sos or Joseph Peter	his x mark	[l. s.]

Sa-go-di-yet-ha or Jacob Jackson his x mark [l. s.]

Witnesses:

James Stryker, Sub-agent Six Nations New York Indians.
Nathaniel T. Strong, United States interpreter N. Y. agency.
H. B. Potter,
Orlando Allen,
H. P. Wilcox,
Charles H. Allen,
Horatio Jones,
Spencer H. Cone,
W. W. Jones,
J. F. Schermerhorn,
Josiah Trowbridge.

SCHEDULE A.

CENSUS OF THE NEW YORK INDIANS, AS TAKEN IN 1837.

Number residing on the Seneca reservations.

Senecas	2,309
Onondagas	194
Cayugas	130

Onondagas at Onondaga	2,633
Tuscaroras	300
St. Regis in New York	273
Oneidas at Green Bay	350
Oneidas in New York	600
Stockbridges	620
Munsees	217
Brothertowns	132
	360

The above was made before the execution of the treaty.

R. H. GILLET, Commissioner.

SCHEDULE B.

The following is the disposition agreed to be made of the sum of three thousand dollars provided in this treaty for the Tuscaroras, by the chiefs, and assented to by the commissioner, and is to form a part of the treaty:

To Jonathan Printress, ninety-three dollars.
To William Chew, one hundred and fifteen dollars.
To John Patterson, forty-six dollars.
To William Mountpleasant, one hundred and seventy-one dollars.
To James Cusick, one hundred and twenty-five dollars.
To David Peter, fifty dollars.

The rest and residue thereof is to be paid to the nation.

The above was agreed to before the execution of the treaty.

R. H. GILLET, Commissioner.

SCHEDULE C.

Schedule applicable to the Onondagas and Cayugas residing on the Seneca reservations. It is agreed that the following disposition shall be

made of the amount set apart to be divided by the chiefs of these nations, in the preceding parts of this treaty, anything therein to the contrary notwithstanding :

To William King, one thousand five hundred dollars ; Joseph Isaacs, seven hundred dollars ; Jack Wheelbarrow, three hundred dollars ; Silversmith, one thousand dollars ; William Jacket, five hundred dollars ; Buton George, five hundred dollars ;

The above was agreed to before the treaty was finally executed.

R. H. GILLET, Commissioner.

SCHEDULE D.

The United States will pay to the persons named below, the sums mentioned for them, as a remuneration for their services in procuring the Green Bay country, and for services as delegates in exploring the western country, and for losses sustained in consequence thereof, and for other services, to wit :

To George Jameson, two thousand dollars.

To Thompson S. Harris, twelve hundred dollars.

To Nathaniel T. Strong, one thousand dollars.

To Seneca White, one thousand dollars.

To Marus B. Pierce, one thousand dollars.

To William Johnson, one thousand dollars.

To James Young, one thousand dollars.

To William King, five hundred dollars.

The above mentioned sums are to be paid to the persons named, on their settling at their new homes at the west :

To William Patterson, Israel Jameson, Little Johnson, White Seneca, Silver Smith, Baptisti Pawlis, Jonathan Jourdan, Martin Daney, John Anthony, Honyost Smith, Henry Jourdan, James Cusick, and James Young, each the sum of two hundred dollars, to be paid when an appropriation is made, to the persons mentioned, first deducting the following sums which have been already advanced to them by J. F. Schermerhorn, to wit :

William Patterson, one hundred and fifty dollars ; Israel Jameson, fifty dollars ; Little Johnson, sixty dollars ; White Seneca, one hundred dollars ; James Young, one hundred dollars ; and Silver Smith, fifty dollars ; which respective sums have been heretofore advanced by said Schermerhorn, and are to be paid to him ; they having been with him on the exploring expedition at the west.

The above was agreed to as a part of the treaty before the same was finally executed.

R. H. GILLET,
Commissioner.

SCHEDULE E.

The United States will set apart twenty thousand dollars to be paid out in erecting dwellings and making enclosures for such poor persons of the several nations of New York Indians who remove west, after their arrival there, as shall be designated by the chiefs of the respective nations, with the assent of the agent, which shall be expended under such regulations as the President shall prescribe, but the Senate shall have the power to

reject or modify this provision without impairing the other parts of the treaty ; whereas, the provisions in this treaty for a high school or college is supposed not to be large enough to meet the object contemplated, it is, therefore, provided, that the sum of twenty thousand dollars shall be added to the sum so set apart for that purpose, but the Senate shall be at liberty to reject or modify this provision without impairing the other provisions of the treaty.

