

above expressed, such parts of the first article of the agreement, entered into between the parties hereto, on the eighth instant, as limits the removal and settlement of the New York Indians upon the lands therein provided for their future homes, to three years, shall be altered and amended, so as to read as follows: That the President of the United States shall prescribe the time for the removal and settlement of the New York Indians upon the lands thus provided for them; and, at the expiration of such reasonable time, he shall apportion the land among the actual settlers in such manner as he shall deem equitable and just. And if within such reasonable time, as the President of the United States shall prescribe for that purpose, the New York Indians shall refuse to accept the provisions made for their benefit, or having agreed, shall neglect or refuse to remove from New York, and settle on the said lands, within the time prescribed for that purpose, that then, and in either of these events, the lands aforesaid shall be and remain the property of the United States, according to said *first* article, excepting so much thereof as the President shall deem justly due to such of the New York Indians as shall actually have removed to, and settled on, the said lands.

"*Second.* It is further agreed, that the part of the sixth article of the agreement aforesaid, which requires the removal of those of the New York Indians, who may not be settled on the lands at the end of three years, shall be so amended as to leave such removal discretionary with the President of the United States. The Menomonee Indians having full confidence, that in making this distinction, he will take into consideration the welfare and prosperity of their nation."

This relieved the treaty of two of its odious features in the view of the New York Indians. Still the country set off was objectionable both in *quality* and *quantity*, and they avowed their intention of opposing the ratification of the treaty. As was anticipated, the Senate refused to take up either the treaty, or the nomination of Stambaugh as Indian Agent at Green Bay at that session of Congress. An expedient was resorted to by Col.