

POAS HADGO.

[To accompany bill H. R. No. 490.]

MARCH 25, 1836.

Mr. HAYNES, from the Committee on Indian Affairs, made the following

REPORT :

The Committee on Indian Affairs, to which was referred the petition of Poas Hadgo, a Creek Indian, report :

That petitioner states that he was entitled to a reservation of land of one mile square, to include his improvements, under and by virtue of the treaty concluded on the 9th day of August, 1814, between the United States and the chiefs, head men and warriors of the Creek nation. That for the same he received a patent, bearing date the 5th day of October, 1826, for fractional section eighteen, township six, in range thirty east, in the State of Alabama, in the district of lands offered for sale at Sparta in that State. That he continued to reside on and occupy said lands until the year 1828, when the emigrating agent of the McIntosh party of the Creek nation induced him to emigrate with them, west of the Mississippi, by representing that petitioner was secure in the title to the reservation for which, as before stated, he held the patent of the Government. That petitioner has been informed since his removal, that he has forfeited his right to said land; and he now prays that Congress may vest in him, his heirs, and assigns, a fee simple title to the same. Your committee have examined petitioner's case with attention, and have ascertained that a patent, in manner and form as set forth, was issued to him as above stated, on the 5th day of October, 1826, for the fractional section eighteen, township six, range thirty east, in the land district of Sparta, in the State of Alabama. It also appears by the affidavit of Colonel David Brearly, who was emigrating agent of the McIntosh Indians, in 1828, and by the extract of a letter from said Brearly, written to Chilly McIntosh in that year, that inducements were held out through him to reserves to remove west of the Mississippi, upon the condition, that they should thereafter receive one dollar and a quarter per acre for the reservations abandoned by them. It further appears to your committee, that authority was conferred for such purchase by the act of the 20th February, 1819, relative to reservations granted under the treaty of 9th of August, 1814. It further appears, from the statement of Colonel Brearly, that when he applied for compensation for said reservation at the proper department, subsequent to the removal of Hadgo west of the Mississippi, he was told that on further examination of the law, it had been discovered that it gave no authority to make the purchase in question. For

as much therefore as the said Hadgo appears to have been induced to abandon his reservation on the 'pledge of the authorized emigrating agent, that he should be paid for it; and as it amounts almost to a certainty that if he had remained upon it until the conclusion of the treaty of 1832, he would have been placed on an equal footing with the rest of his tribe, your committee recommend an appropriation for the purchase of said reservation at the price of one dollar and twenty-five cents per acre, and for that purpose report a bill.