

IN SENATE OF THE UNITED STATES.

JANUARY 21, 1840.

Ordered to be printed.

Mr. SEVIER submitted the following

REPORT :

The Committee on Indian Affairs, to whom was referred the petition of Jubal B. Hancock, report :

That the petitioner, Jubal B. Hancock, alleges in his petition that he was entitled, as the head of a Choctaw family, to one section of land in his own right, and to one other section in the right of his two oldest children, and to an additional quarter section in right of his youngest child, making in all two sections and a quarter. This land he claims under the provisions of the fourteenth section of the Choctaw treaty, made at Dancing Rabbit creek in the year 1830. He further states that he has never forfeited his right to this quantity of land, but, on the contrary, has done all he could to perfect his right; and, having failed at the proper department to attain it, he concludes his petition by asking Congress either to grant him the land he selected or to give him its value in money, being thirty or forty thousand dollars.

It appears that Hancock is a *white man*, and not an Indian or Choctaw, and is not, therefore, in the opinion of the committee, entitled to the benefits conferred by the provisions of the fourteenth section of the aforesaid treaty, although he was married to a woman of Choctaw descent. In this opinion the committee are unanimous, if there were no other reasons prejudicial to this specific case. But, in this case, it appears that Hancock had, before the execution of the treaty, separated from his wife, with whom he had been living in the State of Tennessee, and his wife was not residing in the Choctaw nation when the treaty was made, nor for years before, nor has she ever lived with Choctaws since, being now, as the committee understand from the petitioner, a citizen of the State of Missouri.

The committee report the following resolution :

Resolved, That the prayer of Jubal B. Hancock ought not to be granted.

Blair & Rives, printers.