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Choctaw reservations. Message from the President of the United States, respecting Choctaw reservations of land, under the fourteenth article of the treaty of 1830.

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Respecting Choctaw reservations of land under the fourteenth article of the treaty of 1830.

WASHINGTON, February 6, 1835.

To the House of Representatives:

I submit to Congress a report from the Secretary of War, containing the evidence of certain claims to reservations, under the fourteenth article of the treaty of 1830, with the Choctaws, which the locating agent has reserved from sale, in conformity with instructions from the President, who did not consider himself authorized to direct their location.

Should Congress consider the claims just, it will be proper to pass a law authorizing their location, or satisfying them in some other way.

ANDREW JACKSON.

Sir: In 1831, the agent for the Choctaws, Colonel William Ward, was instructed to prepare and transmit a register of all persons entitled to reservations under the fourteenth article of the treaty with that tribe, of 27th September, 1830. When the location of these reservations commenced, many claimants appeared, whose names were not upon this register. The number of these applicants having increased, you directed that absolute locations should be made for those only who were registered, but that tracts should be designated on the plans of survey, by the locating agent, and reserved from sale, for all others who should produce probable evidence of being entitled to reservations; and you directed that the agent should report the evidence in each case, to be submitted to Congress. Instructions were accordingly given, in October last, to Colonel George W. Martin, the locating agent, and his report has been received.

[Gales & Seaton, print.]
I have the honor to lay before you copies of these instructions, of the report of the agent, and the documents that accompanied it, for your examination, to be submitted to Congress if you think proper.

I am, sir, very respectfully,

Your obedient servant,  

LEW. CASS.

To the President.

DEPARTMENT OF WAR,

October 13, 1834.

Sir: The applications that have, from time to time, been presented to this department by persons claiming reservations under the 14th article of the Choctaw treaty, that the sale of the sections they claim may be suspended, have been submitted to the President, who has directed the following instructions to be communicated to you.

In the cases that have been brought to the notice of this department, it has appeared, from the evidence exhibited, that the names of the claimants were registered, and the record has been lost; or, that the record was made on separate slips of paper that cannot now be found; or, that they applied verbally, and were led by the agent to believe that this was a compliance with the treaty; or, that their application to be registered was refused, without sufficient reason.

There has also been evidence exhibited, to show that the agent certified that persons "caused their names to be registered," whose names are not upon the register returned by him. In this state of things, the President deems it to be his duty to modify the order that precluded you from locating sections for persons not upon this register, in order that the parties may have an opportunity to obtain the action of Congress upon their claims.

You will, therefore, give public notice, that persons who consider themselves entitled to reservations under the 14th article, and whose names are not upon the register of Colonel Ward, will exhibit to you the evidence in support of their claims. This evidence must show that they were citizens of the Choctaw nation, heads of families, and did signify their intention to become citizens within the time prescribed by the treaty. It must also show the time of their application to be registered, and the conversation and circumstances relating to it.

If they bring themselves within the requisition of the 14th article, and the evidence induces you to believe that the omission of their names on the register was caused by the mistake or neglect of the agent, you will make locations for them in the manner pointed out in the instructions heretofore given to you. These locations, it must be understood, are contingent, and will be complete only in the event of their being confirmed by Congress.

If the whole or a part of a reservation that may be claimed has been sold, you will designate upon the plats tracts of equal dimensions, and of as nearly equal value as practicable.

The register and receiver of the proper land offices will be instructed to reserve from sale the reservations you may locate under this order, until the views of Congress are ascertained.
The President specially directs that you transmit, in season for the action of Congress at its next session, detailed reports showing the names, standing, and credibility of the witnesses, and all the facts and circumstances in each case, with copies of the papers presented to you, and your communications to the land offices upon this subject.

The execution of these instructions will require your prompt and vigilant attention, that justice may be done to the Indians and the Government.

I am, &c.

MAHLON DICKERSON,
Acting Secretary of War.

To Col. GEORGE W. MARTIN,
Columbus, Mississippi.

No. 1.

THE STATE OF MISSISSIPPI, Lowndes county:

Colonel John W. Byrn, sheriff of said county, being called upon to state what he heard Colonel David Fulsom, a Choctaw chief, who has gone west of the Mississippi river, say in relation to the erasure of Choctaw names from the books of Colonel Ward, the late agent, states as follows:

That I believe I heard Colonel Fulsom say that he, Fulsom, had scratched the names of Choctaws off of the agent's books, where they had been registered for citizenship and land, under the provisions of the 14th article of the treaty of Dancing Rabbit creek, saying "that he wanted them all to go west of the Mississippi river." And further he saith not.

J. W. BYRN.

Sworn and subscribed before me, December 24, 1834.

JOHN H. MORRIS, [seal.]
Justice of the Peace for said county.

I, George W. Martin, locating agent, do hereby certify that the foregoing is a true and correct copy of the original deposition of John W. Byrn, on file in my office.

CHOCEHUMA, Dec. 29, 1834.

GEO. W. MARTIN.

I am personally acquainted with John W. Byrn, and, from my knowledge of him, believe he is entitled to full credit in the testimony he has made upon oath in the foregoing deposition.

December 29, 1834.

GEO. W. MARTIN.

No. 2.

STATE OF MISSISSIPPI, Tallahatchee county:

This day personally appeared before me, Thomas G. Ringgold, an acting justice of the peace in and for said county of Tallahatchee, John T. Hammond, who, being duly sworn, depoeth and saith, that at the time of the execution of the Choctaw treaty, on the 27th day of September, 1830,
he was, and for some time previous had been, a citizen of the Choctaw country, in said State; that he has for the last five years been acquainted with Charles Frazier, Nelly Dyer, Rachel Davis; James Perry, Nancy Moore, Moses Perry, Molly Frazier, Moontubbi, Tishopia, and Hala, persons whose names are contained in the annexed schedule of claimants under the 14th article of said treaty. That at the time he became acquainted with them, they were, and have ever since continued to be, citizens of the Choctaw nation. That at the time of the execution of said treaty, on the 27th day of September, 1830, they were all heads of separate families in said Choctaw country. That this deponent knows Moontubbi, one of the persons above named, to be a man of intelligence and credibility, and a headman among the more ignorant Indians of his acquaintance, and believes the certificate of the testimony of said Moontubbi, signed by James Oxberry as interpreter, which this deponent has read, to be strictly true. That he is also acquainted with Garret Nelson, the person mentioned in said certificate as having been deputed to carry the list of names taken at the council at John Perry's, to the agency, and have them registered by Colonel Ward, the resident agent. That he knows him to be an intelligent white man, who has long resided in the Choctaw country, and raised a large family of Choctaw children. That he possessed the confidence of the Choctaw people, and having been frequently employed to do their business, this deponent fully believes that he was employed in the manner stated in the annexed certificate of said Moontubbi's testimony. That the said Nelson has removed to the Choctaw country west. That the facts of a council having been held at the house of John Perry, for the purpose stated in said certificate, the mission of Nelson to this agency, and the registry of the said names by the resident agent for the five years, were notorious throughout the neighborhood where the said claimants resided, and near which this deponent resided also, at the time stated in said certificate. That subsequent to the time this registry was reported to have been made, and within six months after the ratification of said treaty, this deponent visited the office of the resident agent, Colonel Ward, for the purpose of registering his own name for the five years' stay. That in looking over a part of the register of the Choctaw claimants, in said office, at that time, he saw the names of the said Charles Frazier, Nelly Dyer, Rachel Davis, James Perry, Nancy Moore, Moses Perry, Molly Frazier, Moontubbi, Tishopia, and Hala, duly registered, with the names of their children, for the five years' stay, under the 14th article of said treaty, with the names of many other persons whom this deponent does not nowrecollect, which names this deponent was informed by said agent, Colonel Ward, were registered upon the application of the said Garret Nelson. That Enos Ward and Samuel Allen, who accompanied this deponent, and who also saw the names seen by this deponent on said register, have removed to the Choctaw country west. And this deponent further saith, that at the time Colonel Armstrong, the agent sent to examine the Choctaw improvements, visited the country, and took an account of the quantity of land this deponent had in cultivation, he informed said agent that he had registered his name for the five years' stay under the 14th article of the treaty, and did not wish to be registered as a claimant by cultivation; and that he was answered by said agent, that the object in taking an account of his
improvements was not to return his name as a claimant by cultivation, but merely to ascertain what portion of the Choctaw country was under cultivation. That when the locating agent, Colonel Martin, appeared in the country, this deponent learned, for the first time, that his name was not returned as registered for the five years' stay; and being informed that he could locate one-eighth for cultivation, and supposing it was all he could get, was induced to take it. And this deponent verily believes that James Perry, Rachel Davis, Moontubbi, Nancy Moore, and Tishopia, four of the persons named in the annexed schedule, were induced to have the said James one section, the said Rachel half section, and the said Moontubbi, Nancy Moore; and Tishopia, one-eighth of a section each, reserved for the same cause. And this deponent further saith, that he has been informed, and verily believes, that all the persons whose names are contained in the annexed schedule of claimants, except himself, were present at the council of Indians at John Perry's, gave in their names to be registered for the five years' stay under the 14th article of said treaty, were all duly registered within the time prescribed in said article, by the resident agent, Colonel Ward, were all entitled to hold land under said article as citizens and heads of separate families, have uniformly persisted in the same desire, and have all as yet been prevented from locating any land, except the said James Perry, Rachel Davis, Moontubbi, Nancy Moore, and Tishopia, who were induced to receive the above-mentioned quantities, under the full impression that they could not hope for more. And further this deponent saith not.

JOHN T. HAMMOND.

Subscribed and sworn to, this 27th day of November, 1834, before me,

THOMAS G. RINGGOLD,
Justice of the Peace.

No. 3.

THE STATE OF MISSISSIPPI, Lowndes county:

We, Reuben H. Grant and Jefferson Clements, having been called upon to state what we know in relation to the conduct and capacity of Colonel William Ward, late agent for the registration of certain Indians or Choctaws, under the fourteenth article of the treaty of Dancing Rabbit creek, for citizenship and land, state as follows, to wit: We have been frequently present when the Indians made application to the agent, Colonel Ward, to register themselves to take citizenship and receive land, under the provisions of the fourteenth article of the treaty of Dancing Rabbit creek, and before the expiration of six months after the ratification of said treaty, and have known the agent, Colonel Ward, to refuse and reject a good number of applicants, "saying that they might go west of the Mississippi river," that it would be better for them. Being requested, we further state that the agent, Colonel Ward, was frequently incapable of attending to business, from intoxication, and, when not intoxicated, was so negligent and careless that any persons who wished books and papers, did pretty much as they pleased with them;
and that said agent was much opposed to the Indians availing themselves of the advantages of the fourteenth article of the treaty aforesaid.

REUBEN H. GRANT.
JEFFERSON CLEMENTS.

Sworn to and subscribed, before me, December 23, 1834.

JOHN H. MORRIS, [seal.]
Justice of the Peace for said county.

I, George W. Martin, locating agent, do hereby certify that the foregoing is a true and correct copy of the original deposition of Reuben H. Grant and Jefferson Clements, on file in my office.

CHOCEHUMA, December 29, 1834.

GEO. W. MARTIN.

I am personally acquainted with Reuben H. Grant and Jefferson Clements, and, from my own knowledge, believe them to be intelligent, credible, and honest men.

December 29, 1834.

GEO. W. MARTIN.

No. 4.

STATE OF MISSISSIPPI, LOWDES COUNTY:

This 5th day of December, 1834, Major John Pitchlynn, being summoned before me, the subscribing justice of the peace for Lowdes county, for the purpose of being examined touching the applications made to the late Choctaw agent to register certain names for citizenship and lands, under the fourteenth article of the treaty of Dancing Rabbit creek, after being duly sworn, deposeth and saith as follows, to wit, as set forth in his answers.

