

near the 'Little Kackalin,' at a point known as the 'Old Mill Dam,' thence north-west forty miles; thence north-east to the Oconto creek, falling into Green Bay; thence down said Oconto creek to Green Bay; thence up and along Green Bay and Fox River to the place of beginning; excluding therefrom all private claims confirmed, and also the following reservation for military purposes: Beginning on the Fox River, at the mouth of the first creek above Fort Howard, thence north sixty-four degrees west to Duck Creek; thence down said Duck Creek to its mouth; thence up and along Green Bay and Fox River to the place of beginning. The Menomonee Indians also reserve, for the use of the U. States, from the country herein designated for the New York Indians, timber and firewood for the United States garrison, and as much land as may be deemed necessary for public highways to be located by the direction and at the discretion of the President of the United States. The country hereby ceded to the United States, for the benefit of the New York Indians, contains by estimation, about five hundred thousand acres, and includes all their improvements on the west side of Fox River. As it is intended for a home for the several tribes of New York Indians, who may be residing upon the lands at the expiration of three years from this date, and for none others, the President is empowered to apportion the lands among the actual occupants at that time, so as not to assign to any tribe a greater number of acres than may be equal to one hundred for each soul actually settled upon the lands; and if at the time of such apportionment, any lands shall remain unoccupied by any tribe of the New York Indians, such portion as would have belonged to said Indians, had it been occupied, shall revert to the United States. That portion, if any, so reverting, to be laid off by the President of the United States. It is distinctly understood, that the lands hereby ceded to the United States for the New York Indians, are to be held by those tribes, under such tenure as the Menomonee Indians now hold their lands, subject to such regulations and alteration of tenure, as Congress and the