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Claims between the Rio Hondo and Sabine Rivers (to accompany bill H. R. no. 797).

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CLAIMS BETWEEN THE RIO HONDO AND SABINE RIVERS.

[To accompany bill H. R. No. 797.]

DECEMBER 30, 1836.

MR. HUNTSMAN, from the Committee on Private Land Claims, made the following

REPORT :

The Committee on Private Land Claims, to which were referred the documents pertaining to various land claims, for lands lying between the Rio Hondo and Sabine rivers, respectfully report :

That the register and receiver of the southwestern land district was directed by the act of Congress of the 3d of March, 1823, and a supplemental act thereto, passed on the 25th of May, 1824, as commissioners to examine into the claims, take testimony, &c., and recommend for confirmation or rejection, to Congress, such claims as should be submitted them in a given time, as will more fully appear by a reference to said acts. The register and receiver, in pursuance of said authority, proceeded in the performance of the duty assigned them, took testimony, and adjudicated many claims, confirming some and rejecting others. Among those which were recommended for confirmation, were a certain number which were suspended by Congress in the passage of an act of the 24th of May, 1828, (which confirmed the balance,) as the act recites that they should be suspended "until it is ascertained whether they are situated in the country claimed by the Caddo Indians."

There has been no information obtained upon this point; but it is believed there has been sufficient information obtained to supersede the necessity of that inquiry. It is believed by the committee, from the best information within their reach, that the Caddo Indians had no right of any sort there, except a permissive right, and that the citizens who claimed by habitation, cultivation, or otherwise, were not trespassers or intruders upon the Indian lands. A thorough inquiry has been made of the Secretary of War, for such information as was in possession of his department in relation to the country from whence the Caddoes came; what time they settled in the country in question; and what right they hold and claim in these lands.

The Secretary has communicated all the information at his command, which, taken with his correspondence with one of your committee, is too voluminous to incorporate in this report. And although there is no direct evidence which is absolutely conclusive, yet there is much circumstantial testimony which is extremely persuasive, to establish these facts :

That, anciently, these Indians inhabited a country much farther southwest than the one which is now the subject of inquiry; that about thirty

years ago they were driven by their enemies (the Osages) from the country they then inhabited upon the white settlements, where they were permitted to remain until the late treaty with them, in the making of which it appears that the Secretary of War did not consider that they had any title to the country, but was induced to give them the sum, perhaps, \$30,000, to relinquish their possessions and go off *peaceably*, as will more fully appear by the correspondence upon that subject.

The committee are therefore of opinion that those cases which were suspended by the 1st section of the act of 1828, are as meritorious as those which were confirmed, and have reported a bill for the confirmation of those claims which were suspended.

Mr. Livingston from the Committee on Private Land Claims made the following
REPORT:

The Committee on Private Land Claims to which was referred the

That the register and receiver of the southwestern land district was directed by the act of Congress of the 1st of March, 1828, and a supplemental act thereto, passed on the 23rd of May, 1828, a commissioner to examine into the claims, take testimony, &c., and recommend for confirmation or rejection of the same such claims as should be admitted them in a given time as will more fully appear by a reference to said acts. The register and receiver, in pursuance of said authority, proceeded in the performance of the duty assigned them, took testimony, and submitted the same, including some and rejecting others. Among those which were recommended for confirmation, was a certain number which were contained in the passage of an act of the 23rd of May, 1828, (which contained the proviso) as the act recites that they should be rejected, and it is ascertained whether they are situated in the country claimed by the

There has been no allegation obtained upon this point; but it is believed there has been sufficient information obtained to supersede the necessity of that inquiry. It is believed by the committee from the best information within their reach, that the Indian Indians had no right of any sort here, except a permissive right, and that the claims were claimed by the Indian, cultural, or otherwise, were not trespasser Indians upon the Indian lands. A thorough inquiry has been made of the Secretary of War for such information as was in possession of his department in relation to the country from whence the Indian came, what time they settled in the country in question, and what right they held and claim in these lands.

The Secretary has communicated all the information at his command which, taken with the correspondence with one of your committee, is too voluminous to incorporate in this report. And although there is no direct evidence which is especially conclusive, yet there is much circumstantial testimony which is extremely persuasive to establish these facts:

That, successively, these Indians inhabited a country much larger south-west than the one which is now the subject of inquiry; that about thirty