29th Congress, 1st Session. Rep. No. 427. Ho. of Reps.

PRE-EMPTION TO ACTUAL SETTLERS.

[To accompany bill H. R. No. 235.]

MARCH 14, 1846.

Mr. T. SMITH, from the Committee on Public Lands, made the following

REPORT:

The Committee on Public Lands, to whom was referred a joint resolution of the General Assembly of the State of Indiana in favor of the passage of an act for the relief of the pre-emption settlers on the Miami reserve; also, the petition of John Coulter and 412 other settlers upon said tract, and of 326 other citizens of Indiana; also, the petition of Thomas Smith and 64 other citizens of said State; also, the petition of Wm. H. Donaldson and 16 other citizens of said State; also, the petition of Joshua Dimitt and 410 other citizens of said State upon the same subject, and "House bill No. 235 to grant the right of pre-emption to actual settlers on the lands acquired by treaty from the Miami Indians in Indiana," have had the same under consideration, and beg leave to report:

That upon an examination of this subject, they find that the original cause of the exclusion of the settlers upon this tract from the benefits of the general pre-emption system, is found in the fact, that the general assembly of the State of Indiana, in the year 1838, being then engaged in the prosecution of an expensive system of internal improvement, and under the speculative feelings then so generally prevalent, did, by memorial and joint resolution, ask of Congress to grant to *the State* the right to enter for the use of the *State*, for the purposes of internal improvement, this tract at the minimum price of the public lands, and thereby made it incumbent upon the Senators and Representatives of said State to take such action upon the various general acts of pre-emption as to preclude a portion of her own citizens from enjoying their benefits. This expectation of the State of pre-empting this vast tract in her corporate capacity has long since ceased, and the general assembly of Indiana now come forward by memorial and joint resolution, and ask that the benefits of the pre-emption system may be extended to her citizens upon this tract, in conformity with the long-established usages of the government.

Your committee have carefully weighed all the circumstances surrounding this question, and can find no objection to granting the prayer of the petitioners, except that the cost of this tract has been greater than that of the public domain generally, and this objection will be found to be obviated by an increase of the minimum price to two dollars per acre.

Upon inquiry at the General Land Office, it is found that these lands

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comprise nearly one million of acres; and that from the field-notes of the surveys, as far as the same have been returned, the character of the land is *second rate.*

With a jealous watchfulness over the interests of the government, and at the same time with a sincere desire to protect the hardy pioneer from the machinations of heartless speculators, your committee recommend that these lands be sold to actual settlers at $2 per acre, at which price the government will be making as large an advance upon their cost as is believed has usually been made upon the sale of the public domain. Your committee, therefore, report back "House bill (No. 235) to grant the right of pre-emption to actual settlers on the lands acquired by treaty from the Miami Indians in Indiana," with one amendment, and recommend its passage.