The above was made out and agreed to, before the final conclusion of the treaty.

R. H. GILLET,
Commissioner.

At a treaty held under the authority of the United States of America, at Buffalo creek, in the county of Erie, and State of New York, between the chiefs and headmen of the Seneca nation of Indians, duly assembled in council, and representing and acting for the said nation, on the one part, and Thomas Ludlow Ogden, of the city of New York, and Joseph Fellows, of Geneva, in the county of Ontario, on the other part, concerning the purchase of the right and claim of the said nation of Indians in and to the lands within the State of New York remaining in their occupation : Ransom H. Gillet, Esquire, the commissioner appointed by the President of the United States to attend and hold the said treaty, and also Josiah Trowbridge, Esquire, the superintendent on behalf of the Commonwealth of Massachusetts, being severally present at the said treaty, the said chiefs and headmen, on behalf of the Seneca nation, did agree to sell and release to the said Thomas Ludlow Ogden and Joseph Fellows, and they the said Thomas Ludlow Ogden and Joseph Fellows, did agree to purchase all the right, title, and claim of the said Seneca nation, of, in, and to the several tracts, pieces, or parcels of land mentioned and described in the instrument of writing next hereinafter set forth, and at the price or sum therein specified, as the consideration or purchase money for such sale and release ; which instrument being read and explained to the said parties, and mutually agreed to, was signed and sealed by the said contracting parties, and is in the words following :

This indenture, made this fifteenth day of January, in the year of our Lord one thousand eight hundred and thirty-eight, between the chiefs and headmen of the Seneca nation of Indians, duly assembled in council, and acting for and on behalf of the said Seneca nation, of the first part, and Thomas Ludlow Ogden, of the city of New York, and Joseph Fellows, of Geneva, in the county of Ontario, of the second part, witnesseth : That the said chiefs and headmen of the Seneca nation of Indians, in consideration of the sum of two hundred and two thousand dollars, to them in hand paid by the said Thomas Ludlow Ogden and Joseph Fellows, the receipt whereof is hereby acknowledged, have granted, bargained, sold, released and confirmed, and by these presents do grant, bargain, sell, release, and confirm unto the said Thomas Ludlow Ogden and Joseph Fellows, and to their heirs and assigns, all that certain tract or parcel of land situate, lying, and being in the county of Erie, and State of New York, commonly called and known by the name of Buffalo Creek reservation, containing, by estimation, forty-nine thousand nine hundred and twenty acres, be the contents thereof more or less. Also, all that certain other tract or parcel of land, situate, lying, and being in the counties of Erie,

Chautauque, and Cattaraugus in said State, commonly called and known by the name of Cattaraugus reservation, containing, by estimation, twenty-one thousand six hundred and eighty acres, be the contents thereof more or less. Also, all that certain other tract or parcel of land, situate, lying, and being in the said county of Cattaraugus, in said State, commonly called and known by the name of the Alleghany reservation, containing, by estimation, thirty thousand four hundred and sixty-nine acres, be the contents more or less. And also, all that certain other tract or parcel of land, situate, lying, and being partly in said county of Erie, and partly in the county of Seneca, in said State, commonly called and known by the name of the Tonawanda reservation, and containing, by estimation, twelve thousand eight hundred acres, be the same more or less, as the said several tracts of land have been heretofore reserved, and are held and occupied by the said Seneca nation of Indians, or by individuals thereof, together with all and singular the rights, privileges, hereditaments, and appertinances to each and every of the said tracts or parcels of land belonging or appertaining; and all the estate, right, title, interest, claim, and demand of the said party of the first part, and of the said Seneca nation of Indians of, in, and to the same, and to each and every part and parcel thereof: To have and to hold all and singular the above described and released premises unto the said Thomas Ludlow Ogden and Joseph Fellows, their heirs and assigns, to their proper use and behoof forever, as joint tenants, and not as tenants in common.

In witness whereof, the parties to these presents have hereunto, and to three other instruments of the same tenor and date, one to remain with the United States, one to remain with the State of Massachusetts, one to remain with the Seneca nation of Indians, and one to remain with the said Thomas Ludlow Ogden and Joseph Fellows, interchangeably set their hands and seals the day and year first above written.

