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### Besiah, an Indian

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H.R. Rep. No. 542, 28th Cong., 1st Sess. (1844)

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BESIAH, AN INDIAN.

[To accompany bill H. R. No. 184.]

JUNE 7, 1844.

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

REPORT:

*The Committee on Public Lands, to whom was referred a bill entitled "An act for the relief of Besiah, an Indian," report :*

That the land reserved to said Besiah, by the treaty with the Pottawat-omie Indians, and which he now asks privilege to locate, has all been located and at his disposal, agreeably to said treaty, as said committee are informed by the accompanying letter of T. H. Crawford, and therefore report that said bill ought not to pass.

WAR DEPARTMENT,  
Office Indian Affairs, March 13, 1844.

SIR: As a reply to your letter of the 29th ultimo, in which you ask to be informed respecting the action that has been had on the subject of Besiah's reservation, I have the honor to state, that, from the land ceded to the United States by the treaty of October 27, 1832, with the Pottawat-omie Indians of Indiana and Michigan, a reservation of four sections was made for Besiah.

On the 5th of October, 1835, the President conditionally approved the location of two of Besiah's sections, viz: sections 13 and 14, in township 31 of range 4 east, Indiana; and in January, 1839, they were unconditionally approved by the President.

On the 29th of March, 1837, section (fractional) 36 in township 37 of range 8 west, 2d meridian, and section 6, in township 36 of range 7 west, Indiana, were allotted by the President of the United States to Besiah, in lieu of sections 18 and 20, township 31, of range 11 east, Illinois, which had been previously selected, but the selection set aside.

It appearing that the two sections first above named had been sold, either in whole or in part, by the United States, as public lands; and Besiah, the reservee, through his agent, alleging that the two other sections were useless to him, the land being worthless, application was made to me, at various times, to permit a relocation to be made of the entire reservation. I duly considered the proposition, and decided that, as (under the construction given to the grant by the Attorney General) the reservee can sell only to the United States, it is inexpedient to change the selections. That

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decision was communicated to the attorney of Besiah on the 3d of August, 1840, since which time no further action has been had by this office upon the case.

Very respectfully, your obedient servant,  
**T. HARTLEY CRAWFORD.**

Hon. S. C. SAMPLE,  
*House of Representatives.*

June 7, 1844

The Commission on Public Lands, in their report to the Committee on Public Lands, upon the following

REPORT

The Commission on Public Lands, in their report to the Committee on Public Lands, upon the following

That the land reserved to and held by the United States, and which is not now being sold, is being

W. A. Hartley Crawford  
Office of the Attorney General, June 7, 1844.

As a reply to your letter of the 20th instant, in which you ask to be informed respecting the status of the land held on the subject of Besiah's application, I have the honor to say, that from the time when the United States by the treaty of October 27, 1804, with the Emperor of Russia, acquired the territory of Louisiana and Mississippi, a commission of land survey was made for Louisiana.

On the 24th of October 1822, the President constitutionally approved the location of two of Besiah's sections, viz: sections 17 and 18 in township 31 of range 4 east, Indiana; and in January, 1823, they were successively approved by the President.

On the 20th of March, 1827, section (part of) 35 in township 31 of range 4 west, Indiana, and section 6 in township 30 of range 7 east, Indiana, were selected by the President of the United States to hold to him in sections 18 and 24 township 31 of range 4 east, Illinois, which had been previously selected, but the selection was void.

It is apparent that the two sections had also been sold and the proceeds in part by the United States in public lands, and Besiah's application through his agent, alleging that the two other sections were not being sold, and being without application was made to the Secretary of the Interior, in relation to the sale of the said sections. I duly examined the proposition, and decided that in order to give effect to the grant by the Attorney General, the sections can only be sold to the United States, it is necessary to change the selection. That