

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 sterile, 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

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

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

The Committee on the Public Lands have had under consideration the bill No. 43, granting 100 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, from west to the treaty extended her jurisdiction and had organized counties extending near forty miles west of her present western boundary, as made 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 the bill provides for.

The western part composed the most fertile and healthy portions of the Territory, and opened rich strong inducements to emigrants that the country south 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 1825; 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 sterile, with a very sparse population, but included a portion of an organized committee, 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 west 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