Little Johnson	his x mark	[l. s.]
Daniel Two Guns		[l. s.]
Captain Pollard	his x mark	[l. s.]
James Stevenson	his x mark	[l. s.]
Captain Strong	his x mark	[l. s.]
Captain Snow	his x mark	[l. s.]
Blue Eyes	his x mark	[l. s.]
Levi Halfstow	his x mark	[l. s.]
Billy Shanks	his x mark	[l. s.]
White Seneca	his x mark	[l. s.]
George Bennet	his x mark	[l. s.]
Job Pierce	his x mark	[l. s.]
John Gordon	his x mark	[l. s.]
Jim Jones	his x mark	[l. s.]
William Johnson	his x mark	[l. s.]
Reuben Pierce	his x mark	[l. s.]
Morris Halfstow	his x mark	[l. s.]
Jacob Jameson	his x mark	[l. s.]
George Big Deer	his x mark	[l. s.]
Thomas Jameson	his x mark	[l. s.]
Samuel Gordon		[l. s.]
Thompson S. Harris		[l. s.]
George Jameson	his x mark	[l. s.]

Nathaniel T. Strong		[l. s.]
Tall Peter	his x mark	[l. s.]
Tommy Jimmy	his x mark	[l. s.]
John Tall Chief	his x mark	[l. s.]
George Fox		[l. s.]
Jabez Stevenson		[l. s.]
William Jones	his x mark	[l. s.]
George White	his x mark	[l. s.]
(By his agent, White Seneca.)		
John Snow	his x mark	[l. s.]
Walter Thompson	his x mark	[l. s.]
(By his agent, Daniel Two Guns.)		
Long John	his x mark	[l. s.]
John Bark	his x mark	[l. s.]
George Lindsey		[l. s.]
Jacob Bennett	his x mark	[l. s.]
John Bennett	his x mark	[l. s.]
Seneca White	his x mark	[l. s.]
Maris B. Pierce		[l. s.]
David White		[l. s.]
James Shongo	his x mark	[l. s.]
William Cass	his x mark	[l. s.]
Samuel Wilson	his x mark	[l. s.]
John Seneca	his x mark	[l. s.]

Signed, sealed, and delivered in the presence of—

James Stryker,
Nathaniel T. Strong, } Interpreters.
Spencer H. Cone,
H. B. Potter,
Charles H. Allen.

At the beforementioned treaty, held in my presence, as superintendent on the part of the Commonwealth of Massachusetts, and this day concluded, the foregoing instrument of writing was agreed to by the contracting parties therein named, and was, in my presence, executed by them, and being approved by me, I do hereby certify and declare such my approbation thereof.

Witness my hand and seal, at Buffalo creek, this 15th day of January, in the year 1838.

J. TROWBRIDGE. [l. s.]

I have attended a treaty of the Seneca nation of Indians, held at Buffalo creek, in the county of Erie, in the State of New York, on the fifteenth day of January, in the year of our Lord one thousand eight hundred and thirty-eight, when the within instrument was duly executed, in my presence, by the chiefs of the Seneca nation, being fairly and properly understood by them. I do, therefore, certify and approve the same.

R. H. GILLET, Commissioner.

At a treaty held under the authority of the United States of America, at Buffalo creek, in the county of Erie, and State of New York, between the sachems, chiefs, and warriors of the Tuscarora nation of Indians, duly

assembled in council, and representing and acting for the said nation, on the one part, and Thomas Ludlow Ogden, of the city of New York, and Joseph Fellows, of Geneva, in the county of Ontario, on the other part, concerning the purchase of the right and claim of said nation of Indians in and to the lands within the State of New York, remaining in their occupation: Ransom H. Gillet, Esquire, the commissioner appointed by the President of the United States to attend and hold the said treaty, and also Josiah Trowbridge, Esquire, the superintendent on behalf of the Commonwealth of Massachusetts, being severally present at the said treaty, the said sachems, chiefs and warriors, on behalf of the said Tuscarora nation, did agree to sell and release to the said Thomas Ludlow Ogden and Joseph Fellows, and they the said Thomas Ludlow Ogden and Joseph Fellows did agree to purchase all the right, title, and claim of the said Tuscarora nation of, in, and to the tract, piece, or parcel of land mentioned and described in the instrument of writing next hereinafter set forth, and at the price or sum therein specified, as the consideration or purchase money for such sale and release; which instrument being read and explained to the said parties, and mutually agreed to, was signed and sealed by the said contracting parties, and is in the words following:

