

University of Oklahoma College of Law

University of Oklahoma College of Law Digital Commons

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

2-1-1838

Report : Mr. Fulton

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indigenous, Indian, and Aboriginal Law Commons](#)

Recommended Citation

S. Doc. No. 152, 25th Cong., 2nd Sess. (1838)

This Senate Document is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact Law-LibraryDigitalCommons@ou.edu.

IN SENATE OF THE UNITED STATES.

FEBRUARY 1, 1838.

Submitted, and ordered to be printed, and that 1,500 additional copies be furnished for the use of the Senate:

Mr. FULTON submitted the following

REPORT :

[To accompany Senate bill No. 194.]

The Committee on Public Lands, to whom was referred the resolution to inquire into the expediency of granting a half-section of land to all settlers who shall continue to occupy and cultivate, for a limited number of years, any of the public lands bordering upon the country to which the Indian tribes have been removed, as a means of adding to the security and defence of the citizens of the States so situated, beg leave to report :

That the Government has succeeded in effecting the removal, from the east to the west of the Mississippi, a vast number of Indians of various tribes, who are now settled near to each other, and close upon the borders of the States of Missouri and Arkansas. On this account, the citizens of those States are exposed to great danger; and should hostilities ever break out between those Indians and our country, and an alliance be formed amongst them, they would be able to concentrate a force sufficient to endanger the lives and property of the inhabitants, and spread desolation and ruin throughout the frontier settlements. Thus are the citizens of Missouri and Arkansas placed in the very face of danger; and, as this state of things has been produced by the action of the Government itself, the obligation to afford to the people the most ample protection is more than doubled. Many of the frontier settlers established themselves before the present policy of the Government was adopted; and all who have since settled, have done so in the confident belief that, in proportion as the dangers of their situation were increased, in the same proportion would the means of defence and security be afforded them. In offering those lands for sale, and inducing our citizens to settle them, a peaceable and quiet possession was most solemnly guaranteed to all the purchasers. And, as much the larger proportion of the most valuable lands have already been sold and settled, it would seem to be the most just as well as judicious appropriation of those which remain, to apply them as a means of defence to the settlements already established. Our citizens are no longer permitted to encroach upon the Indians, and a barrier has been created beyond which our settlements cannot pass. The Indians, also, are no longer to be subject to removal; their country is secured to them by all the means our Government is capable of adopting, and a fixed boundary is consequently established on both sides, beyond which neither our citizens nor the Indians are permitted to extend their settlements.

Our past experience has convinced us that, in case of a war between our country and a foreign power, the Indian tribes will be instigated to make war upon us. And, as we have no security against the calamities of war, our measures of defence should manifestly be adopted with an eye to the existence of such a state of things. The immense sacrifice of life and property, and the enormous expense, which the war in Florida is costing the Government, should convince us how much better it is to adopt measures to prevent rather than expose ourselves to become involved in a war, even with a single Indian tribe. How much greater must be the necessity to adopt every precaution calculated to prevent hostilities with, as well as to defend ourselves against, such a large number of the most powerful and warlike tribes, as are now collected together upon the western borders of Missouri and Arkansas. In consequence of their exposed situation, the weakness of the settlements, and the threatening aspect which our relations with those Indians have assumed, our frontier inhabitants have been filled with the greatest alarm; and unless they are soon convinced that their Government intends to take effectual measures to give them protection, and is willing to exert all the means in its power to render them not only secure, but safe, also, in the enjoyment of the possessions they have purchased from her, they will be compelled, at every sacrifice, to abandon their homes, and remove their families beyond the reach of danger; to prevent which, the Government is now called upon to act both promptly and efficiently.

Under these views, it is considered to be an object of the first importance to promote and obtain a dense settlement of able-bodied and enterprising men, convenient to the point of danger extending along the line of our southwestern frontier. To those who will thus expose themselves, and be willing to devote themselves to the service of their country, the inducement held out by the offer of a small tract of land appears to be the easiest mode which can be devised calculated to accomplish so desirable an object. No cheaper plan could be adopted for placing a strong and permanent force all along the frontier, than by offering the lands, which can only be occupied at the greatest hazard, to those who are prepared to peril every thing in their defence. By this means a large force could be collected at assailable points at the shortest notice, and at small expense to the Government; and the same protection will be given to the settlements which a large and expensive standing army would be capable of affording. In this manner, a large body of citizen soldiers can be collected together and placed in a state of readiness, at no other expense to the Government except the value of the land to which they will be entitled in consideration for the services rendered, and dangers to which they have exposed themselves.

As a part of the plan of military defences proposed to be established for the protection of the inhabitants of the frontier States, it is contemplated to enrol a volunteer force, to be organized and mustered into service; a portion of whom shall be required to do duty at stated periods, and the whole to be liable to be called into the field at a moment's warning. To aid this measure, it is proposed to offer as a bounty to each volunteer a quarter section of land, and as it is all important that these volunteers should reside as near as possible to the points where it may become necessary to employ them, their selections should be confined to those lands set apart for the purpose of defence.