Question. Do you know it to be a fact, that Choctaws have often made application to the late agent, Colonel Ward, to have their names registered for citizenship and lands, under the fourteenth article of the treaty; that he duly received and entered these names; and yet that such names so tendered and registered were not afterwards to be found on his books?

Answer. I have often heard it said that there are many such instances, but, of my own personal knowledge, I only recollect one case. That case was as follows: Within the six months after the ratification of the treaty, at the earnest request of two Indian women, one named Hi-a-cau-la-na, a widow woman, with two children over ten years of age, and the other E-li-ah, a widow, with one child over ten, I acted as spokesman to the agent for them, and gave in their names, the number and ages of their children, and the place of their residence, which was on a creek called "Trimmed Cane." He wrote the whole down in my presence, in his books, but afterwards it turned out that these names were not to be found in his returns; and the consequence was, that these women lost their lands, which were very good and valuable lands. They were sold at the first land sales.
I now recollect another case of the kind, that came to my knowledge. I mean the case of Red Pepper. His name had been duly registered, and by some person afterwards erased. He proved this, made application to Congress, and obtained relief. And further this deponent saith not.

JOHN PITCHLYNN.

STATE OF MISSISSIPPI, Lowndes county:

I, Adolphus G. Weir, notary public for the county and State aforesaid, duly elected, commissioned, and qualified, according to law, residing in the town of Columbus, in said county, do hereby certify that the within named John Pitchlynn, being summoned to appear and testify to the foregoing deposition, this day personally appeared before me, in said county, and, after having been first duly sworn according to law, deposeth and saith, that the facts, as set forth in said deposition, are true, to the best of his knowledge and belief.

In testimony whereof, I, the said Adolphus G. Weir, notary public, as aforesaid, have hereunto subscribed my name, and affixed my notarial seal, at my office, in the town of Columbus, in said county, this eighth day of December, in the year one thousand eight hundred and thirty-four, and in the fifty-eighth year of American independence.

[\[L. s.\]

ADOLPHUS G. WEIR.

I, George W. Martin, locating agent, do hereby certify that the foregoing deposition is a true and correct copy of the original, on file in my office.

CHOCEHUMA, December 29, 1834.

GEORGE W. MARTIN.

I am personally acquainted with Major John Pitchlynn, and believe him to be a man of unquestionable veracity.

December 29, 1834.

GEORGE W. MARTIN.

STATE OF MISSISSIPPI, Lowndes county:

I, Grabel Linecum, of Oktibbeha county, in said State of Mississippi, being called upon to state on oath what I know respecting an application made by certain Choctaw Indians living on the head waters of Pearl, Leaf, and Suck勘察chie rivers, to William Ward, late Choctaw agent, to enter their names and families as citizens, and take lands under the treaty of Dancing Rabbit creek, do declare and say as follows, viz. That I was present at the assemblage of Indians, I think in the month of June, 1831, called together at the council-house near the Agency, as I understood, for the purpose of giving all such Indians as did not wish to emigrate, a chance of registering their names, as provided for in the treaty. I distinctly recollect that a certain Indian, I think it was Captain Post Oak, came forward with a bundle of sticks in his hand, acting as spokesman for the In-
di ans living down on the head waters of the Pearl, Leaf, and Suckenatchie rivers, and handed them in, as showing the families that wished to register in that district. The sticks were handed to the agent, and his words explained by the interpreter. The agent took the sticks, and then threw them away, saying that there were too many of them, and that the Indians ought or must move away. When this was explained to the Indians by the interpreter, they were much hurt at it, and showed very great dissatisfaction; and it was not what they had been promised at Dancing Rabbit creek, and in the treaty. They said they would go home and live five years on their lands, as they had confidence that the Government would not turn them off, since they were promised at Dancing Rabbit creek, by the commissioners, and it was put down in the treaty, that they might stay and have their lands, and not be forced to move over the Mississippi. Many of them said they would die first, before they would move. This transaction gave rise to a good deal of excitement among many of the persons present, and it was looked on as a violation of the treaty. The Indians on whose behalf this tender of registration was made, live on the head branches of Pearl, Leaf, and Suckenatchie rivers, a good deal cut off from other parts of the nation, and did not seem to have any of the better informed and more active leaders to stand up for them.

Question. How did you come in possession of this book or list of names, now delivered to the justice, to be attached to your deposition?

Answer. When Col. William Ward, late Choctaw agent, was about to break up and remove from the agency, he had a vendue of his goods and effects; at that vendue he put up a lot of books and papers, and some sort of lumber or other, which I bid for, and which was knocked down to me; in this lot of things I found this book.

Question. Do you recognise this to be one of Col. Ward's books in which he registered the names of Indians under the treaty of Dancing Rabbit creek?

Answer. Yes. It is very evident that this is one of the agent's books in which he entered the names of the Indians; this seems to be a book used principally for entering the names of orphans. The names are not in Col. Ward's hand; they are in the hand of his brother, Stephen Ward, an assistant, but the closing part and the signature, I believe, is in the agent's own hand.

Question. Do you know whether the names contained in this book are to be found in the agent's general book; that is, the one returned to the Government?

Answer. I have examined the general book, in the office at Columbus, with this book before me; and I cannot find that the names have been transferred, with the exception of one or two, which may have been elsewhere given in.

And further this deponent saith not.

GRABEL LINCICUM.

Sworn to and subscribed, before me, December 22, 1834.

JOHN H. MORRIS, [seal.]

Justice of the Peace.
STATE OF MISSISSIPPI, Lowndes county:

I, William L. Moore, clerk of the court of probate in and for the county and State aforesaid, do hereby certify that John H. Morris, before whom the foregoing deposition was subscribed and sworn to by Grabel Lincicum, is an acting justice of the peace in and for said county and State, duly commissioned and qualified, and that full faith and credit is due to his official acts as such.

In testimony whereof, I have hereunto set my hand, and affixed the seal of said county, at office, this 22d day of December, A. D. 1834, and 59th year of American independence.

WILLIAM L. MOORE, Clerk.

I, G. W. Martin, locating agent, do hereby certify that the foregoing deposition of Grabel Lincicum is a true and correct copy of the original, which is on file in my office.

CHOCEHUMA, December 29, 1834.

GEO. W. MARTIN.

I am acquainted with Grabel Lincicum, and believe him to be a man of truth and intelligence.

December 29, 1834.

GEO. W. MARTIN.

STATE OF MISSISSIPPI, Tallahatchee county:

This day personally appeared before me, Thomas G. Ringgold, an acting justice of the peace in and for said county, James Oxberry, who, being duly sworn, deposeth and saith, that for the last fifteen years he has constantly resided in the Choctaw country, in said State; that, for the last five years, he has been acquainted with all the persons named as claimants in the annexed schedule of claimants, many of whom he has known for the last ten years; that, at the time he became acquainted with them, they were, and have ever since continued to be, citizens of the Choctaw country, in the said State; that, at the time of the execution of the late Choctaw treaty, on the 27th September, 1830, they were all heads of separate families in said Choctaw country; that he has recently seen all of them except two, and conversed with them in relation to the registry of their names, and the names of their children, with intention of becoming citizens of said State, under the 14th article of said treaty, examining such of them as cannot speak English, in the Choctaw language, and that they all concurred in giving the following account of their proceedings in this matter, viz. That, previous to the 1st June, 1831, a council was held at the house of John Perry, in said Choctaw nation, for the purpose of making up a list or registry of all such heads of families, containing their names and the names of their children, with their ages, as wished to become citizens of the State, and take their lands under the 14th article of the treaty, by remaining five years upon the places where they then resided, and had improvements; that at this council the names of the persons named as claimants in the annexed schedule were all given in, and taken down in writing, by Garret Nelson, except the name of John T. Hammond; that said Nelson was deputed by said claimants,
and others whose names were given in at the same time, to go on to the office of the resident agent, Col. Ward, and have them duly registered for the five years' stay; that they always understood, until application was made to the treating agent, Col. Martin, to locate their lands, that their names, and the names of their children, were properly registered, and had been regularly forwarded to the proper office at Washington; that at the last public sales their lands were all sold, except the lands of Charles Frazier, Nancy Frazier, Polly Frazier, and part of Nelly Dyer's, which have not yet been offered for sale; that they have consequently been compelled to leave their places of former residence, but are still remaining in the country with the hope of obtaining lands, being desirous of becoming citizens of the State, and complying in all things with the requisitions contained in the 14th article of the treaty. And this deponent further saith, that he obtained from said Garret Nelson, previous to his leaving this country and removing west, a transcript of part of the list of names made by said Nelson at said council, upon which transcript are found most of the names contained in the annexed schedule of claimants, and was at that time informed by said Nelson that he presented to the resident agent, Col. Ward, on the 1st day of June, 1831, the original and full list of all the names taken down at said council, and that the names upon the said list were duly registered by said agent as claimants under the 14th article of said treaty. And this deponent further saith, that he visited the office of said agent, Col. Ward, some time after said Nelson had given in said list of names to be registered, and within six months after the ratification of said treaty; and in looking over a part of the register of Choctaw claimants in said agent's office, saw the names of the greater part of the persons whose names are embraced in the annexed schedule, duly registered for the five years' stay; and this deponent verily believes that all the names embraced in the annexed schedule, together with many others, were sent on by said Nelson, and by him given in to the resident agent, Col. Ward, who received and registered them as applicants for lands under the 14th article of the treaty, and that the account of the affair given by the persons whose names are contained in the annexed schedule, in the annexed testimony of Moontubbi, and by the said Nelson, is strictly true; that the object of this deponent, in looking over a part of said register in said agent's office, was to ascertain whether his relations were duly registered, many of whose names are contained in the annexed schedule, and were seen by this deponent on said agent's register, having been given in by said Nelson. And this deponent further saith, that he saw the name of John T. Hammond, one of the persons named in the annexed schedule, and the only one who was not present at the council at John Perry's, on the register of said agent, Col. Ward, as a claimant under the 14th article of the treaty, at the time aforesaid. And this deponent further saith, that said Nelson has removed from this country to the Choctaw country west, and that William Thompson, the only person who visited the agency in company with this deponent, and looked over with him a part of the registry in said office, has also removed west; and this deponent knows of no person except said Nelson, by whom the fact of the registry of said names in said list contained can be positively proven. And this deponent further saith, that, at the time he looked over a part of said registry as aforesaid, and saw
the names of part of the persons mentioned in the annexed schedule, he
inquired of said agent who had given them in, and was answered by said
agent that they were registered upon the application of said Nelson.
And this deponent further saith, that he examined the said Moontubbi
and Tishopia in the Choctaw language, and conversed with the said John
T. Hammond, James Perry, and Nancy Moore, in the English language,
on the subject of their reserves, and was told by them, that, upon being
informed that they would not be entitled to lands under the 14th article
of the treaty, in consequence of their names not being returned to the
office at Washington, they were induced to take, the said James Perry
one section, and the said John T. Hammond, Moontubbi, Tishopia, and
Nancy Moore, each one-eighth of land, to which they were told they were
entitled by cultivation, which this deponent verily believes to be true;
and that the same consideration influenced Rachel Davis to take half
a section. And this deponent further saith, that he has long been acquaint-
ed with Moontubbi; that he is intelligent and highly credible; and having
long been a headman among his people, and transacted business for them,
this deponent verily believes the testimony given by said Moontubbi, and
interpreted by him, to be strictly true. And further this deponent saith not.

JAMES OXBERRY.

Subscribed and sworn to, this 27th day of November, 1834, before me,
THOMAS G. RINGGOLD,
Justice of the Peace.

