

Commissioner of Indian affairs at Washington, as the legal guardian and protector of these Indians was solicited to the case. Geo. W. Marrypenney, the Commissioner, as soon as he was informed of the transaction, wrote to the Governor of New York, laid the case before him, and requested his attention to it.

On the meeting of the Legislature, the Governor, in an official communication, called their attention to the subject, and by the documents submitted to them, with the petition of the Indians, it appeared, that on an alleged claim for Taxes amounting to \$1,406.70. Thirty one thousand eight hundred acres of some of the improved and most valuable Lands of the Senecas had been sold in the manner here stated, at prices varying from two to ten cents per acre, and averaging less than eight cents per acre.

These facts and circumstances being fully exposed, and explained in the Petition of the Indians, their complaint was referred to a committee, who after a patient and thorough examination, reported, that the assessment "on which said Lands had had been sold for Taxes by the Comptroller, were made without authority of law." The committee further reported, "From a careful examination of the several Treaties heretofore made with the Senecas, and decisions of the highest Courts of this State and of the United States, your committee are clearly of the opinion, that the Senecas do not hold the Title to the Cattaraugus and Allegany Reservations under the State of New York, nor under the United States, but their Title is original, absolute and exclusive. And as the Senecas are not Citizens of this State and have no Representative in our Legislature, we can claim no right to Tax them".

Upon receiving this report, the Legislature passed a Law for the relief of those Indians, in which it is enacted:

"The Title of every lot or parcel of the Allegany Reservation and of every lot and parcel of the Cattaraugus Reservation as has been heretofore sold by the Comptroller for Taxes, is hereby released by the State to the Seneca nation of Indians residing on said Reservations". And further, "No Tax shall hereafter be assessed or imposed on either of said Reservations, or any part thereof, for any purpose whatever, so long as said Reservations remain the property of the Seneca Nation, and all acts of the Legislature of this State conflicting with the

provisions of this section, are hereby repealed".

The statements in this Report, and the provisions in the Bill that accompanied it, manifest a benevolent and laudable disposition on the part of the authorities of the State of New York, to protect the Senecas in their just rights, and to assure to them their property, and any authority in that State to Tax those Indians is disclaimed. It is acknowledged that the Land owned by them never belonged to the State of New York, and it is also conceded, that the right of those Indians to their Lands never was affected or impaired by the fraudulent Treaty of 1838, and that it remains to be theirs, "with the same right and Title in all things as they had and possessed therein, immediately before the date of that Treaty, and that the Ogden Company have no right in or to it, save only a right to purchase it".

In addition to these admissions on the part of the constituted authorities of the State of New York, the following assurances were given to those Indians by Dewitt Clinton, when Governor: "you may retain your Lands as long as you please - no man can deprive you of them without your consent. The State will protect you in the enjoyment of your property". Added to this in a solemn declaration addressed to them by General Washington when he was President of the United States, he said: - Hear well and let it be heard by every person in your nation, the President of the United States declares, that the General Government considers itself bound to protect you in all the Lands secured to you by the Treaty of Fort Stanwix in 1784".

With all these assurances and guarantees, the Title of the Senecas to the Lands they occupy, rests upon the most impregnable foundation that any Title can be placed, and the investigations that became necessary by the recent attempt to take from them their comfortable homes, have led to more information respecting their Title to the Land they claim, and has also placed before the Country the important fact, that their Title, which is pronounced to be, "original absolute and exclusive" has been solemnly guaranteed to them both by the States of New York and Massachusetts, and also by the General Government of the United States.

In addition to this attempt to obtain possession of their Lands, there has lately been another intrigue to get up an emigration party amongst them, under the representations of a Cayuga, who acted a prominent part in effecting the disastrous removal of about 230 in the year 1846; and who has been representing to them that they own valuable Lands in Kansas much preferable to their present residence