

1-17-1881

## Act to Confirm Title to Land in Ohio

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IN THE SENATE OF THE UNITED STATES.

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JANUARY 17, 1881.—Ordered to be printed.

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Mr. EDMUNDS, 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 House bill No. 3132, entitled "An act to confirm the title to certain lands in the State of Ohio," having carefully considered the same, respectfully report as follows :*

By the treaty of 29th September, 1817 (vol. Indian Treaties, p. 163), between the United States and the Wyandotts, Seneca, Shawnees, and Ottawa tribes of Indians, 640 acres of land were granted to the children of the Shawnees chief, Captain Logan, and the same was to be ascertained and set out accordingly. By the treaty of 17th September, 1818 (vol. Indian Treaties, p. 179), between the same parties, it was agreed that this land should not be alienated by the children and heirs of Logan without the consent of the President. On the 18th day of April, 1821, by patent of that date, the President executed the provision in the first named treaty, and conveyed to the children of Logan the 640 acres by metes and bounds. It is alleged, and, as the committee believe, truly, that the children of Logan soon afterward conveyed the land with the consent of the President, although the record evidence of such conveyance is not to be found. An ancient fragment of a deed, partly destroyed by mice, is produced, of which sufficient is left to show it purports to be a conveyance of this land, and on which is indorsed, probably in the handwriting of the Indian agent, what purports to be a copy of a letter from John C. Calhoun, then Secretary of War, to the Indian agent, stating that the President does consent to the sale. It is alleged, also, and the committee believe truly, that for more than 50 years there is a continuous chain of title, which has been accompanied by possession, to the present occupants. But inasmuch as the United States parted with all its title by patent, the question of present ownership is purely one of private right; it is thought that the United States ought not to undertake to do more than to waive and relinquish the limitation before mentioned upon the power of the children of Logan to convey. The committee accordingly recommend that the bill be passed so amended as to conform to this opinion by striking out the lined words and inserting those in italics.

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