Moontubbi, a Choctaw Indian, states that he attended a council of In-
dians held at the house of John Perry, residing in the Choctaw nation,
previous to the 1st day of June, 1831, for the purpose of making out a
list of persons who intended to become citizens of the State, and take a
five years’ stay under the 14th article of the late Choctaw treaty, and that
the business of the council was in part entrusted to his management, and
that he proceeded in the following manner, viz. Having marked a line,
and placed the people all on one side, he told them that all such heads
of families as wished to become citizens, should cross the line, and place
themselves on the other side; that immediately all the persons in the an-
exed schedule named, (except John T. Hammond, who was not present
at the council,) with many others, crossed the line, and expressed their
determination to become citizens; that their names, and the names of
their children, were then taken down in writing, and the list of them
handed to Garret Nelson, who was deputed to go on to the agency, and
have them registered for the five years’ stay; that he always supposed
they would hold the land they were registered for, until informed that
their names were not on the books at Washington; that the lands of all
of them were sold, except that of Charles Frazier, and part of that of
Nelly Dyer, whose lands have not yet been offered for sale, but whose
names have been lost with the rest, as he is informed; and except, also,
a section for James Perry, half a section for Rachel Davis, and an eighth
of a section, each, for himself, Nancy Moore, and Tishopia, which were
reserved without their request or wish, as they still wish and intend to
become citizens, and, although driven from their former residences, to remain in the country. Taken this 15th day of November, 1834, by me, as the interpreter of Col. Martin.

JAMES OXBERRY.

We certify that we have, for about a year past, been acquainted with John T. Hammond and James Oxberry, who have, during that time, resided in the neighborhood of this place; and we have no hesitation in saying that we consider them highly credible and intelligent men, and worthy of all confidence.

CHOCEHUMA, Nov. 27, 1834.

R. H. STERLING.
SAMUEL GWIN.

No. 7.

THE STATE OF ALABAMA, Sumter county:

Personally appeared before me, Philip L. Grover, an acting justice of the peace in and for the county of Sumter aforesaid, John Jones, of said county, who, being first duly sworn, deposes and says, that he was at the place called the Old Factory, in this county, at and during the time of the distribution of the annuity, in the year 1831; that, at the time aforesaid, he understood one room up stairs of the Factory dwelling-house to be appropriated to Colonel Ward, as he understood, the Government agent, for the purpose of registering the names of such Choctaws as wished to remain and become citizens of the United States under the 14th article of the treaty concluded the 27th day of September, in the year 1830, between the commissioners of the United States and the mingoos, chiefs, and warriors of the Choctaw nation; at Dancing Rabbit creek; that Colonel Ward was there at that time, and made known that but one family of Indians would be admitted at a time; he had previously heard it published that the time was shortly to expire at which they, the Choctaws, would be permitted to register their names, and all who wished to remain, and avail themselves of the benefit of the article of the treaty above mentioned, were requested to come forward immediately. He understood the Suckenatchie Indians, otherwise the warriors of the Little Leader, to be there, many of whom he was acquainted with, for the purpose of registering their names, and saw several families going up and coming down the stairs; did not see any of their names, but believes all of them to have been registered, as he understood that to be their business, and knows them to have been anxious to do so.

JOHN JONES, his mark.

Sworn to and subscribed, in my presence, this 25th November, 1834.

P. L. GROVER, J. P. [seal.]

THE STATE OF ALABAMA, Sumter county:

Personally appeared before me, Philip L. Grover, an acting justice of the peace in and for the county of Sumter aforesaid, John B. Hancock, of said county, who, being first duly sworn, deposes and says, that he
was at the place called the Old Factory, in this county, at and during the
time of the distribution of the Choctaw annuity, in the year 1831; that,
previous to that time, he had heard it published through the country, in
obedience, as he understood, to the orders of Colonel Ward, the Govern­
ment agent, that the time for registering names under the 14th article of
the treaty at Dancing Rabbit creek, was about to expire, and that all who
wished to avail themselves of the benefits of that article must come
forward at the time above mentioned. He met with many of the Sucken­
atchie Indians at the Factory, who, he understood, were there for the
purpose of registering their names; saw Colonel Ward, the agent; un­
derstood one of the rooms, up stairs, of the Factory dwelling-house to be
appropriated to him; saw several families going up and coming down at
different times; saw many of their names on the registry book; believes
all to have registered, as he knows them all to have been anxious for it;
and had, till within a short time since, believed them to be registered.

JOHN B. HANCOCK.

Sworn to and subscribed, in my presence, this 25th day of November,
1834.

P. L. GROVER, J. P.

THE STATE OF ALABAMA, Sumter county:

Personally appeared before me, Philip L. Grover, an acting justice of
the peace for the county aforesaid, Matthew Seabronch and Benjamin F.
Bullock, who, being first duly sworn, depose and say, that they were at
the place called the Old Factory, at the time of the distribution of the
Choctaw annuity, in 1831; that Colonel Ward was there for the pur­
pose, as they understood, of registering their (the Choctaw) names, un­
der the 14th article of the Choctaw treaty, concluded at Dancing Rabbit
creek the 27th day of September, 1830; that they saw many of the
Suckenatchie Indians there, whose business, they understood from them
was, to register their names under the article of the treaty above men­
tioned, and that they believe many of them to have registered, as they
were anxious for so doing.

M. SEABRONCH.
B. F. BULLOCK.

Sworn to and subscribed before me, at office, 25th day of November,
1834.

P. L. GROVER, J. P.

THE STATE OF ALABAMA, Sumter county:

I, Daniel Wormack, clerk of the county court of Sumter county, do
hereby certify that Philip L. Grover, whose name appears to the forego­
ing affidavits, is an acting justice for said county, and was at the time of
signing and transacting the same; and that full faith and credit is due
his official acts as such.

In testimony whereof, I have hereunto set my hand, and affixed the
seal of the county of Sumter, this 27th day of November, A. D. 1834.

[Seal]

DANIEL WORMACK, Clerk.
The foregoing is a true copy of the several affidavits annexed, the originals being placed on file in my office.

CHOCEHUMA, December 29, 1834.

GEO. W. MARTIN, L. Agent.

From information, I am induced to believe that John Jones and John B. Hancock are credible witnesses, and that what I know of B. F. Bullock, I believe him fully entitled to credit.

December 29, 1834.

GEO. W. MARTIN.

No. 8.

STATE OF MISSISSIPPI, Lowndes county:

Ho-pi-es-ka-te-ne, or "the Little Leader," being summoned to state what he knows respecting the registration of the names of certain Choctaws, living on Sook-e-nock-e, to become citizens and hold their lands as provided for in the 14th article of the treaty of Dancing Rabbit creek, deposeseth and saith as follows, to wit: That, within six months from the ratification of the treaty, he went with certain Choctaw Indians, living on the waters of Sook-e-nock-e, to the Old Factory, where the agent, Colonel Ward, was to attend to distribute the annuity, and to receive and register names of such as were unwilling to emigrate, but wished to stay and become citizens, and hold their lands. He says that he sat near Colonel Ward, and assisted to give the names and numbers of children, as the Indians came up, one at a time; that, when the agent got through with one, he would go away, and another would come up; that he (the agent) wrote all their names down on paper, as also the number and ages of their children.

He further states that, before they got through registering all the names, the agent got up from his seat, and said they must stop and go to distributing the annuity, otherwise it would be too late, and that those present who wished to register must come up to the agency. He then put up the paper on which he had written the names, and stuck it in his pocket, and went off to drinking and distributing the annuity.

Question. Was the agent intoxicated during that day?

Answer. He acted very much like a drunken man.

Question. What became of those whose names were not then taken down?

Answer. They afterwards went up to the agency, and were recorded, and these are the only ones whose names can now be found on the book; the names of the rest (those taken at the Old Factory) have been lost or destroyed.

Question. Did these people give in their names with the intention of staying here, becoming citizens, and living on their lands?

Answer. Yes, most certainly they did. From the first establishment of the treaty, they declared that they never would go over the Mississippi, but would stay here and become citizens among the white people. He says that himself, Chap-a-ho-ma, and others counselled with George S. Gaines how they must act to hold their lands, and that they acted according to the advice of Mr. Gaines.
The Little Leader, Chap-a-ho-may, and two others, here gave in a list of names, for the locating agent, of all of those who then registered and are yet in the country, (omitting those who have since emigrated,) and who now claim their lands under the 14th article of the treaty. And further, this deponent saith not.

**HO-Pl-ES-KA-TE-NE, his mark.**

Major John Pitchlynn maketh oath that he acted as interpreter in this examination of "the Little Leader," or Ho-plies-ka-te-ne, and that the above deposition truly sets forth the facts stated by him, and the answers given to the questions proposed to him.

**JOHN PITCHLYNN.**

John Carter, of Kemper county, being also called on to state what he knows respecting said Indians, deposeth and saith as follows: that is, as set forth in his answers.

**Question.** Do you reside near the Sook-e-nock-e Indians, and, if so, what is their condition?

**Answer.** I do reside near them. These Indians, being a remnant of the Sook-e-nock-e settlement, claim to be entitled to lands under the treaty of Dancing Rabbit creek; they say that they gave in their names to the agent. In various instances white settlers have come in, driven them out of their houses and off their lands, and taken possession of both. In some cases, where these Indians have spoken up for their rights, these intruders have beaten and abused them very much. I have seen Indians with the marks of violence on their persons a good while after they were inflicted. In some cases the best lands of these people have been taken from them, and covered with pre-emption rights. These Indians are civil, peaceable, and inoffensive people, who interrupt no person, and seem only to want their lands and possessions. Further this deponent saith not.

**JOHN CARTER.**

John Walker, who also resides near the settlement of the Sook-e-nock-e Indians, deposeth and saith as follows: That all these Indians claim their lands under the treaty; they say they gave in their names to the agent at the Old Factory; that he knows, from his own observation, and from general information, that these Indians have been very much intruded upon and ill treated by certain white men who want their lands. Some of these Indians have been forced off their lands and cruelly treated by these intruders. He says, as he was on his way to Columbus a few weeks ago, an old Indian woman came to him crying and complaining that a man by the name of Yancy had driven her out of her house, and would not even let her dig her potatoes, besides much other ill usage. He further states that these poor Indians will, in a short time, be deprived of all their good lands unless Government shall soon step in and secure their rights. Further this deponent saith not.

**JOHN WALKER, his mark.**

**STATE OF MISSISSIPPI, Lowndes county:**

I, Adolphus G. Weir, notary public for the county and State aforesaid, duly elected, commissioned, and qualified, according to law, residing in the town of Columbus, in said county, do hereby certify that the within nam-
ed Ho-pi-es-ka-te-ne, being summoned to appear and testify to the foregoing deposition, this day personally appeared before me in said county, and, after having been first duly sworn according to law, deposes and saith, through his interpreter, Major John Pitchlynn, who was also sworn according to law well and truly to interpret, that the facts as set forth in said deposition are true, to the best of his knowledge and belief: and, also, I do hereby certify that John Carter and John Walker, in like manner, personally appeared before me in said county, and, after having been severally sworn, depose and say, that the facts as set forth in said deposition are true, to the best of their knowledge and belief.

In testimony whereof, I, the said Adolphus G. Weir, notary public as aforesaid, have hereunto subscribed my name, and affixed my notarial seal, at my office, in the town of Columbus, in said county, this 8th day of December, 1834, and fifty-eighth year of American independence.

[Signature]

ADOLPHUS G. WEIR.

I, George W. Martin, locating agent, do hereby certify that the foregoing is a true and correct copy of the depositions of Ho-pi-es-ka-te-ne, and John Carter, and John Walker, and that the original is on file in his office.

CHOCEHUMA, December 29, 1834.

GEO. W. MARTIN.

No. 9.