This indenture, made this fifteenth day of January, in the year of our Lord one thousand eight hundred and thirty-eight, between the sachems, chiefs, and warriors of the Tuscarora nation of Indians, duly assembled in council, and acting for and on behalf of the said Tuscarora nation, of the first part, and Thomas Ludlow Ogden, of the city of New York, and Joseph Fellows, of Geneva, in the county of Ontario, of the second part, witnesseth: That the said sachems, chiefs, and warriors of the Tuscarora nation, in consideration of the sum of nine thousand six hundred dollars, to them in hand paid by the said Thomas Ludlow Ogden and Joseph Fellows, the receipt whereof is hereby acknowledged, have granted, bargained, sold, released, and confirmed, and by these presents do grant, bargain, sell, release, and confirm unto the said Thomas Ludlow Ogden and Joseph Fellows, and to their heirs and assigns, all that certain tract or parcel of land situate, lying, and being in the county of Niagara, and State of New York, commonly called and known by the name of the Tuscarora reservation or Seneca grant, containing nineteen hundred and twenty acres, be the same more or less, being the lands in their occupancy, and not included in the lands conveyed to them by Henry Dearborn, together with all and singular the rights, privileges, hereditaments, and appurtenances to the said tract or parcel of land belonging or appertaining, and all the estate, right, title, interest, claim, and demand of the said party of the first part, and of the said Tuscarora nation of Indians of, in, and to the same, and to every part and parcel thereof: To have and to hold all and singular the above described and released premises unto the said Thomas Ludlow Ogden and Joseph Fellows, their heirs and assigns, to their proper use and behoof forever, as joint tenants, and not as tenants in common.

In witness whereof, the parties to these presents have hereunto, and to three other instruments of the same tenor and date, one to remain with the United States, one to remain with the State of Massachusetts, one to remain with the Tuscarora nation of Indians, and one to remain with the said Thomas Ludlow Ogden and Joseph Fellows, interchangeably set their hands and seals, the day and year first above written.

Nicholas Casick	[l. s.]
William Chew	[l. s.]
William Mountpleasant	[l. s.]
John Fox	his x mark [l. s.]
James Cusick	[l. s.]
John Patterson	his x mark [l. s.]
Samuel Jacobs	[l. s.]
James Anthony	his x mark [l. s.]
Peter Elm	his x mark [l. s.]
Daniel Peter	his x mark [l. s.]

Sealed, and delivered in the presence of—

James Stryker,
R. H. Gillet,
Charles H. Allen,
J. F. Schermerhorn,
Nathaniel T. Strong, *U. S. Interpreter.*
H. B. Potter,
Orlando Allen.

At the above mentioned treaty, held in my presence, as superintendent on the part of the Commonwealth of Massachusetts, and this day concluded, the foregoing instrument of writing was agreed to by the contracting parties therein named, and was, in my presence, executed by them, and being approved by me, I do hereby certify and declare such my approbation thereof.

Witness my hand and seal, at Buffalo creek, this 15th day of January, in the year 1838.

J. TROWBRIDGE, *Superintendent.* [l. s.]

I have attended a treaty of the Tuscarora nation of Indians, held at Buffalo creek, in the county of Erie, in the State of New York, on the fifteenth day of January, in the year of our Lord one thousand eight hundred and thirty-eight, when the within instrument was duly executed, in my presence, by the sachems, chiefs, and warriors of the said nation, being fairly and properly understood and transacted by all the parties of Indians concerned, and declared to be done to their full satisfaction, I do therefore certify and approve the same.

R. H. GILLET, *Commissioner.*

SUPPLEMENT ARTICLE TO THE TREATY,

Concluded at Buffalo Creek, in the State of New York, on the 15th of January, 1838, concluded between Ransom H. Gillet, commissioner on the part of the United States, and chiefs and headmen of the St. Regis Indians, concluded on the 13th day of February, 1838.

Supplemental article to the treaty concluded at Buffalo Creek, in the State of New York, dated January 15, 1838.

