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Louisa E. Trickel (To accompany bill H.R. no. 246.)

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H.R. Rep. No. 280, 27th Cong., 2nd Sess. (1842)

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LOUISA E. TRICKEL.

[To accompany bill H. R. No. 246.]

MARCH 8, 1842.

Mr. MOORE, from the Committee on Private Land Claims, made the following

**REPORT :**

*The Committee on Private Land Claims, to whom was referred the petition of Louisa E. Trickel, report :*

That the petitioner states that she is the widow of Emanuel Trickel, deceased, late of the parish of Natchitoches, and State of Louisiana ; and that her said husband inhabited, occupied, and cultivated, a tract of land situate in the late "neutral territory," on the Chatadina, being section 13, township 21 north, range 15, on and previous to the 22d February, 1819 ; and that, by reason thereof, she, as widow, together with the children and heirs of the said Trickel, have an equitable claim to said section of land. That her said husband laid his claim before the register and receiver of the land office at Opelousas, acting as a board of commissioners under the acts of 3d March, 1823, and 25th May, 1824 ; and that the same was reported by them for confirmation, but improperly suspended. Proof of inhabitation, occupation, and cultivation, as stated, accompanies the petition ; also a certificate of the parish judge of Natchitoches, by whom the witnesses were sworn, that they are entitled to credit.

On referring to the State Papers, vol. 4, p. 69, report 1st November, 1824, No. 231, the claim, as stated, is found reported in the third class for confirmation. By an act approved 24th May, 1828, this class were all confirmed, except some few named, which were suspended "until it is ascertained whether they are within the limits of the land claimed by the Caddo Indians." This claim seems to have been among those thus suspended. The questions then arise, did there exist any recognised limits to the land claimed by the Caddo Indians, and was this claim within such limits?—both questions difficult to answer, as, from the best information before the committee, there seems to have been no recognised limit known to the land claimed by them.

In a letter from the Secretary of War, dated 17th March, 1836, in answer to inquiries on the subject, he states : "I cannot find that the Government of the United States has ever recognised any claim of the Caddo Indians, and my impression is that no country was actually assigned to them by the Spanish Government. This impression is confirmed by the fact, as I understand it, that settlements have been made and claims acquired by white

persons, without any regard to definite boundaries." "I am under the impression that they were permitted to remain there by the Spanish Government, without any assignment of any particular district to them; nor can I ascertain that since the cession there has been any specific recognition of their claim. The Commissioner was therefore instructed to procure from them a cession of their right of occupation of the district in which they resided." "Accompanying this letter is a report of Col. Maury, made by order of the War Department, dated Fort Jesup, 6th January, 1835, in which it is stated that 'these Indians formerly lived higher up the Red river, in the vicinity of the Kiamichi, but were driven from thence by the Osage Indians, upwards of thirty years since, when they settled where some of them still reside. During Captain Gray's agency, he assigned to these Indians, by order of the Secretary of War, a tract of country lying on the Red river, between the Sulphur fork and the Cypress bayou, and extending up those streams to their sources, thence west to the Sabine.' "

This statement leads your committee to the opinion, that the Spanish Government had never recognised any definite limits to their claim, and that they occupied that district of country by mere sufferance, and had no equitable claim to any portion of it, and therefore do not think it necessary to prosecute further inquiry; and report a bill to confirm a section of land to the widow and heirs of Emanuel Trickel, with a proviso that it shall only amount to a quitclaim from the United States, and shall not affect the right of third persons.