STATE OF MISSISSIPPI, Lowndes county:

Grant Lincecum, being called on to state what he knows touching an application made to William Ward, late United States agent, by certain Choctaw Indians, to have their names registered according to the 14th article of the treaty of Dancing Rabbit creek, deposes and saith as follows, to wit: That he was present at the assembly of Indians, called at the council-house near the Agency in June, 1831, for the purpose of distributing the annuity, and of according to all such Indians as did not wish to emigrate, an opportunity of registering their names to become citizens and hold lands, as provided for under the 14th article of the treaty. He states, that when the business of the day was opened, the agent directed the interpreter, Middleton McKee, to tell the Indians that all who did not wish to emigrate had a right, by the treaty, to stay and hold lands, and that he was then ready to receive their names, and register them in his book; all of which the interpreter did make known to the Indians. This deponent further states, that after the business of the day had considerably advanced, and while he was standing near the agent's table noticing what was going on, he saw a parcel of Indians come up, with an Indian they called the Red Post Oak as their spokesman, and one or two others as sort of leaders. One of them had a bundle of sticks in his hand, which he gave in to the agent, and told the interpreter to inform the agent that these sticks represented a number of Indians who were unwilling to go away, and who wished to remain, become citizens, and hold their lands, and that they would give in the names of each head of a family, the number and sizes of their children.
The interpreter explained all this to the agent, who took up the sticks and threw them away, and said there were too many of them, and told the interpreter to tell them that they must move west of the Mississippi.

Question. Did the interpreter tell the Indians what the agent said?

Answer. Yes, he did, and it gave great dissatisfaction to them. Some of them talked a good deal about it, and said it was not what the treaty promised them; they said they would never move away; that the treaty promised them that they might stay here and live on their lands if they did not wish to move away. Some of them said they would die before they would go; others said they would go home and live on their lands, for they had confidence that the Government would not drive them off. There were some white men present who advised the Indians to go home and stay on their lands, and told them that the Government would treat them honestly.

Question. Did the interpreter tell the Indians what the agent said?

Answer. Yes, he did, and it gave great dissatisfaction to them. Some of them talked a good deal about it, and said it was not what the treaty promised them; they said they would never move away; that the treaty promised them that they might stay here and live on their lands if they did not wish to move away. Some of them said they would die before they would go; others said they would go home and live on their lands, for they had confidence that the Government would not drive them off. There were some white men present who advised the Indians to go home and stay on their lands, and told them that the Government would treat them honestly.

Question. Do you understand the Choctaw language?

Answer. Yes, I understand and speak it very well. I have lived in constant intercourse with the Choctaws for the past twenty odd years.

Question. Is it a common method for the Choctaws to give in and enumerate by sticks in the manner you mentioned?

Answer. They always use sticks, or corn, or something of the sort, to count by; most commonly small sticks.

Question. What became of those Indians after they were repulsed in the manner you stated by the agent?

Answer. They all went to their homes. After a time some of them became discouraged, thinking they could get no lands, and concluded to move off to Arkansas. But others of them still stick to their homes, and say they never will move, but will die first. The last time the emigrating agent was collecting a company to go, one of the subagents went among the Indians to get them to go. Finding that persuasions would not do, he used all kinds of threats, and told them, if they did not go, the soldiers would soon come with their muskets and drive them off. About that time I passed through one of their little settlements, and found, in some places, the women and children had left their houses, and fled into the woods and swamps to keep out of the way of the soldiers. They were told that the soldiers were coming with guns and bayonets to drive them off. I told them it was all false, and quieted their fears as well as I could, and they returned to their houses. They have since lived on their lands, except in some cases where white settlers would drive them off and take possession of their houses and lands; and those who occupied good land have generally met with this fate. The coming on of the land sales has alarmed them, as they are told by the whites that their lands will now be sold. This has made them employ counsel, and apply to the Government for relief and aid.

Question. Have any of these Indians, to your knowledge, ever received any reservations, such as field or cultivation claims, for their improvements?

Answer. No. I have frequently been among them, and I am very certain that not one of those now applying to Congress ever received any reservations, or other benefits of the treaty. All they wanted was their lands and homes, and they say they wish to become citizens, and live under the white men’s laws.

Question. You say that the agent, in the morning when the business opened, gave notice that all who wished might come forward and register, and then, after a time, he refused to register the names offered. How do you account for this conduct?
Answer. All who know the agent's habits can very easily account for it. In the morning he was sober, and in the evening he was drunk.

Question. Was the agent in the habit of intemperance?

Answer. Hundreds besides myself can answer that question in the affirmative.

Question. Do you recollect of seeing Samuel McGee in May or June, of the year 1831, at the agency, give in his name, and did you see the agent register it?

Answer. Yes; I think it was in May, 1831, I was with McGee at the agency, and saw him give in his name, and saw Colonel Ward enter it down, but I understood that his name was not afterwards to be found, and McGee's land was sold from him at the sales. It was first quality land; he has never yet got any land.

And further this deponent saith not.

GRANT LINCECUM.

THE STATE OF MISSISSIPPI, Lowndes county:

I, Adolphus G. Weir, notary public for the county and State, duly elected, commissioned, and qualified, according to law, residing in the town of Columbus, in said county, do hereby certify that the within named Grant Lincecum, being summoned to appear and testify to the foregoing deposition, this day personally appeared before me in said county, and, after having been first duly sworn according to law, depoeth and saith, that the facts as set forth in said deposition are true, to the best of his knowledge and belief.

In testimony whereof, I, the said Adolphus G. Weir, notary public aforesaid, have hereunto subscribed my hand, and affixed my notarial seal, at my office, in the town of Columbus, in said county, the 8th December, 1854, and 58th year of American independence.

ADOLPHUS G. WEIR.

I, George W. Martin, locating agent, do hereby certify that the foregoing is a true and correct copy of the original deposition of Grant Lincecum, which is on file in my office.

CHOCEHUMA, December 29, 1854.

GEO. W. MARTIN.

I am personally acquainted with Grant Lincecum, and believe him to be a man of truth and intelligence.

December 29, 1854.

GEO. W. MARTIN.

No. 10.

STATE OF MISSISSIPPI; Lowndes county:

Adam James, being called upon to state what he knows respecting the application of certain Choc'taw Indians to Mr. Ward, the late agent, to register their names for citizenship and land under the 14th article of the treaty of Dancing Rabbit creek, depoeth and saith, as set forth in his answers to the following interrogatories, to wit:

...
Question. Were you present at the meeting of Indians held at the council-house near the agency, in the spring of 1831, which was called for the purpose of distributing the annuity, and of receiving names of such as wished to register for citizenship, and to hold their land?

Answer. Yes, I was present at the council or meeting.

Question. Did you see any Indians offer to register their names, and refused by the agent, and their sticks thrown away?

Answer. Yes I did. I was standing, among others, close by where the agent was at his table, and saw a number of Indians from the settlements on the head waters of Pearl, Leaf, and Suckenchacle rivers, with Red Post Oak and some other leaders at their head, come up to register. They handed in a bundle of sticks, and said they wished to register the families that these sticks stood for, and that they would give in the names and numbers and ages of the children; they said they would not move off, but wanted to stay here, and live on their lands. When the interpreter, old McKee, told this to the agent, he took the sticks, and flung them away, and said there were too many of these Indians, and that they must move away.

Question. What became of the Indians after this refusal on the part of the agent to take their names?

Answer. They retired very much hurt and dissatisfied, and said it was not what was promised them in the treaty, and by Major Eaton, in his last talk at Dancing Rabbit creek. Old McKee, the interpreter, also said it was a violation of the treaty, and he did not like it, for the agent had made him, in the morning, tell the Indians that all had a right to register and stay here, and hold their lands, if they did not choose to move; and now to turn them off in this way looked very bad, and the Indians might say he did not interpret right.

Question. What became of the Indians?

Answer. They said they would go home and stay on their lands, for they belonged to them. Some said the agent was drunk, and they did not believe the Government would take their lands from them; others said they would die rather than go to Arkansas. Since, however, a good many of them have been persuaded to go away, but others still stick to their houses, and say they will never go: they are now in hopes of getting their lands from Government, as all that have not moved away are trying to get their lands.

Question. Have the whites intruded on the improvements of these Indians?

Answer. Yes, they have, and in many cases taken their good lands from them, and pushed the Indians on the poor land. I understand that a great deal of the best land of the Indians, that was not sold at the first land sales, has been now taken by pre-emption rights.

In answer to questions, he further states that Mr. Ward was very often disqualified for business in consequence of drinking, and that he believes he was intoxicated at the time he threw the sticks away.

He also states that Middleton McKee, the interpreter, has been dead these two years.

Question. What became of the sticks that were thus thrown away by the agent?
Answer. They were picked up by an Indian by the name of Hol-lo-tubbee, who said that he would keep them to show hereafter.

Question. Where is Hol-lo-tubbee?

Answer. He afterwards moved west of the Mississippi, and I hear that he is now dead.

And further this deponent saith not.

ADAM JAMES.

THE STATE OF MISSISSIPPI, Lowndes county:

I, Adolphus G. Weir, notary public for the county, in the State aforesaid, do hereby certify that the abovenamed Adam James, being summoned to appear before me in said county, this day personally appeared before me in said county, and, after having been duly sworn, deposeth and saith, that the facts, as stated in the foregoing deposition, are true, to the best of his knowledge and belief.

In testimony whereof, I, the said Adolphus G. Weir, notary public as aforesaid, have hereunto subscribed my name, and affixed my notarial seal, in the town of Columbus, this 9th day of December, 1834, and 58th year of the American independence.

[L. s.]

ADOLPHUS G. WEIR.

I, George W. Martin, locating agent, do hereby certify that the foregoing is a true and correct copy of the original deposition of Adam James, and which is on file in my office.

CHOCTAHUMA, December 29, 1834.

GEO. W. MARTIN.

No. 11.

STATE OF MISSISSIPPI, Tallahatchee county:

Personally appeared before me, the undersigned, a justice of the peace in and for the county and State aforesaid, James Standley, who, being first duly sworn by me, to the following interrogatories made the following answers, to wit:

Question 1st. How long have you been acquainted with William Simmons?

Answer. Since about one year before the treaty of Dancing Rabbit creek, between the Government of the United States and the Choctaw nation of Indians.

Question 2d. Where has said Simmons resided since you became acquainted with him?

Answer. He has resided on Femergusha creek, in the southern part of the Choctaw nation of Indians, on the same place that he now claims under the 14th article of the treaty of Dancing Rabbit creek.

Question 3d. State who he married, and, at the time of the said treaty, whether he was the head of a Choctaw Indian family, and whether he then was, and now is a Choctaw citizen.
Answer. He married a Choctaw Indian woman named Foster, and was at the time of said treaty the head of a Choctaw Indian family, resided in the nation at the place aforesaid, and still resides there, and was since about one year before the treaty, and has been since, and now is, a Choctaw citizen.

Question 4th. If you know any thing in relation to said Simmons having registered under the 14th article of said treaty, please to state it.

Answer. Some time in the month of June or July, 1831, I went, in company with William Simmons, to the agency at Colonel William Ward’s, for the purpose of registering under the 14th article of the treaty aforesaid. Upon our arrival, we were both registered on the register kept by said Ward for that purpose, within the time prescribed by said treaty, and I saw said Ward set down the name of said Simmons, with the number of his children under ten years of age at the time of said treaty, (being two,) with his own hand, on his register. Afterwards I was at the agency in September following, and saw Simmons’s name on the same book, and saw said Ward strike out the names of various persons, and, among the rest, I saw said Ward strike out the name of one Indian who was not present, and heard him (Ward) remark, when he struck it out, “that he reckoned that fellow did not wish to stay either.” The names of some were struck off upon the representation of their neighbors who were not present, and, indeed, the whole business, to me, seemed to be done in a very loose manner. I have examined the list furnished to Colonel Martin by the War Department, and the name of William Simmons is not to be found upon it: I mean the list of claimants under the 14th article of said treaty.