The undersigned, chiefs and headmen of the St. Regis Indians, residing in the state of New York, having heard a copy of said treaty read by Ransom H. Gillet, the commissioner who concluded that treaty on the part of the United States, and he having fully and publicly explained the same, and believing the provisions of said treaty to be very liberal on the

part of the United States, and calculated to be highly beneficial to the New York Indians, including the St. Regis, who are embraced in its provisions, do hereby assent to every part of said treaty, and approve the same. And it is further agreed, that any of the said St. Regis Indians, who wish to do so, shall be at liberty to remove to the said country at any time hereafter, within the time specified in this treaty, but under it the Government shall not compel them to remove. The United States will, within one year after the ratification of this treaty, pay over to the American party of said Indians, one thousand dollars, part of the sum of five thousand dollars, mentioned in the special provisions for the St. Regis Indians, anything in the article contained to the contrary notwithstanding.

Done at the council house at St. Regis, this thirteenth day of February, in the year of our Lord one thousand eight hundred and thirty-eight.

Witness our hands and seals,

R. H. GILLET, [l. s.]

Commissioner

Loven-taio-enye,	x	[l. s.]
Louis-taio-rorio-to,	x	[l. s.]
Michel Gaveault,	x	[l. s.]
Loso-sori-sosane,	x	[l. s.]
Louis-tioonsate,	x	[l. s.]
Tok-ta-nen-shi-so,	x	[l. s.]
Ennois-gana-saien-to,	x	[l. s.]
Tomas-tatsete,	x	[l. s.]
Tier-te-gonotas-en,	x	[l. s.]
Tier-sakota-ni-saks,	x	[l. s.]
Sasatis-otsi-tsia-ta-gen,	x	[l. s.]
Tier-egane-kor-hakso-e,	x	[l. s.]
Ennias-anas-ota-ko,	x	[l. s.]
Louis-te-ganota-ti-ro,	x	[l. s.]
Wise-atia-taronno,	x	[l. s.]
Tomas oneta gosa,	x	[l. s.]
Loso-te-gaonshke,	x	[l. s.]
Louis-arisake-wha,	x	[l. s.]
Sasatis-atls tsiaks,	x	[l. s.]
Tier-anasaken-rat,	x	[l. s.]
Louis-tar-onia-kethon,	x	[l. s.]
Iason-karato-on,	x	[l. s.]

The foregoing was executed in our presence.

A. K. Williams,

Agent on part of New York, for St. Regis Indians.

Wm. L. Gray, Interpreter,

Owen C. Donely, his x mark.

Sag Saree.

IN SENATE OF THE UNITED STATES.

JUNE 11th, 1838.

RESOLVED, (two thirds of the Senators present concurring) That the Senate advise and consent to the ratification of the Treaty made and concluded at Buffalo creek, in the State of New York the 15th day of January in the year of our Lord 1838, by Ransom H. Gillet, a commissioner on the part of the United States, and the Chiefs, Headmen and Warriors of the Several tribes of the New York Indians assembled in Council with the following

AMENDMENTS:

Strike out of article 2, after the word "computed," in line 17, the following words:

To have and to hold the same in fee simple forever, by patent from the President of the United States, with full power and authority to divide the same among the members of the different tribes in severalty, with power and authority to sell among each other, and their Indian brethren of the Indian Territory, under such laws and regulations as may be adopted by the respective tribes themselves, or by a general council of the New York Indians.

Insert the following in lieu of the above, stricken out:

To have and to hold the same in fee simple to the said tribes or nations of Indians, by patent from the President of the United States, issued in conformity with the provisions of the third section of the act entitled "An act to provide for an exchange of lands, with the Indians residing in any of the States or Territories, and for their removal west of the Mississippi," approved on the 28th day of May, 1830, with full power and authority in the said Indians to divide said lands among the different tribes, nations, or bands of New York Indians, or among the members of said tribes, nations, or bands, in severalty, with the right to sell and convey to and from each other, under such laws and regulations as may be adopted by the respective tribes, acting by themselves, or by a general council of the said New York Indians, acting for all the tribes collectively.

Strike out in line 27 of the 2d article, the words "and at Green Bay."

