IMPROVEMENTS LOST BY TREATY WITH CHOCTAW INDIANS.

[To accompany Senate bill No. 43.]

MARCH 2, 1838.

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

REPORT:

The Committee on the Public Lands have had under consideration Senate bill No. 43, granting 160 acres of land to the settlers who were compelled to abandon their improvements under the treaty with the Choctaw Indians in the year 1825, and make the following report:

To arrive at a satisfactory conclusion as to the justice of the provisions of the bill, it may be proper to state that the Territory of Arkansas, previous to the treaty, extended her jurisdiction and had organized counties extending near forty miles west of her present western boundary, as fixed by the treaties with the Choctaw and Cherokee tribes of Indians. By a treaty with the Cherokees in 1828, all that portion of the Territory west of the present boundary, and north of the Arkansas river, was ceded to the Cherokees; and by the treaty of 1825, all that portion of the Territory west of the present western boundary, and south of the Arkansas river, and north of Red river, was ceded to the Choctaws; which section of country was occupied by and in possession of the citizens which this bill provides for.

The western part composed the most fertile and healthy portions of the Territory, and opened such strong inducements to emigrants, that the country north of the Arkansas river was soon settled with an honest and respectable population, very many of whom had made lasting and valuable improvements, but who were compelled to abandon them after the treaty of 1828; but, for the loss of their improvements and the abandonment of their homes, Congress, without hesitation or delay, donated to each settler in the country so ceded 320 acres of any unappropriated public lands in

the Territory of Arkansas.

That portion of the Territory ceded to the Choctaws, or a large portion of it, is steril, with a very sparse population, but included a portion of ten or more organized counties, over which the Territory of Arkansas extended her jurisdiction. The citizens provided for in this bill were residents on that portion of the ceded country, and who were compelled to remove east of the line within a certain time stipulated in the treaty; and who did, in obedience to the proclamation of the President of the United States, leave their homes and improvements, and removed east of the line, out of the ceded territory, as will be more fully seen by reference to the Tromas Allen, point.

1st article of the treaty of the 20th of January, 1825. (See 1st vol. Land

Laws, page 233.)

The settlers in this part of the Territory are, in every respect, as much entitled to relief as those who have been provided for north of the Arkansas river. In both instances, the Indian title had been extinguished; and the citizens in that portion of the Territory had no right to fear or anticipate a cession of the country to the Indians; but inasmuch as it has been done, the committee see no reasons why the Government should not, in justice to her citizens, make a reasonable compensation for their losses; they therefore recommend that the bill do pass.

REPORT:

The Committee on the Public Lands here had under consideration Stuate hill No. 43, granting 160 acres of land to the orthers who were congelled to abandon their improvements under the treaty with the Chlocian Jadians in the year 1825, and make the following reports

To wrive at a satisfactory conclusion as to the justice of the provident of the bill, it may be proper to state that the Territory of Arkans a previous the besty, extended her jurisdiction and had organized country extending as a forty miles west of her present western boundary, as fixed by the treates with the Cherokee in 1839, all that portion of the Territory west of the present boundary, and sorth of the Arkansos river, was suded to the Cherokee; and by the treaty of 1825, all that portion of the Territory west at the present western boundary, and south of the Arkansos river, and north of Red river, was caded to the Chectaws; which socion of country was pocupied by and in possession of the citizens which socion of country was pecupied by and in possession of the citizens which this bill consider for

The western part composed the most farile and healthy performs of the funders, and opened wich strong inducementate emigrants, that the common to the Arkansas river was good settled with an house, and results population, very many of whom had made lesting and results population, very many of whom had made lesting and results for the less of their improvements and the algorithm of the fresh of the less of their improvements and the algorithm of their improvements and the algorithm of the residual decrease. Congress, without he situation or delay, donated to each selfer a decrease of any unappropriated public lasts in

That perion of the Torrhoty ceded to the Cheeraws, or a large portion of it, is steril, with a very sparse population, but included a portion of an is steril, with a very sparse population, but included a portion of the countries, over which the Torrhoty of Arkbussas exceeds her purion of the ceded country, and who were compelled to reduct on that perion of the ceded country, and who were compelled to remove seast of the line within a certain time stipulated in the treaty; and the did, in obedience to the proclamation of the President of the United States, have their hentes and improvements, and removed cast of the Mao, and the coded territory, as will be more fully seen by reference to the

Traine will A at mount