JAMES STANDLEY.

Sworn to and subscribed, before me, the 27th day of November, A. D. 1834.

THOMAS G. RINGGOLD, [seal.]
Justice of the Peace of Tallahatchee county, Mississippi.

I have known James Standley for some twelve months or more, and, from what I know, am induced to believe him intelligent, and worthy of credit on oath.

December 24, 1834.

GEO. W. MARTIN.

No. 12.

GENERAL LAND OFFICE,
January 15, 1835.

Sir: I have the honor to transmit, herewith, copies of the undermentioned letters and papers, viz. Letter of 17th ultimo from the register of the land office at Chocehuma, transmitting a list of lands selected by William Traherm for Choctaw orphans.

Letter of 17th ultimo from the register at Chocehuma, respecting the location of reservations for Allen Jenkins.

Letter of 23d ultimo from the register at Chocehuma; with a list of the lands reserved at the late public sales at that office, as reservations under the 14th article of the Choctaw treaty of 1830.
Letter of the 29th ultimo from the land officers at Tuscaloosa, with a list of the lands claimed under the 14th article of the Choctaw treaty of 1830, as Indian reservations.

I am, &c. ELIJAH HAYWARD.

Hon. Lewis Cass, Secretary of War.

Elijah Hayward, Esq.

NORTHWEST LAND DISTRICT, Choctahoma, Miss., December 17, 1834.

Sir: I herewith enclose additional testimony, furnished by Allen Jenkins, in reference to his claim on sections 25 and 26, township 25, range 2 east, viz. the letter of Geo. W. Martin, the locating agent, under date of the 30th of September, 1833, to which there is annexed the certificate of Samuel Neill, deputy surveyor; also, the affidavits of Samuel Neill and Lemuel George upon the same subject.

I am, &c.

SAMUEL GWIN, Register.

ELIJAH HAYWARD, Esq.

September 30, 1833.

Sir: You are, agreeably to the decisions already made by me in locating floating claims, entitled to locate your two floating claims on the two sections including or adjoining your present residence and improvement; and they would be registered and returned at this time, but for the circumstance, as I am informed, that there has been some mistake in numbering the township in which you live; and, to prevent mistake, I would recommend that you defer making your location until it is corrected by the United States surveyor, so as to enable you more properly to designate your location on the plat of survey, and to render the location full and permanent.

Yours, respectfully,

GEO. W. MARTIN, Locating Agent.

Mr. A. Jenkins.

N. B. You at present apply, on condition it can be done, and correctly, for section 25, township 25, range 2 east; and also for section 26, township 25, range 2 east.

GEO. W. MARTIN, L. A.

I do hereby certify that, at the time I was surveying township 25, range 2 east, in placing the number of the sections upon the bearing trees at the corner of the sections 26, 27, 34, and 35, a mistake was made, to wit, the number 34 was placed upon two of the bearing trees at said corner, when one should have been 36, which mistake I have since corrected.

Given under my hand, this 13th day of December, 1834.

SAMUEL NEILL, Deputy Surveyor.

Witness: Thomas G. Ringgold, Justice of the Peace.
STATE OF MISSISSIPPI, Tallahatchee county:

This day Samuel Neill personally appeared before me, an acting justice of the peace in and for the said county, and being duly sworn, states that, in the month of February, 1833, I was engaged in surveying township 25, range 2 east, and I was requested by Allen Jenkins to select such portions of said township as, in my judgment, he might float to advantage. I accordingly selected and recommended to him to float sections 25 and 26 of said township and range, and marked off, on my map or diagram, annexed to the field notes of the survey of said township, the aforesaid sections 25 and 26, at the request of the said Allen Jenkins. He further states, that he furnished the said Allen Jenkins with a diagram of said township, and marked off the sections 25 and 26 on said diagram, and that the said Jenkins intended to float the aforesaid sections, and now understands he has floated said sections. He further testifies that he met the said Jenkins on his way to settle near said sections 25 and 26, and that he settled near said sections; and that the said Jenkins ultimately settled section 26 two years, and that he knows section 25 was cultivated by his permission during the last year.

SAMLUEL NEILL.

Sworn to and subscribed, before me, this 15th December, 1834.

THOMAS G. RINGGOLD,
Justice of the Peace.

STATE OF MISSISSIPPI, Tallahatchee county:

This day personally appeared before me, an acting justice of the peace in and for said county, Lemuel George; after being duly sworn, states as follows: I was a settler on section 25, township 25, range 2 east, and that Edmond Jenkins lived on the same section, and that he cleared and cultivated two other sections for two years; and that James Alford had settled the same section, and that he had cleared on two other sections, and cultivated one of the clearings in the year 1834.

LEMUEL GEORGE.

Sworn to and subscribed, before me, this 15th day of December, 1834.

SIMEON STERRETT, J. P.

LAND OFFICE, Tuscaloosa, Dec. 29, 1834.

SIR: Enclosed herewith you will receive a list of lands claimed under the treaty of Dancing Rabbit creek, as presented to this office, agreeably to your letter of the 16th of October last, viz., Ohoyo Tom, claim to section 25, township 21, range 2 west, and the south half of section 19, township 21, range 1 west, application for which had been made previously to the receipt of your letter of 19th November; but as a portion of section 25 had been taken by pre-emptions, say the north half, and three pre-emption floats had been laid on the south half of section 19, township 21, range 1 west, the agent of Ohoyo, therefore, located on lands as set forth in the accompanying list.

Application was also made by the agent of Imponah and Coonrablee, on the fifth day of sale, to locate lands as set forth in the accompanying
list, just as the lands applied for were offering for sale, and, by an over-sight, a part of which was sold, say the northeast quarter section 27, township 21, range 3 west. However, a great portion of the land in the two last applications is taken up by pre-eminions and pre-emption floats, and there is only reserved the northwest quarter section 27, northwest quarter and east half of southeast quarter section 34, and southwest quarter section 33, same township and range. We proposed to him to lay his claims elsewhere, but he refused, unless he were permitted to lay them on such pieces as he might select, regardless of quantity, to which we objected, and he therefore prefers contending for the land claimed, against those holding by pre-eminions, &c.

We are, sir,

Respectfully, your obedient servants,

JNO. H. VINCENT, Register.

WM. G. PARRISH, Receiver.

The following is a list of the land claimed under the treaty of Dancing Rabbit creek, agreeably to your letter of 16th October last, and which has been marked on the maps as conditional reservations.

<table>
<thead>
<tr>
<th>Names</th>
<th>Parts of</th>
<th>Sections</th>
<th>Townships</th>
<th>Range</th>
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<tr>
<td>Ohoyo,</td>
<td>North half</td>
<td>29</td>
<td>21</td>
<td>2 west</td>
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<td>Do.</td>
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<td>Do.</td>
<td>South half</td>
<td>25</td>
<td>21</td>
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<td>Imponah,</td>
<td>Whole</td>
<td>34</td>
<td>21</td>
<td>3 do.</td>
</tr>
<tr>
<td>Do.</td>
<td>South half</td>
<td>33</td>
<td>21</td>
<td>3 do.</td>
</tr>
<tr>
<td>Cunneubbee,</td>
<td>Whole</td>
<td>27</td>
<td>21</td>
<td>3 do.</td>
</tr>
<tr>
<td>Do.</td>
<td>North half</td>
<td>33</td>
<td>21</td>
<td>3 do.</td>
</tr>
<tr>
<td>Betsey Beams</td>
<td>Whole</td>
<td>18</td>
<td>24</td>
<td>2 do.</td>
</tr>
<tr>
<td>Do.</td>
<td>do.</td>
<td>19</td>
<td>24</td>
<td>2 do.</td>
</tr>
<tr>
<td>Robert Hancock</td>
<td>East half</td>
<td>3</td>
<td>24</td>
<td>3 do.</td>
</tr>
</tbody>
</table>

LAND OFFICE, Tuscaloosa, December 20, 1864.

JNO. H. VINCENT, Register.

REGISTER'S OFFICE,

Chocehuma, December 23, 1834.

SIR: Knowing that most of the claims under the Choctaw treaty, for which lands were reserved at the land sales at this place, under the 14th article of the treaty, will have to be laid before Congress at the present session, I herewith send you a list and description of the lands reserved at the late sales, for your information.

I am, respectfully,

Your obedient servant,

SAMUEL GWIN, Register.

ELIJAH HAYWARD.
LIST of lands reserved at the land office at Chocehmna, by order of Colonel George W. Martin, locating agent, under the treaty of Dancing Rabbit creek.

Robert Turnbull, east \( \frac{1}{4} \) section 27, township 24, range 2 east, 319, 93. Cultivation claim, November 29, 1834. Molly Nail, whole of section 30, township 25, range 3 east. Floating claim.

The following is a list of the lands reserved from sale at the public sales in December, 1834, in pursuance of instructions from the War Department, to satisfy claims arising under the fourteenth article of the treaty of Dancing Rabbit creek, all of which, with the evidence to sustain the same, have been forwarded to the War Department, to be laid before the next Congress for its confirmation or rejection.

John T. Hammond, 7 eighths w. \( \frac{1}{2} \) and s. e. \( \frac{1}{4} \), and w. \( \frac{1}{2} \) n. e. \( \frac{1}{4} \) sec. 16, t. 22, r. 1 w.

Robert Turnbull, \( \frac{1}{4} \) sec. w. \( \frac{1}{4} \) sec. 27, t. 24, r. 2 e.

Moontubbee, 3 sec. and 3, whole of sec. 15 and 16, and n. \( \frac{1}{2} \) 21, and n. \( \frac{1}{2} \) 22, and w. \( \frac{1}{2} \) n. w. \( \frac{1}{2} \) 23, t. 24, r. 7 w.

Tis-hopia, 4 sec. and 4, whole of 19, 20, 17, n. \( \frac{1}{2} \) 30, s. \( \frac{1}{2} \) 18, and e. \( \frac{1}{2} \) n. e. \( \frac{1}{2} \) 18, t. 24, r. 7 w.

Rachel Davis, 3\( \frac{1}{2} \) sec. 5, in sec. 4 lots 1 to 24, inclusive; in sec. 3, lots 25 to 40, inclusive; in sec. 5, lots 17, 18, 23, 24, 25, 32, 33, and 40, and e. \( \frac{1}{2} \) sec. 8, all in t. 24, r. 7 w.

El-a-no-au-chi, 1 sec. whole of sec. 9, t. 24, r. 7 w.

Och-in-chi-homa, 4 sections, whole of 10 and 11, and lots 25 to 40, inclusive, of sec. 2, t. 24, r. 7 w.

Tick-ba-sa-tubbee, 3 sections, whole of 12 and 14, n. \( \frac{1}{2} \) 13, and s. w. \( \frac{1}{2} \) sec. 1, say lots 35, 36, 37, and 38, all in t. 24, r. 7 w.

This is to certify that the foregoing list is a true copy from my register of the lands reserved under the Choctaw treaty, and also those reserved from the action of Congress under the 14th article of said treaty.

CHOCEHUMA, December 24, 1834.