Strike out after the word "annexed," in line 29, the residue of the second article, in the following words:

It is further agreed, that if the United States, by any future arrangement, can procure the Cherokee tract lying between the Osage lands and the State of Missouri, that then the New York Indians shall have the same, and a like quantity is to be taken off the western end of the tract

herein set apart for the New York Indians. And in order to convince the New York Indians of the great desire of the United States to gratify their wishes, it is agreed that the President shall invite a delegation of the Cherokees, and also a delegation of the New York Indians, to assemble at the city of Washington, to participate in the negotiations for the said Cherokee country, the expense of which shall be borne by the United States. It is agreed that the New York Indians shall confer on their delegates such powers as shall be necessary to relinquish the lands proposed to be given in exchange with the Government for the Cherokee lands, and such other powers as each tribe may confer, relating to the interest of itself.

Strike out the third, fourth, fifth, and sixth articles, in the following words:

ARTICLE 3. The United States stipulate and agree to remove all the New York Indians of the several tribes described in the foregoing article, to their new homes, and to supply them with provisions for one year after their arrival there. But if any chief, who shall be, in the opinion of the agent, competent to take care of and remove himself and family, in his own conveyance or otherwise, wishes to do so, he shall be allowed that privilege, and he shall be allowed the same compensation for each person so removed, as it would cost the United States, which shall not be less than twenty dollars for each person so removed. And any chief who shall be, in the opinion of the agent, competent to act as sub-agents in the removal of his party, and does actually remove them, shall be paid at the rate of five hundred dollars for every party of one hundred persons so by him removed, and in the same ratio, be the number more or less. It is understood that when any chief gives notice to the agent of the Government that he and his party are ready to remove, that the means shall be furnished for that purpose by the Government, and a disbursing agent shall accompany them. It is further agreed that such Indians as prefer to remove by land with their own conveyances, shall be permitted to do so, and those who are removed by the Government shall have every attention paid to their health and comfort, by having good and sufficient conveyances for their accommodation, and a physician to accompany each party of emigrants, if they desire it. It is agreed that the Indians shall be permitted to commute their one year's support for such a sum as the rations would cost the Government at their new homes.

ARTICLE 4. It is further agreed that the United States will erect in the country set apart for the New York Indians, for the use of the respective nations, as many council-houses, churches, school-houses, sawmills, gristmills, and blacksmith shops, not to exceed one for each nation, except where otherwise specially provided, as shall be necessary and desired by the said nations. But in case any portion of any tribe removes, then a proper proportion of the above-mentioned buildings are to be erected. It is further agreed that the United States shall pay suitable teachers, millers, and blacksmiths, and furnish the necessary coal, iron, steel, and blacksmiths' tools for ten years, and as much longer as the President shall deem proper.

ARTICLE 5. It is expressly agreed that if, in the opinion of the President of the United States, he shall hereafter deem it proper to locate the seat of Government for the Indian Territory within the territory set apart for the New York Indians, that then he shall be at liberty to select a tract,

not to exceed a township, for that purpose, which shall be excepted from the foregoing grant, and remain the sole property of the United States; and there shall be added to the territory set apart for the New York Indians, a quantity of land which shall be equally valuable.

ARTICLE 6. The United States, taking a deep interest in the improvement of the Indians in useful knowledge, and believing that a literary institution for their instruction in the higher branches of education, to be established in the Indian Territory, will be highly beneficial to the Indians, hereby stipulate to set apart for that purpose, as a permanent fund, the sum of thirty thousand dollars, to be invested in some safe stock by the President of the United States, the income of which shall be applied to the purchase of the necessary books and apparatus, and the support of suitable teachers, who shall always be selected from among the Indians themselves, if persons of the necessary qualifications can be found among them. It is understood that this institution shall be organized under such rules and regulations as the President of the United States shall, from time to time, prescribe, and to be established at such place as shall be finally selected as the seat of Government of the Indian Territory, if that shall be located within the country assigned to the New York Indians; and if not, then the said institution shall be located at such place in said country as shall be determined in a general council of the New York Indians residing there.

Strike out of article 8, after the word "Territory," in line 12, the following words:

It is expressly understood and agreed, that if any of the several tribes of New York Indians shall suffer depredations from any other Indian tribes residing in the Indian Territory, or from citizens of the United States, and the same is proved to be the case to the satisfaction of the agent residing among them, and the property cannot be recovered, nor satisfaction therefor obtained by such agent, then the United States will pay the Indians so sustaining such loss for the same.

