

STEPHEN JOHNSTON—HEIRS OF.

[To accompany joint resolution No. 38.]

JUNE 17, 1846.

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

REPORT :

*The Committee on Public Lands, to whom was referred the petition of Stephen Johnston and Eliza Winans, late Eliza Johnston, report as follows:*

It appears that Stephen Johnston, (father of the petitioners,) sub-agent of the United States, was killed by the Pottawatomie tribe of Indians in the year 1812, and that said Indians made a donation of one half section of land to the heirs of the said Johnston, which was reserved from sale to the United States by treaty of 26th October, 1826, to be selected and located under the direction of the President of the United States, which was done by an agent appointed for that purpose; but the land so selected was of an inferior quality, and deficient in quantity; in consequence of which, in the year 1840, Congress passed an act authorizing said heirs to relinquish said land to the United States, in lieu of which, the Commissioner of the General Land Office was to issue a certificate to said heirs, to be receivable in payment for any half section not subject to pre-emption; all of which has been done. That said land has been relinquished to the United States, and that the certificate so issued was tendered by said petitioners in payment for one half section of land bought by the petitioners at the sale of the Wyandot lands, and, under the instructions of the Commissioner of the General Land Office, the register and receiver refused to receive it.

The petitioners pray Congress to pass an act authorizing the Commissioner of the General Land Office to cause the register and receiver of the land office at Upper Sandusky, Ohio, to receive in payment the said certificate for the half section of land bought by the said petitioners at said sale; provided the minimum price of said half section shall not exceed the price of each alternate half section along the Maumee canal.

The committee, believing the claim of the petitioners to be just and equitable, report a joint resolution, and recommend its passage.

Ritchie & Heiss, print.