GEO. W. MARTIN.
## List of names forwarded by George W. Martin

<table>
<thead>
<tr>
<th>Names of claimants</th>
<th>Residence</th>
<th>Children over 10 years</th>
<th>Children under 10 years</th>
<th>Quality of land</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moontbbi</td>
<td>Batapanbogue</td>
<td>James Hotema Hagopionubbi Mashambé Tickbagatubbi Taholtha</td>
<td>Vicey Hemonatubbi Isaac Siney Pisamikantubbi Kanuntachubbi Hoparubbi Pulcamatona Isthamatoha Maunthlatubbi</td>
<td>lst quality Sold.</td>
<td></td>
</tr>
<tr>
<td>Tshipia</td>
<td>ditto</td>
<td></td>
<td></td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>Immahayo</td>
<td>ditto</td>
<td></td>
<td></td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>Molly Frazier</td>
<td>ditto</td>
<td>Winchester Hetty Simon Joel Ahabotubbi Teloahecha Incheictubbi Aushubbi Ashtubbi Ashtahoka</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nancy Frazier</td>
<td>ditto</td>
<td></td>
<td></td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>Polly Frazier</td>
<td>ditto</td>
<td></td>
<td></td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>Shampika</td>
<td>ditto</td>
<td></td>
<td></td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>Machubbi</td>
<td>ditto</td>
<td></td>
<td></td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>Ochinichihoma</td>
<td>ditto</td>
<td>Tahona Chilota Hoyona Talematema Tusha Hskatona Hatema</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shukaubbi</td>
<td>ditto</td>
<td></td>
<td></td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>Annachi</td>
<td>Tallabusha Anahchubbi Nanema Wakaotoma</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elapanshi</td>
<td>ditto</td>
<td>Tahona Stemachogu</td>
<td></td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>Anthoka</td>
<td>ditto</td>
<td></td>
<td></td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>Hopackanubbi</td>
<td>ditto</td>
<td>Amy</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moses Perry</td>
<td>ditto</td>
<td>Levi</td>
<td>Oliver</td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>James Perry</td>
<td>ditto</td>
<td></td>
<td></td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>Rachel Davis</td>
<td>Loosa Schuma</td>
<td></td>
<td></td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>Stemonahaka</td>
<td>ditto</td>
<td>Jane</td>
<td>Andrew Mary Maxwell Pallas George Cyrus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charles Frazier</td>
<td>ditto</td>
<td></td>
<td></td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>Nelly Dyer</td>
<td>ditto</td>
<td></td>
<td></td>
<td>ditto</td>
<td>Part sold.</td>
</tr>
<tr>
<td>Nancy Moore</td>
<td>ditto</td>
<td>Arahatabubi Immultahubbi</td>
<td></td>
<td>Commodore Noubbi 1st quality Sold.</td>
<td></td>
</tr>
<tr>
<td>Aboyachubbi</td>
<td>ditto</td>
<td></td>
<td></td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>Hala</td>
<td>Tillatoba</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anohuntubbi</td>
<td>Seboguelchatchee</td>
<td>Pasalukanubbi Ubbachi Robert</td>
<td>Archahona Muckintubbi Solomon Harris</td>
<td>ditto</td>
<td>ditto</td>
</tr>
<tr>
<td>Tickbafaubbi</td>
<td>Pittskokown</td>
<td></td>
<td></td>
<td>ditto</td>
<td>ditto</td>
</tr>
</tbody>
</table>
I certify that I have examined the lands upon which all the above-named persons were living at the time of the execution of the late Choctaw treaty, except the places of Nancy Moore and Anohuntubbi, with which I am also acquainted by reputation; and I consider the lands to which they made a claim as applicants for the five years' stay, all of the first quality, except the places of Hopackanubbi, Stemonahaka, Charles Frazier, and Nelly Dyer, whose places I consider second rate land.

CHOCEHUMA, November 28, 1834.

JAMES OXBERRY.

CHOCEHUMA, Miss., December 24, 1834.

I have carefully examined the annexed list of names, and am personally acquainted with the witnesses, John T. Hammond and James Oxberry, who are respectable and intelligent; and many of the individuals therein named resided on their lands until sold by the United States; many of whom applied in person to me prior to the land sales in the fall of 1833, to have the lands reserved from sale, under the provisions of the 14th article of the treaty, stating their names had been registered by Colonel Ward as citizens, under said treaty. I was only presented by Garret Nelson with a list which he said he had retained as a copy of the names of individuals registered by Colonel Ward, under the 14th article of the treaty at Dancing Rabbit creek.

GEO. W. MARTIN.

No. 14. CHOCEHUMA, Miss., November 14, 1834.

DEAR SIR: I am in the receipt of instructions from the War Department, dated the 13th October, to the following effect: "You will, therefore, give public notice that persons who consider themselves entitled to reservations under the 14th article, and whose names are not upon the register of Colonel Ward, will exhibit to you the evidence in support of their claims. This evidence must show that they were citizens of the Choctaw nation, heads of families, and did signify their intention to become citizens within the time prescribed by the treaty. It must also show the time of their application to be registered, and the conversation and circumstances relating to it." "If they bring themselves within the requisition of the 14th article, and the evidence of credible and intelligent witnesses induces you to believe that the omission of their names on the register was caused by the mistake or neglect of the agent, you will make locations for them in the manner pointed out in the instructions herebefore given to you. These locations, it must be understood, are contingent, and will be complete only in the event of their being confirmed by Congress."

Now, sir, you will readily see the impossibility of my attending at all the different land offices prior to the day of sale, and I have already given notice to the claimants to apply at this place for the purpose of having them laid before Congress; and it would appear to me that all those who will come before you with their claims fully authenticated, under the rule laid down by the department in the instructions of the 13th ultimo, these
lands should be reserved from sale, and the claimants are required to produce their claims, with a description of the land, together with all the requisites as set out with regard to the testimony, to me, at Chocehua, at the earliest time practicable, that the same may be communicated by me to the proper department for the consideration of the next Congress, and it is expected they will have their immediate attention and presented here for examination.

Respectfully, &c,

GEO. W. MARTIN.

WILLIAM HOWSE, Esq.,
Register of the Land Office, Augusta, Miss.

A similar letter to the above was transmitted to Major William Downing, the register at Columbus.

December 24, 1834.

GEO. W. MARTIN.

No. 15.

LIST of the names of those warriors who fought under General Wayne, and also the names of the orphans in the Northeastern District.

Table: |
<table>
<thead>
<tr>
<th>Orphans</th>
<th>Parents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nawacka</td>
<td>Taminchubie, Hayeka</td>
</tr>
<tr>
<td>Ithanatobi</td>
<td>Ahachu</td>
</tr>
<tr>
<td>Atonutobi</td>
<td>Shaunuyi</td>
</tr>
<tr>
<td>Mishtahabin</td>
<td></td>
</tr>
<tr>
<td>Poshiata</td>
<td></td>
</tr>
<tr>
<td>Okaishtalowa</td>
<td></td>
</tr>
<tr>
<td>Achukmahona</td>
<td></td>
</tr>
<tr>
<td>Tehliyahona</td>
<td>Ahinsa</td>
</tr>
<tr>
<td>Aiyahona</td>
<td>Halitunna</td>
</tr>
<tr>
<td>Kunotema</td>
<td></td>
</tr>
<tr>
<td>Pasha</td>
<td></td>
</tr>
<tr>
<td>Okimanti</td>
<td>Chukfs</td>
</tr>
<tr>
<td>Lapimolhtobi</td>
<td>Piyaki</td>
</tr>
<tr>
<td>Antutobi</td>
<td></td>
</tr>
<tr>
<td>Abekil</td>
<td>Edmon</td>
</tr>
<tr>
<td>Anoatechi</td>
<td>Palli</td>
</tr>
<tr>
<td>Posahokatobi</td>
<td>Chofak Halopa</td>
</tr>
<tr>
<td>Hopayotobi</td>
<td>Shukti</td>
</tr>
<tr>
<td>Apelo</td>
<td></td>
</tr>
<tr>
<td>Onnahobatoki</td>
<td>Sholabi</td>
</tr>
<tr>
<td>Lata</td>
<td>Ishtaiyopi</td>
</tr>
<tr>
<td>Yahotobi</td>
<td>Husetolabi</td>
</tr>
<tr>
<td>Imoklichi</td>
<td>Oshtali</td>
</tr>
<tr>
<td></td>
<td>Kapelahaona</td>
</tr>
<tr>
<td></td>
<td>Itola</td>
</tr>
<tr>
<td></td>
<td>Filbitooyo</td>
</tr>
<tr>
<td>Name</td>
<td>Name</td>
</tr>
<tr>
<td>----------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Chafatobi,</td>
<td>Intolabi.</td>
</tr>
<tr>
<td>Mishamintobi,</td>
<td>Atatimma.</td>
</tr>
<tr>
<td>Pota.</td>
<td></td>
</tr>
<tr>
<td>Kachitumma,</td>
<td>Laichi.</td>
</tr>
<tr>
<td></td>
<td>Palitimmo.</td>
</tr>
<tr>
<td>Anoalinma,</td>
<td>Nakninchi.</td>
</tr>
<tr>
<td>Ilanchiyoko,</td>
<td>Anoliholo.</td>
</tr>
<tr>
<td>Oklahimma,</td>
<td>Nakitaiya.</td>
</tr>
<tr>
<td>Yohla.</td>
<td>Ishisnonaki.</td>
</tr>
<tr>
<td>Kanimali,</td>
<td>Iliahekla.</td>
</tr>
<tr>
<td>Ilapali,</td>
<td>Mulihoki.</td>
</tr>
<tr>
<td>Chukatobi,</td>
<td>Oklatobli.</td>
</tr>
<tr>
<td>Ilafamobi,</td>
<td>Okkon.</td>
</tr>
<tr>
<td>Immotiche,</td>
<td>Chaholi.</td>
</tr>
<tr>
<td>Ilikachi,</td>
<td>Shupishtono.</td>
</tr>
<tr>
<td>Onatuna,</td>
<td>Tushko'notabe.</td>
</tr>
<tr>
<td>Fabis,</td>
<td>Spithana.</td>
</tr>
<tr>
<td>Iyahenubi,</td>
<td>Pailche.</td>
</tr>
<tr>
<td>Yoknola,</td>
<td>Humpki.</td>
</tr>
<tr>
<td>Tumoki,</td>
<td>Wayii.</td>
</tr>
<tr>
<td></td>
<td>Stimayochi.</td>
</tr>
<tr>
<td>Onahoki,</td>
<td>Oklabi.</td>
</tr>
<tr>
<td>Holbar,</td>
<td>Otoyota.</td>
</tr>
<tr>
<td>Alexander Pitchlyn,</td>
<td>James Pitchlyn,</td>
</tr>
<tr>
<td>Ebenezer Pitchlyn,</td>
<td>Wibuniye,</td>
</tr>
<tr>
<td>Imonatulehe,</td>
<td>Nowaubi.</td>
</tr>
<tr>
<td>Two younger brothers, names not known, but will be recorded as soon as they are ascertained.</td>
<td>Kachihoke.</td>
</tr>
<tr>
<td>Tusukachi,</td>
<td>Hotakholo.</td>
</tr>
<tr>
<td>Oklahachi,</td>
<td>Okishtunagi.</td>
</tr>
<tr>
<td>Ibailli,</td>
<td>Shanayokuhi.</td>
</tr>
<tr>
<td>Younger brothers' names not yet known, but will be.</td>
<td>Ishihoma.</td>
</tr>
<tr>
<td>Chahubi,</td>
<td>Odihoma.</td>
</tr>
<tr>
<td>Foster,</td>
<td>Mother's name not known yet.</td>
</tr>
<tr>
<td>Shumboyi,</td>
<td>Sistihooma.</td>
</tr>
<tr>
<td>Iahahtubi,</td>
<td>Fyahochi.</td>
</tr>
<tr>
<td>Lealei,</td>
<td>Hotubi.</td>
</tr>
<tr>
<td>Tohnabi,</td>
<td>Sully.</td>
</tr>
<tr>
<td></td>
<td>Tushkiakoya.</td>
</tr>
<tr>
<td></td>
<td>Kaniyahoki.</td>
</tr>
</tbody>
</table>
Tupuli, - - - Nita.
Hotima,  - - - Inatubi.
Nakishnowa,  - - - Onahaya.
Ishta, - - - Kulechi.
Ishtatubi, - - - Anowachi.
Kanishubi, - - - Anokfile.
Ahekatubi, - - - Moniyo.
Tunowahona, - - - Helechubi.
Oklatubi, - - - Haishatubi.

