

HEIRS OF JACOB SMITH.

[To accompany bill H. R. No. 116.]

JANUARY 12, 1836.

Mr. MAY, from the Committee on Private Land Claims, made the following

REPORT :

*The Committee on Private Land Claims, to which was referred the petition of the heirs of Jacob Smith, report :*

That Jacob Smith, the father of the petitioners, had for many years been a trader among the Chippewa tribe of Indians, in Michigan Territory, to whom, on account of the many kind and beneficial services rendered them by said Smith, they had become warmly attached. That some time previous to a treaty held at Saganaw, in the year eighteen hundred and nineteen, the said Chippewa nation of Indians, as an expression of their gratitude, adopted the children of the said Jacob Smith, five in number, as members of their tribe, appropriating to each of them an Indian name, by which alone they were known and designated among said tribe, and made a donation of a section of land to each, at or near the Grand Traverse of the Flint river, in said Territory: that the said five sections of land were reserved by the treaty concluded at Saganaw, between the said Chippewa tribe and the United States, on the twenty-fourth day of September, eighteen hundred and nineteen, to the said five children of said Jacob Smith, by their respective Indian names; and that, from that time, they have been in possession of said lands by virtue of said donation and reservation. Your committee further report, that, in consequence of an inadvertence in the wording of the said treaty, by which said reservations are stated to be for persons of Indian descent, said petitioners have not been able to procure patents for said reserved lands. Your committee are perfectly satisfied from the affidavits of gentlemen who were present and subscribing witnesses to said treaty, and from the statements of the chiefs and head men of the said tribe, that there were no persons of Indian descent who passed by the names appropriated to said petitioners, who could take under said reservation, and that the said petitioners are the identical persons for whom said reservations were designed, and that the names in the said reservation are the same names by which they were designated and known among said tribe. Your committee further state, that a large number of the neighboring inhabitants of said reservations have presented a memorial, stating that the settlements of the adjoining lands are much retarded for the want of confirmation by Congress of the title in said land to said petitioners, and praying that patents may issue to said petitioners, to whom they allege said lands of right and in justice belong.