

ANNEX CHEROKEE TERRITORY TO THE COOSA AND HUNTSVILLE LAND DISTRICTS, AND REMOVAL OF THE OFFICE FROM MARDISVILLE.

[To accompany Senate bill No. 1.]

FEBRUARY 9, 1842.

Mr. THOMPSON, of Mississippi, from the Committee on the Public Lands, made the following

REPORT:

*The Committee on the Public Lands, to whom were referred several memorials from the Legislature of the State of Alabama, and numerous petitions from citizens of that State, residing within the territory acquired from the Cherokee tribe of Indians, by the treaty of New Echota of December 29, 1835, on the subject of establishing a new land district, or otherwise providing for the disposition of the lands ceded by said treaty lying within that State; and also Senate bill No. 1, providing for the establishment of a separate land district, embracing said territory, have instructed me to make the following report:*

That the Legislature of Alabama, since the treaty of New Echota, in 1835, with the Cherokee tribe of Indians, has memorialized Congress several times, in reference to this subject, generally favoring the establishment of a new land district, and always pressing an early disposition of the lands by the United States. At the session of 1840-'41, two memorials passed said Legislature, one asking Congress to establish a new land district, the other to annex the Cherokee country to the Coosa land district, in that State; and at the session in May last, another memorial for a new district. The repeated action of the Alabama Legislature on this subject is presumed to have been induced by the known solicitude among the settlers on those lands, who are desirous of availing themselves of the provisions of the pre-emption laws of 1838 and 1840, to enter their lands. Congress did not act on the subject for several years, because the removal of the Indians west of the Mississippi river was delayed, and the surveys consequently were not completed. Twelve months ago, however, the surveys were finished, and maps of the country made out; and at the last session of the preceding Congress two bills passed the Senate on this subject—the first one establishing a new land district; the second one, at a subsequent period of the session, annexing the greater part of said territory to the Coosa land district, and the remainder to that at Huntsville, in conformity with the second memorial of the Legislature. These bills, for the want of time, were left among the mass of unfinished business in the House of Representatives. Another memorial of the Alabama Legisla-

ture, adopted at its present session, sets forth that "the immediate privilege of entering their lands is of paramount consideration to all others with the citizens of said territory," and requests Congress to pass "a law as early as practicable, having for its object the establishment of a separate land district, or the annexation of said territory to the Coosa land district, whichever can most readily be accomplished;" and, "in the event of annexation of the said territory to the Coosa land district," the removal of the land office now located at Mardisville, in said district, to some eligible point at or near the centre of the Cherokee territory, is requested. A letter, also, from all the members of the Legislature representing the Cherokee country concurs with this memorial in every essential point. Another memorial of the Alabama Legislature asks that so much of the Cherokee country as may lie south of the Tennessee river, in the county of Jackson, may be attached to the land district provided for the sale of the residue of those lands.

Application has been made to the Commissioner of the General Land Office for information on this subject, and for his opinion as to the best course to accomplish the objects in view; and whether it would be most advisable to create a new district for the lands in question, or to annex them to adjacent districts. The following extract from the letter of the Commissioner will exhibit his views:

"In reply, I have to state, that in my opinion it would be preferable to annex the lands to the Huntsville and Coosa districts; by which means the expense of a new office and the time necessary to get it into operation would be saved, and the lands might be brought into market at a much earlier day, as desired."

The Coosa land district is small, and it is presumed that the lands lying within it, in the least degree desirable, have been sold out. The extent of the Cherokee territory which adjoins the Coosa district is not sufficient to justify Congress in incurring the additional expense of forming a new district. With a view, therefore, of conforming, as far as practicable, with the views of the Alabama Legislature and with the wishes of the citizens residing on the Cherokee lands, the committee report a bill providing for the annexation of the Cherokee territory to the Coosa and Huntsville land districts, in the State of Alabama, and for the removal of the office at Mardisville to some central position in the Cherokee country, as an amendment to the Senate bill No. 1.