Under the captaincy, Jerry F.

Robert Miller, - - - John Miller.
Martha Miller, - - - Sarah Miller.

Recorded, Choctaw Agency, this 17th day of August, 1831.

W. WARD, Agent.

No. 16.

CHOCCHUMA, Miss.

December 24, 1834.

Sir: As per my instructions from the War Department, of date the 13th of October last, which came to hand on the 12th day of November, I herewith transmit a list of claimants under the 14th article of the treaty at Dancing Rabbit creek, for the purpose that said claims and accompanying testimony may be laid before Congress.

A register of the locations will be forwarded to the War Department so soon as the lands are designated on the plats of survey, and a complete list can be procured and regularly made out: all of said claims have been conditionally reserved for the final action of Congress.

I have the honor to be,

Very respectfully,

Your obedient servant,

GEO. W. MARTIN.

The Hon. Lewis Cass,
Secretary of War.
Sir: I have the honor, in addition to the list of claims transmitted to the War Department on the 24th instant, to forward the following testimony in support of a number of Indian claimants therein embraced.

These Indians claim to be entitled to lands under the 14th article of the treaty, having, as they allege, fully complied, on their part, with all its requisitions; notwithstanding, their names do not appear on the agent's books. The 14th article provides that each Choctaw head of a family, being desirous to remain and become a citizen, shall be permitted to do so, by signifying his intention to the agent within six months from the ratification of the treaty, and thereupon shall be entitled to receive certain allowances of land, in manner as set forth in the treaty.

These claimants allege that they did so signify their intentions, as required by the treaty; and say, if their names do not appear on the agent's book, it is no fault of theirs, and consequently they ought not to be deprived of their just rights, by the neglect or default of the agent, or any body else, over whom they had no control. This being the nature of the claims set up by them, I have, in each case presented, inquired, first, is this a case coming under the 14th article? and next, is there (in the language of the President's letter) probable evidence of credible witnesses, of their rights under the provisions of said article; and that their failure to obtain such reservations has been caused by the mistakes or neglect of the agent appointed to make a list of reservees?

Wherever it has been satisfactorily proven to me, by indisputable testimony, that the claims under the 14th article, and that the failure to have their names registered was not their fault, but arose from the neglect or mistakes of the agent, or other cause not embraced in the treaty, I have located their lands, and directed the register to withhold them from sale, conditionally. The letter of the President directs, "that, in all cases, the locating agent will make special reports of the names of the witnesses, and of the facts and circumstances submitted, to the War Department." In obedience to these instructions, I have caused all the testimony offered to be taken in writing, under oath, and in due form of law. A list of the names of the witnesses is annexed to this report, and copies of the depositions themselves are herewith transmitted, the originals being retained for the use of this office. The instructions require that I should report the facts and circumstances submitted to me. By a reference to the papers, it will be seen that the depositions establish the following facts, viz.: 1st. That within the time limited by the treaty for registration, on one occasion a number of the Indians then living on Suckenatchie, and some of them living yet on the same, did actually go forward to the agent, then at the Old Factory, for this and other purposes, and did not only offer their names for registration, but their names were only and formally entered down in a book opened for that purpose; nevertheless, few, if any, of the names then and at that place taken down, are now to be found in the agent's book in my possession. The conclusion is inevitable, that the small book or sheet of
paper on which their names were entered, has been either lost by the agent, or destroyed by those who might possibly wish the Indians to emigrate. It appears that a portion of these Indians have since gone away, while others remain on their lands, and now contend for their claims.

2d. That there are instances where individuals went forward and had their names entered down on the book, and yet they were afterwards erased or blotted out by (possibly) those who had free access to the agent's book.

3d: It further appears, from the testimony of several witnesses of unquestionable character, that, in the month of June, 1831, a number of Indians attended at the council-house, for the purpose of entering their names to become citizens and take lands. Being ignorant of the English language, they appointed one or two headmen, or leaders, to go forward for them, and give in their names accordingly. As is customary among the Indians, they collected a parcel of small sticks, designating the number of them that wished to register. With these sticks in their hands, the spokesmen went up to the agent and gave them in; at the same time informing the agent, through the interpreter, that these sticks showed the number they came forward to give in; and that they would give the name of each head of families, the number and ages of their children. It appears further, that the agent took the sticks in his hand and threw them away, and directed the interpreter to tell the Indians that there were too many of them, and that they ought, or must, move over the Mississippi. Being thus repulsed or turned off, it appears that many of these Indians abandoned their claims, and have gone west, while some of them yet remain, and now assert their claims, under the foregoing signification of their intention to remain.

I have, &c.

GEO. W. MARTIN, L. Agent.

Hon. LEWIS CASS,
Secretary of War.

No. 18.

WASHINGTON, October 19, 1834.

The requisite instructions will be given by the proper departments for the location and suspension from sale of reservations of land in the Choctaw country, wherever persons claiming reservations under the 14th article of the treaty with the Choctaws of 27th September, 1830, shall exhibit to Colonel George W. Martin, the locating agent, probable evidence of credible witnesses, of their rights under the provisions of said article, and that their failure to obtain such reservations has been caused by the mistakes or neglect of the agent appointed to make a list of reservees.

These locations will be contingent, and will be complete only in the event of their being sanctioned by Congress. Until that decision is obtained, the tracts located under this order will be reserved from sale.

If the tracts to which any claimants were entitled have been sold, in whole or in part, the locating agent will designate upon the plats tracts
of equal dimensions, and of as nearly equal value as practicable; and these, also, will be reserved from sale.

In all cases, the locating agent will make special reports of the names of the witnesses, and of the facts and circumstances submitted to him. And these reports will be transmitted in season for the action of Congress at its next session.

ANDREW JACKSON.

WASHINGTON, February 18, 1835.

To the House of Representatives:

Since my message, a few days ago, relating to Choctaw reservations, other documents on the same subject have been received from the locating agent, which are mentioned in the accompanying report of the Secretary of War, and which I also transmit herewith, for the information and consideration of Congress.

ANDREW JACKSON.

DEPARTMENT OF WAR,
February 18, 1835.

Sir: I have the honor to transmit copies of other documents, relating to Choctaw reservations, prepared and forwarded by Col. Martin, under the instructions of 13th of October last.

Very respectfully,
Your obedient servant,
LEW. CASS.

To the President.

CHOCEHUMA, Miss., January 7, 1835.

Sir: I have the honor, this day, to forward to the War Department copies of such claims as have been presented to me under the instructions of the 13th of October last, and have been acted on by me since my last communication to you of the 29th December.

Among the claims herein enclosed are those of Jacob Thompson, John R. Counts, and Thomas Stewart, on the application of the Hon. Mr. Plummer, who alleges the testimony is on file in the War Department, in support of the three last mentioned claims.

I have the honor to be, respectfully,
Your obedient servant,

GEO. W. MARTIN.

The Hon. Lewis Cass,
Secretary of War.

CHOCEHUMA, December 1, 1834.

Sir: Jacob Thompson claimed section No. 31, and the N. W. ¼, the S. W. ¼, and the S. E. ¼ of section 30, township 22, range No. 3 E., under
and by virtue of the provisions of the treaty of Dancing Rabbit creek.
His case was referred to the War Department, together with the testimony, for decision, because his name was not on the register of Colonel Ward, furnished you by the department. His case is recognized by the Secretary of War, as embraced within the general instructions recently given you by order of the President, as will more fully appear from a letter from the Secretary of War, under date of October 30, accompanying this communication. The testimony in support of his claim is still on file in the War Department. The documents contain the testimony of Thompson himself, stating that he was a Choctaw by birth, a native and citizen of the Choctaw nation, and related to the chief, Greenwood Leflore; that he had an improvement on section 31, township 22, range 3 E., prior to the making of the treaty, and settled upon the same with his family during the year 1830, prior to the ratification of said treaty; that he had not at that time any other improvement within the limits of the Choctaw nation; that his family consisted of a wife and three children under ten years of age; that he signed to the United States agent, Colonel William Ward, his intention of remaining and becoming a citizen of the States within six months from the ratification of the treaty, and that he continued to reside on said tract of land, intending to remain a citizen of Mississippi. The testimony of Hammond, Reilly, and others, corroborating the statement of Thompson, and swearing positively that they were present when he signed his intention to the agent, is among the papers. The statement of his chief, and other leading men of the nation, in support of his right to land, is one of the accompanying documents. There is, also, among the papers a letter from Colonel Ward in relation to the subject, accounting for errors and mutilations in the register. The land claimed by Thompson has been sold, as will appear from the records of the land office at this place. He remained on the land until some time after it was sold, but has since removed to another section of the country. I now ask for him that other lands of equal quality and value may be located, of equal quality and value with those sold. A portion of the lands claimed by Thompson has been sold for twenty dollars per acre; the residue has been sold for ten and fifteen dollars per acre. The abstract of the testimony is given from recollection, but I know it to be true in substance.

Yours, &c.                                    

F. E. PLUMMER.

To George W. Martin.

Chocehuma, December 11, 1834.

Jacob Thompson makes application to locate section No. 4, the southeast and southwest quarters of section No. 5, and the northwest quarter of section No. 3, township 19, range 1 east, (being 14 sections,) which he claims under the provisions of the 14th article of the treaty of Dancing Rabbit creek, and requests that the same may be reserved from sale, and secured for him in conformity with the provisions of the treaty.

JACOB THOMPSON.

By F. E. PLUMMER.

To Col. George W. Martin, Locating Agent.

Jacob Thompson is registered for the within described tract of land. The register of Columbus is requested to reserve the land from sale, that the facts and testimony in the case may be laid before the next Congress.

December 1, 1834.

GEO. W. MARTIN, Locating Agent.
WAR DEPARTMENT, October 30, 1834.

Sir: I have the honor to inform you that instructions have been given, by order of the President, to Colonel George W. Martin, locating agent, in relation, generally, to claims to reservations under the Choctaw treaty of 1830. These instructions embrace the cases of Jacob Thompson, Thomas Stewart, and John R. Contee, whose papers were presented at this department by you.

Very respectfully, &c.

LEW. CASS.

Hon. F. E. PLUMMER,
Chocehuma, Miss.

Testimony said to be on file in the War Office.

GEORGE W. MARTIN,
Land Agent.

CHOCEHUMA, MISS.,

November 30, 1834.

John R. Contee makes application to locate section No. 2, of township No. 16, in range 1 west, under the provisions of the 14th article of the treaty of Dancing Rabbit creek. His residence and improvement, I am informed, was on the abovenamed section. My information is derived from those who know and were acquainted with Contee and his family, and the numbers of his land. He requests that his land may be reserved from sale, and secured to him according to the provisions of the treaty.

JOHN R. CONTEE,
By F. E. PLUMMER.

I do certify that John R. Contee is a citizen of the Choctaw nation, east of the Mississippi; but as to claim, I do not know whether he has a legal claim or not; that he will be qualified to his claim.

Given under my hand, this 22d June, 1834.

GREENWOOD LEFLORE,
Chief of the N. W. Dist., C. N.

I do certify that John R. Contee has registered as a citizen of the State of Mississippi, to remain five years, this 27th June, 1831.

S. WARD, Subagent.

WAR DEPARTMENT,
October 30, 1834.

Sir: I have the honor to inform you that instructions have been given, by order of the President, to Colonel Martin, the locating agent, in relation, generally, to claims to reservations under the Choctaw treaty of 1830. These instructions embrace the cases of Jacob Thompson, Thomas Stewart, and John R. Contee, whose papers were presented to this department by you.