In order to show that the fears of the citizens of those States who reside near to the Indian border, are not imaginary, and that the policy of the Government has concentrated there a formidable Indian force, the follow-

ing statement from an official document is presented for consideration. The number of Indians who have been already removed from the States to the south western frontier, is 51,327, to be increased, by the removal of the remainder of the Cherokees, Creeks, Chickasaws, Seminoles, and Appalachicola, 21,400; making the whole number of Indians to be settled close upon the border of the State of Arkansas, 72,727. The whole number of Indians with striking distance of the frontiers of the southwestern States, is 332,498, and assuming that every fifth one may be considered to be a warrior, (which is believed to be a very reasonable calculation,) the number of warriors within striking distance of the frontier settlements of the southwestern States is estimated at 66,499. And although it is not supposed that this whole force can ever be embodied in such a manner as to make a combined attack upon our settlements, yet such is the danger to which we are exposed, and such the possible combinations against which it is our duty to guard our people, so far, at least, as to place them in a judicious state of defence.

The resolution proposed the grant of a half section of land to each settler; but as the object is to have a dense settlement of hardy adventurers all along this exposed frontier, and as it is considered that a quarter section is as much land as ought to be given to each settler for the services he is required to perform, the quantity of land proposed to be granted to each settler is one quarter section. And in order to make this kind of defence as permanent as possible, and to make the services of the settler sufficiently valuable to justify the Government in offering him this bounty in lands, he is required to perform the military services and occupy the land for the term of five years, as the consideration upon which the land is to be granted to him. The accompanying letter from the Secretary of War, gives the views of that department upon this subject.

In order, therefore, to obtain as large a force as possible of able bodied and intrepid citizen-soldiers, to be located conveniently to the theatre of action, whose services can be secured at small cost to the Government, and who can be promptly organized at a moment's warning into the means of affording to our exposed southwestern frontier a greater degree of security and defence, the accompanying bill is reported to the Senate.

GENERAL LAND OFFICE,
January 27, 1838.

SIR: I have the honor to acknowledge the receipt of your communication of the 23d instant, relative to a proposition to appropriate as bounty lands, to encourage settlements on the frontier, for the purpose of aiding against Indian hostilities, a strip of land, three townships in width, extending along the western border of the States of Missouri and Arkansas, and requesting, for the information of the Committee on Public Lands, to be furnished with an estimate of the quantity of land which would be embraced within those limits; the quantity sold or otherwise appropriated, and, if known, what quantity is unfit for cultivation.

In reply, I have the honor to enclose herewith, the estimate, marked A from which it will be seen that the whole quantity which would be embraced in the limits, after deducting the number of acres sold and otherwise appropriated, would be, in round numbers, about five millions of acres. This estimate was made, supposing the proposed strip of land to begin on the Red river in Arkansas, and to extend north along the present western

boundaries of the States, as far as the Missouri river, thence continuing due north along the old western boundary of Missouri, to the old Indian line, or northern boundary of the State. If it is designed to take the land along the Missouri river, or the southwestern boundary of the Platte country, lately added to the State of Missouri, and, also, south, along the Red river and the Mexican line, being the southwest boundary of Arkansas, corresponding additions must be made to the estimate.

The surveys of one hundred and ninety townships, of the two hundred and thirty-seven, the whole number estimated, not having been returned to this office, I regret that, for want of the necessary data, I am unable to estimate the quantity unfit for cultivation within the proposed limits.

I am, sir, very respectfully,

Your obedient servant,

JAS. WHITCOMB, ¹¹
Commissioner.

To the Hon. W. S. FULTON,
Senate Chamber.

A.

ESTMATE of the quantity of land contained in a strip three townships in width, extending along the western boundary of the States of Missouri and Arkansas, from Red river to the northern boundary of Missouri; also, of the lands sold or otherwise appropriated within said limits, up to the 30th of November, 1837.

	Townships.	Acres.
Missouri, 46 townships from north to south, by 3 townships wide	138	
Arkansas, 33 townships from north to south, by 3 townships wide	99	
Whole number of townships	237	= 5,460,480.00
Surveyed, returned, and offered for sale in Missouri	34	
Surveyed, returned, and offered for sale in Arkansas	13	
	47	
Not surveyed	190	
<i>Sold and otherwise appropriated.</i>		
In Missouri, north of Missouri river	223,123.57	
In Missouri, south of Missouri river	115,618.95	
In Arkansas, north of Red river	85,682.52	
	424,425.04	
Unsold or unappropriated	-	5,036,059.96

GENERAL LAND OFFICE,
January 27, 1838.

WAR DEPARTMENT,
January 8, 1838.

SIR: I have examined the plan suggested by you, of granting a half section of land to each settler who will occupy and cultivate a portion of the public lands for the term of five years, within a given distance of the line dividing the Indian Territory from the southwestern States, and think it likely to be attended with beneficial effects. It certainly would contribute very much to the security of that frontier to have a hardy population immediately upon its borders, and would aid very much the contemplated plan of defence, as it would enable the Government to organize a competent volunteer or militia force on or near the line. The only suggestion I would add, and it is more in the shape of an inquiry than of an amendment, whether granting a half section to each settler would not leave too great a space between the settlements.

Very respectfully,
Your obedient servant,
J. R. POINSETT.

Hon. W. S. FULTON,
U. S. Senate.