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### Title to certain lands in the State of Ohio.

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H.R. Rep. No. 178, 46th Cong., 2nd Sess. (1880)

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## TITLE TO CERTAIN LANDS IN THE STATE OF OHIO.

FEBRUARY 5, 1880.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. MYERS, from the Committee on Private Land-Claims, submitted the following

### REPORT:

[To accompany bill H. R. 3132.]

*The Committee on Private Land-Claims, to whom was referred the bill (H. R. 3132) to confirm the title to certain lands in the State of Ohio, report as follows:*

The land described in the bill is a section containing six hundred and forty acres situated in Auglaize County, Ohio, which was granted to the heirs of the late Shawnese chief, Captain Logan, by the eighth article of a treaty concluded September 29, 1817, between the United States and certain Indian tribes then living in Ohio. That subsequently, to wit, on the 17th day of September, 1818, a supplemental treaty was made with said Indians, by which the former treaty was modified in language as follows:

That the tracts of land are to be granted by the United States to the persons named; shall never be conveyed by them, or their heirs, without the permission of the President of the United States.

The patent (a certified copy of which has been submitted) granting the lands as aforesaid bears date April 18, 1821.

Proof has been furnished that the said heirs of Captain Logan, prior to the year 1824, for a valuable consideration, conveyed said tract of land to one Marcus Heylin, who was a reputable merchant at the town of Urbana, State of Ohio, and with whom the Indians were accustomed to trade. That on or about the year 1824 the said Marcus Heylin died and the said tract of land became the property of his heirs, who conveyed the same to Amos Bowsher, of Ross County, Ohio, in 1852, and the present occupants, Madison J. Bowsher, Albert Bodkin, and Francis M. Bowsher, heirs of said Amos Bowsher, each received a third part of said sections, as appears from the original deeds submitted.

It is in evidence that they, and the parties through whom they hold, have been in continuous and undisturbed possession of said land since the year 1824, a period of fifty-five years, and have placed thereon very valuable improvements; that it has been in the undisturbed occupation of the present owners for a period of twenty-eight years, and that until recently they had rested in the belief that their title was perfect; that in endeavoring to effect a loan of money on a portion of said land it was discovered that the approval of the President to the first sale or transfer had not been secured, or, if secured, the record of the same had been lost. At no time has there been any adverse title of any nature alleged

or claimed to the land in question, but that continuous and peaceable possession has been held by themselves and their vendors; that they have continuously paid taxes on the same, and have cultivated and greatly enhanced, by permanent improvement, the value of the land; that they paid the full value for the land at the date of their several purchases, under the belief that they were obtaining perfect title thereto.

The committee are of the opinion that the title should be confirmed, and fully and absolutely vested in the present owners, and report the bill and recommend the passage of the same.

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