

ISAAC WELLBORN, JR.

[To accompany bill H. R. No. 108.]

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DECEMBER 22, 1837.

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Mr. CHAPMAN, from the Committee on the Public Lands, made the following

### REPORT:

*The Committee on the Public Lands, to which was referred the petition of Isaac Wellborn, jun. beg leave to report:*

That the same subject was referred to the Committee on the Public Lands at a former session, who made a favorable report thereon, which, with the evidence on file, your committee have examined, and now adopt the report then made as part of this, and report a bill.

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DECEMBER 23, 1834.

*The Committee on the Public Lands, to which was referred the petition of Isaac Wellborn, jun. beg leave to report:*

That the petitioner represents himself the purchaser of a tract of land in Jackson county, Alabama, which was reserved to one Thomas Harrison, the head of an Indian family, under the treaties concluded between the United States and the Cherokees, in July, 1817, and February, 1819. He states that he purchased fairly, and for an adequate consideration, of an individual who derived title from the sole heir of said Thomas Harrison, who continued to reside on said reservation during his life, and died thereon. He asks a confirmation of his title, that he may securely enjoy his rights and the product of his labor. The proof which accompanies the petition establishes satisfactorily that said Harrison continued to reside on said reservation till his death; that he left but one child, a daughter, who married one Samuel Guntre, and united with him in a sale and conveyance to Edward Guntre; and that the latter sold and conveyed to the petitioner and his brother, William Wellborn. Authenticated copies of the deeds of conveyance, in both instances, accompany the petition. It also appears that the widow of Harrison is dead. By the terms of the treaty under which this reservation is claimed, the heads of Indian families were entitled to a "life estate, with a reversion (remainder) in fee simple to their children, reserving to the widow her dower;" but it is expressly "provided, that if any of the heads of families for whom reservations may be

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made, should remove therefrom, then, in that case, the right to revert to the United States." The object of the petitioner is, no doubt, to guard against the loss of the testimony, (it being merely parol,) by which he is now able to prove the continued residence and death of the reservee on the tract of land, and which might hereafter result in the defeat of his title. Under this view of the case, the committee believe it but reasonable to quiet the title, by the relinquishment of the reversionary interest of the United States; and, for that purpose, they report a bill.

## REPORT:

That the same subject was referred to the Committee on the Public Lands at a former session, who made a favorable report thereon, which with the evidence on file, your committee have examined, and now adopt the report then made as part of this and report a bill.

December 25, 1854.

The Committee on the Public Lands, to which was referred the petition of James Whitcomb, Jan. 25, 1854, to report.

That the petitioner represents himself the purchaser of a tract of land in Jackson County, Alabama, which was reserved to one Thomas Harrison, the head of an Indian family, under the treaties concluded between the United States and the Cherokee, in July, 1817, and February, 1819. He states that he purchased said land, and for an adequate consideration, of an individual who derived title from the sale of said Thomas Harrison, who continued to reside on said reservation during his life, and died thereon. He makes a confirmation of his title, and he may securely enjoy his right and the product of his labor. The proof which accompanied the petition establishes satisfactorily that said Harrison continued to reside on said reservation till his death; that he left but one child, a daughter, who married one Samuel Stanton and carried with him in a wife and conveyance in Edward Connor; and that the latter sold and conveyed to the petitioner and his brother, William Whitcomb. Antiquated copies of the deeds of conveyance in both instances, accompanying the petition. It also appears that the widow of Harrison is dead. By the terms of the treaty under which this reservation is claimed, the heads of Indian families were entitled to a life estate, with a reversion (remained) in fee simple to their children, surviving to the widow her dower; but it is expressly provided that if any of the heads of families for whom reservations may be