

"the treaty to be carried into effect, in relation to the Seneca
 "title." In a letter from Governor Everett of Massachusetts, dated
 "22^d of January, 1839, and addressed to the President of the United
 "States, in reference to the clandestine and irregular manner in
 "which the signature of some of the Indian Chiefs had been ob-
 "tained, he says, 'As it would certainly be unconstitutional for
 "the President of the United States to attempt to treat with the in-
 "dividual members of any foreign State, or Government (not duly
 "authorised to represent the entire body,) or to attempt to obtain the
 "ratification of a treaty by means of the assent of individuals,
 "if the Senate not duly assembled and acting as such, I re-
 "main of opinion that the constitutionality of attempting to
 "obtain the assent of individual Indian Chiefs to the amended
 "treaty, in the matter in question is doubtful.'

"In the Report to the Executive Council of Massachusetts, in
 "relation to this treaty, (the concurrent action of that State being,
 "it appears, required to perfect it,) which Report was accepted &
 "approved by that body, and a copy of which we herewith
 "submit, it is declared 'If the Governor & Council of Massachu-
 "setts in 1839, had known all that had occurred in this unhappy
 "business, even when the deed was presented for their approbation,
 "we are confident they would not have approved it, but they
 "did not then know that a large majority of the Seneca nation
 "was strongly opposed to a sale of their lands, nor that the
 "signatures of several of their Chiefs had been obtained by
 "trickery' and the Report further states, 'With the information
 "we now possess, at this time, Massachusetts would not oppose

"the deed! The Governor of New York, in speaking of this treaty,
 "says 'I am fully satisfied that the consent of the Senecas was
 "obtained by fraud, corruption, and violence, and that it there-
 "fore false, and ought to be held void. The removal of the
 "Indians under a treaty thus made, would be a great crime
 "against an unoffending and injured people, and I earnestly hope
 "that before further proceedings are taken to accomplish that object,
 "the whole subject may be reconsidered by the United States.'

"The Seneca nation, through their Chiefs, in an appeal to the
 "President of the United States against the treaty, say 'The amended
 "treaty has never been lawfully ratified by the constituted author-
 "ities of the Seneca nation, only sixteen out of eighty Chiefs hav-
 "ing signed their assent in open Council, while more than forty
 "signed their dissent and protest, before they left the Council House.
 "More than fourteen-fifteenths of our people are, and always have
 "been opposed to the sale of our lands. Improper and very
 "corrupt means have been employed to obtain the assent of
 "our Chiefs. When by the use of such means, it was found impossible
 "to elicit a majority, even though those operated upon, were
 "allowed to sign in taverns, and in the darkness of midnight, our
 "people and the Government of the United States, were imposed upon
 "by the clandestine attempt to create new Chiefs at a private house
 "in Buffalo City, and on the strength of this mock election the
 "signatures of these men were affixed to the ^{assent to the} amended treaty, and con-
 "stitute the pretence for a majority on which the Senate voted
 "the proclamation of the treaty' They then proceed to say, 'We have
 "a claim upon the Government by virtue of former treaties, for