Strike out the 9th article, in the following words:

ARTICLE 9. The United States agree to pay the New York Indians at their new homes, each year, for five years, ten thousand dollars, in farming utensils, looms, and spinning wheels, and in money to support proper persons to instruct them in the use of the same, and in domestic animals, under such regulations as shall be prescribed by the President of the United States. The rejection of this article by the Senate shall not invalidate the residue of the treaty, and the Senate shall be at liberty to modify and alter this article as they shall deem proper.

Strike out of the 11th articles, in lines 3 and 4, the following words:

And the Government will have one of its agents reside among the New York Indians at the west.

Strike out of the 14th article, after the word "beginning," in line 19, the following words:

But if the President and the Senate shall not ratify and confirm this reservation, then the said Williams is to receive, in lieu thereof, ten thousand dollars, and have the pre-emption right to purchase the said lands at Government price.

Strike out of the 15th article, after the word "accommodation," in line 8, the following words:

But in case the Cherokee tract, lying east of the Osages, is obtained by the United States, that then the Senecas are to have that tract, and so much north of it, of the country set apart for the New York Indians, as shall be necessary to make the requisite quantity for them, and their friends, the Cayugas and Onondagas, residing among them: and

Strike out of the 15th article all after the word "Fellows," in line 36, in the following words:

The United States also agree to build, at their new homes, for the Senecas, and their friends, the Cayugas and Onondagas, residing among them, four saw mills, and four gristmills, four council-houses, four school-houses, four churches, if they desire it, and three blacksmiths' shops, and one gunsmith shop, and also to provide and pay the necessary millers, teachers, and blacksmiths, and a gunsmith, for ten years, and as much longer as the President of the United States shall deem proper, and the United States will also supply the necessary blacksmiths' tools, iron, steel, and coal for said shops during that period. It is expressly understood that the gunsmith is to do all the work for all the New York Indians who remove west, and reside at their new homes:

Strike out the 19th article, in the following words:

SPECIAL PROVISIONS FOR THE ONEIDAS AT GREEN BAY.

ARTICLE 19. The United States agree to pay the sum of three thousand dollars to the Orchard party of the Oneidas, at Green Bay, and the sum of thirty thousand five hundred dollars to the first Christian party settled at that place, as a remuneration for moneys laid out and expended by the said parties, and for services rendered by their chiefs and agents in securing the title to the Green Bay lands, and the removal to the same; the same to be apportioned and paid out to the several claimants by the chiefs and a United States commissioner, as may be deemed most equitable and just. It is expressly agreed that if the Senate of the United States does not ratify and confirm the above, in relation to the Green Bay Indians, it shall not invalidate any of the other provisions of this treaty. It is expressly agreed that if any of the Indians now at Green Bay wish to remove to the country set apart as their future homes, they shall be at liberty to do so, and relinquishing their possessions and improvements to the United States, they shall be paid the value of said improvements; and when a sufficient number of said Indians remove to their new homes to need them, the United States will make the provisions for this part of the Oneidas separate from those at Oneida, if they desire it, which are specified in article fourth of this treaty. This article shall not be construed to authorize the Government to compel them to remove.

Change articles 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 20, to articles 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, respectively.

Add the following as a new article:

ARTICLE 15. The United States hereby agree that they will appropriate the sum of four hundred thousand dollars, to be applied from time to time, under the direction of the President of the United States, in such proportions as may be most for the interest of said Indians, parties to this treaty, for the following purposes, to wit: to aid them in removing to their homes, and supporting themselves the first year after their removal; to encourage and assist them in education, and being taught to cultivate

their lands; in erecting mills and other necessary houses; in purchasing domestic animals, and farming utensils, and acquiring a knowledge of mechanic arts.

Strike out schedule D, in the following words:

SCHEDULE D.

The United States will pay to the persons named below, the sums mentioned for them, as a remuneration for their services in procuring the Green Bay country, and for services as delegates in exploring the western country, and for losses sustained in consequence thereof, and for other services, to wit:

To George Jemeson, two thousand dollars.

To Thompson S. Harris, twelve hundred dollars.

To Nathaniel T. Strong, one thousand dollars.

To Seneca White, one thousand dollars.

To Maris B. Pierce, one thousand dollars.

To William Johnson, one thousand dollars.

To James Young, one thousand dollars.

To William King, five hundred dollars.

The above mentioned sums to be paid to the persons named, on their settling at their new homes at the west.

To William Patterson, Israel Jemeson, Little Johnson, White Seneca, Silver Smith, Baptiste Pawlis, Jonathan Jourdan, Martin Daney, John Anthony, Honyst Smith, Henry Jourdan, James Cusick, and James Young, each the sum of two hundred dollars, to be paid when an appropriation is made, to the persons mentioned, first deducting the following sums which have been already advanced to them by J. F. Schermerhorn, to wit:

William Patterson, one hundred and fifty dollars; Israel Jemeson, fifty dollars; Little Johnson, sixty dollars; White Seneca, one hundred dollars; James Young, one hundred dollars; and Silver Smith, fifty dollars; which respective sums have been heretofore advanced by said Schermerhorn, and are to be paid to him; they having been with him on the exploring expedition at the west.

The above was agreed to as a part of the treaty before the same was finally executed.

R. H. GILLET,
Commissioner.

Strike out schedule E, in the following words:

SCHEDULE E.

The United States will set apart twenty thousand dollars to be paid out in erecting dwellings and making enclosures for such poor persons of the several nations of New York Indians who remove west, after their arrival there, as shall be designated by the chiefs of the respective nations, with the assent of the agent, which shall be expended under such regulations as the President shall prescribe, but the Senate shall have the power to reject or modify this provision without impairing the other parts of the treaty; whereas, the provision in this treaty for a high school or college is supposed not to be large enough to meet the object contemplated, it is, therefore, provided, that the sum of twenty thousand dollars shall be added to the sum so set apart for that purpose, but the Senate shall be at liberty

to reject or modify this provision without impairing the other provisions of the treaty.

The above was made out and agreed to, before the final conclusion of the treaty.

R. H. GILLET,
Commissioner.

Supplemental article.

That the supplemental article to the treaty concluded at Buffalo Creek, in the State of New York, January 15, 1833, which was made at the council-house of St. Regis, on the 13th day of February, 1833, be ratified, provided the chiefs and headmen of the St. Regis Indians, residing in New York, will in general council, accept of and adopt the aforesaid treaty, as modified by the preceding amendments.

Provided always, and be it further resolved, (Two thirds of the Senators present concurring,) That this treaty shall have no force or effect whatever, as it relates to any of said tribes, nations, or bands of New York Indians, nor shall it be understood that the Senate have assented to any of the contracts connected with it, until the same, with the amendments herein proposed, is submitted and fully and fairly explained, by a commissioner of the United States, to each of said tribes, or bands, separately assembled in council, and they have given their free and voluntary assent thereto: and if one or more of said tribes or bands, when consulted as aforesaid, shall freely assent to said treaty as amended, and to their contract connected therewith, it shall be binding and obligatory upon those so assenting, although other, or others of said bands or tribes may not give their consent, and thereby cease to be parties thereto: *Provided, further,* That if any portion or part of said Indians do not emigrate, the President shall retain a proper proportion of said sum of four hundred thousand dollars, and shall also deduct from the quantity of land allowed west of the Mississippi, such number of acres as will leave to each emigrant three hundred and twenty acres only.

Attest, ASBURY DICKENS,
Secretary.

I certify the foregoing to be a true copy.

Office Indian affairs,
July 17, 1835.
C. A. HARRIS,
Comm'r

ERRATA.

In page 3, 18th line from top, after the words "shall be" insert the words "necessary to relinquish the lands proposed to be."

Page 7, 12th line from bottom, instead of "sum of three thousand," read "sum of thirty thousand."

Page 8, 25th line from top, after the words "received for the," insert the word "said." Also, same page, 5th line from bottom, for the words "hereunto affixed," read "hereto annexed."

The undersigned Sachems,
Chiefs & headmen of the
Susseuna Nation of Indians
residing in the State of New
York do hereby give and
give & voluntarily assent to
the foregoing treaty as amend-
ed by the resolution of the
Senate of the United States in the
eleventh day of June 1835, & to
our contract connected therewith,
the same having been sub-
mitted to us by Aaron H. Gillet
a Commissioner in the part of
the United States & fully &
fairly explained by him to us
said here in council as a-
bove. Dated August 14th 1835.

Witness by us
William H. H. H.
John Patterson his X Mark
Matthew Jack his X Mark
George S. Smith
James Cassick