Very respectfully, &c.

LEW. CASS.

Hon. F. E. PLUMMER,
Chocehuma, Miss.
John R. Contee is registered for the within described tract of land. The register of the land office at Clinton is requested to reserve the same from sale, that the facts and testimony in the case may be laid before the next Congress.

GEO. W. MARTIN, Locating Agent.
CHOCEHUMA, Nov. 30, 1834.

Testimony said to be on file in the War office.
GEO. W. MARTIN, L. Agent.

WAR DEPARTMENT,
October 30, 1834.

Sir: I have the honor to inform you that instructions have been given, by order of the President, to Colonel Martin, locating agent, in relation, generally, to claims to reservations under the Choctaw treaty of 1830. These instructions embrace the cases of Jacob Thompson, Thomas Stewart, and John R. Contee, whose papers were presented to this department by you.

Very respectfully, &c.

LEW. CASS.
Hon. FRANKLIN E. PLUMMER,
Chocehuma.

CHOCEHUMA, December 2, 1834.

Sir: Thomas Stewart claims the northwest quarter of section No. 10, lots Nos. 3, 4, and 5, of said section, in township No. 16, range No. 1 west, under the provisions of the treaty of Dancing Rabbit creek. He requests that the same may be reserved from sale, and secured to him in conformity with the provisions of the treaty.

THOMAS STEWART,
By his assignee, J. R. PLUMMER.

Registered for the within described tract of land. The register of the land office at Clinton is requested to reserve the same from sale, that the facts connected with the case may be laid before Congress.

GEO. W. MARTIN.

CHOCEHUMA, December 2, 1834.

Sir: The papers and testimony in support of the claim of Thomas Stewart to land under the treaty of Dancing Rabbit creek, were taken up to the War Department by me. His case was decided upon, and is embraced within the general instructions recently issued to you by order of the President, as will more fully appear from an inspection of a letter from the Secretary of War, under date of the 30th October, 1834, made a part
of this communication. The documents submitted to the department, which are now on file in the Indian Bureau, contain his own affidavit, stating that he was a citizen of the Choctaw nation, with an Indian family, and that he resided with his family within that district of country ceded to the United States by the treaty of Dancing Rabbit creek, and had more than twelve acres in cultivation. He also states that he signified to the agent his intention of remaining and becoming a citizen of the States within the time prescribed by the treaty. The statements are supported by the testimony of David Cochnaur and others. A letter from Major F. W. Armstrong is on file, recognizing the claim of Stewart, as entitled to one quarter section of land, under the 19th article of the treaty, and requesting it may be secured to his wife.

Stewart's name is not on either Ward's or Armstrong's register; his claim being recognised by Armstrong, in the letter before referred to, and not by Ward. He is willing (if it should meet your approbation) to waive his right to a section of land, under the 14th article of the treaty, and take a quarter section under the 19th article. The land claimed by him, and on which he resides, is the northwestern quarter, or lots Nos. 3, 4, and 5, of section No. 10, of township No. 16, of range No. 1 west, situate in the Clinton land district.

Respectfully, &c.

F. E. PLUMMER.

To Col. Geo. W. Martin,
Locating Agent.

Testimony said to be on file in the War office.

GEO. W. MARTIN.

STATE OF MISSISSIPPI, Holmes county, &c.

John B. Stewart and Susan Graham make oath and say, 1st. John B. Stewart, that, on or about the 13th day of August, in the year 1831, he went in company with and attended his mother (Susan Graham) to the agency at Colonel William Ward's, who went for the purpose of registering, under the article of the treaty of Dancing Rabbit creek, providing for a five years' stay; that, at the time of his mother's registering, being about the time aforesaid, he saw the register to which his mother was registered lying open, and was led by curiosity to examine it, and then and there upon said register saw and read aloud, in the presence and hearing of said Ward, (the agent,) the name of Benoni Taylor, and that said Ward said nothing in denial of said Taylor's having been duly registered. That, in regard to the truth of Taylor's name having been registered upon Colonel Ward's register, he cannot be mistaken, for he saw it and read it.

2d. Susan Graham states, on oath, that, on or about the 13th day of August, 1831, she went with her son, John B. Stewart, to the agency at Colonel Wm. Ward's, for the purpose of registering for the five years' stay, under the treaty of Dancing Rabbit creek; that, about the time aforesaid, she registered before said Ward at the agency aforesaid, she heard and saw her son, John B. Stewart, read aloud the name of Benoni Taylor from the register kept by said Ward for that purpose, and that said Ward did not gainsay it.

SUSAN GRAHAM.

JOHN B. STEWART.
Sworn to and subscribed, before me, the undersigned, judge of probate for the county and State aforesaid, on the 22d day of November, 1834.

W. S. TRIMBLE,
Judge of Probate, H. county.

CHOCEHUMA, December 4, 1834.

DEAR SIR: The persons by whom I expected to prove the value of Benoni Taylor’s land have left the place. All I know in relation to the value of the land which has been sold is derived from the information of others. The land on which he lived was sold at the Columbus land sale last fall. It is now worth from five to fifteen dollars an acre. I pledge myself, as soon as I can reach the neighborhood, to adduce to you satisfactory evidence of these facts, provided you will make the location. The whole tract is worth five dollars on an average.

Most respectfully, &c.

F. E. PLUMMER.

To Col. Geo. W. Martin.

I have seen a part of the tract of land claimed by Benoni Taylor, and I believe it to be worth ten dollars an acre.

December 14, 1834.

A. VERNON ROWE.

CHOCEHUMA, December 4, 1834.

Benoni Taylor applies to locate the following lands under the 14th article of the treaty of Dancing Rabbit creek, in 1830, all in township 19, range 1 west: The west half of section 21; the 16th section; southeast quarter of section 29; the west half of section 28; the east half of section 32; the west half of section 33. He requests that the above lands may be reserved, to satisfy his claims under the 14th article as above, subject to the approval of the Congress of the United States.

BENONI TAYLOR.

Col. Geo. W. Martin.

Benoni Taylor is registered for the within described tract of land. The register of the land office at Clinton is requested to reserve the land from sale, that the case may be laid before Congress.

GEO. W. MARTIN,
Locating Agent.

My acquaintance does not justify the expression of an opinion respecting the within subscribing witnesses.

GEO. W. MARTIN,
L. Agent.

STATE OF MISSISSIPPI, Lowndes county:

Before me, Henry Dickinson, an acting justice of the peace in and for said county, Robert Hancock, jr., a Choctaw Indian, aged from 20 to 22 years, who, being duly sworn, and the contents of this affidavit explained to him, deposes and saith: I am the son of Robert Hancock; I have re-
mained in the Choctaw nation for the purpose of getting land from the United States, under the 14th article of the treaty with the Choctaw Indians. My father registered me as one of his children with the agent.

ROBERT HANCOCK, his mark.

Sworn to and subscribed, before me, this 25th November, 1834.
HENRY DICKINSON, J. P.

STATE OF MISSISSIPPI, Lowndes county:
Before me, Henry Dickinson, an acting justice of the peace in and for said county, this day personally appeared Reuben H. Grant, who, being first duly sworn, deposes and saith: I was acquainted with Robert Hancock, a Choctaw Indian, and I know that he registered himself and children for a five years' claim, with the agent, within six months from the ratification of the treaty of Dancing Rabbit creek. I know Robert Hancock, jr., son of Robert Hancock, and that he was one of the children registered by his father. He is now about 22 years of age. I know that he has remained in the neighborhood of his father's former residence ever since the ratification of said treaty.

REUBEN H. GRANT.

Sworn to and subscribed, before me, this 25th day of November, 1834.
HENRY DICKINSON, J. P. [seal.]

I am personally acquainted with R. H. Grant, and conceive him intelligent, and a creditable witness.

GEO. W. MARTIN, L. Agent.

THE STATE OF ALABAMA, Sumter county:
Before me, William Bennett, a justice of the peace in and for the county and State aforesaid, personally came and appeared Alexander Brashears, Allen Stanton, David W. Wall, and Betsey Buckles, of said county, who, being first duly sworn, do severally depose and say, that they were well acquainted with Zadock Brashears, sen., deceased, in his lifetime; that the said Zadock Brashears, sen., was, at the date of the treaty of Dancing Rabbit creek, of September, 1830, a citizen of the Choctaw nation, and the head of a Choctaw family; that they were present at the Choctaw agency in the month of June or July, 1831, and saw the said Zadock Brashears, sen., now deceased, register with the agent, Col. Ward, his name, as intending to reside, or remain, and become a citizen under the 14th article of the treaty of Dancing Rabbit creek; and that, at the time of his registry, he gave in and caused to be registered two children, then unmarried, both over ten years of age, and under his guardianship, he being their step-father; one named Ophla, since married to one Dennis Payne, and the other a boy, named David Walker. That the said two children were registered by the said agent, Col. Ward, with the name of Zadock Brashears, sen., at the time before stated. These affiants further say, that they have understood that the name of Zadock Brashears, sen,
was not to be found upon the copy of the register of names under the 14th article of the treaty, but that his name was found as registered under the 19th article of the treaty, for a cultivation claim, and his land located to him accordingly, whereby the two children registered by him, as aforesaid, have been deprived of any locations of land whatever.

ALEXANDER BRASHEARS.
ALLEN STANTON.
D. W. WALL.
BETSEY BUCKLES, her x mark.

Sworn to and subscribed, before me, this 14th day of November, 1834.

WILLIAM BENNETT, J. P.

I, William Bennett, a justice of the peace in and for Sumter county, do hereby certify that I am acquainted with Alexander Brashears, Allen Stanton, D. W. Wall, and Betsey Buckles, above named, and that they are persons entitled to credit and belief.

WILLIAM BENNETT, J. P.

STATE OF ALABAMA, Sumter county:

I, Daniel Warmack, clerk of the county court of the county aforesaid, do hereby certify that William Bennett, whose name appears to the foregoing certificate, is an acting justice of the peace in and for said county, and was at the signing of the same, and that due faith and credit may be given to his official acts as such.

Given under my hand, and seal of office, at Livingston, this 15th day of November, A. D. 1834.

DANIEL WARMACK, Clerk.

My acquaintance with the witnesses within subscribed is not such as to enable me, in justice, to offer an opinion as to their credibility, or otherwise.

GEO. W. MARTIN, L. Agent.

THE STATE OF ALABAMA, Sumter county:

Before me, William Bennett, a justice of the peace in and for the county of Sumter, and State aforesaid, personally came and appeared Alexander Brashears, of said county, who, being duly sworn, deposes and says, that at the date of the treaty of Dancing Rabbit creek with the Choctaw tribe of Indians, and for many years before, he was a citizen of said Choctaw nation, and the head of a Choctaw family residing in said nation. That in the month of June or July, 1831, he, this deponent, applied to Col. William Ward, then United States agent for the Choctaws, and gave notice to him of his intention to remain and become a citizen of the States, and that he claimed the benefit of the provision made by the 14th article of said treaty aforesaid, and requested the said William Ward to register his name, and the number of his children at that time, in conformity with the instructions given said agent. That the
said Ward did, accordingly, register the name of this affiant, and the number of his children at the date of the treaty. That he had, at the date of the treaty, nine unmarried children living with him, three over ten years of age, and six under ten years of age. That all of said children, before named, are now living. This affiant further says, that, upon applying to the locating agent, Col. Geo. W. Martin, to locate the lands granted to himself and his children, he discovered that two of his children had been omitted in the register of the agent, one over ten, and the other under ten years of age, and, in consequence thereof, this affiant has, by said omission of the agent, been deprived of three quarter sections of land granted them under said treaty, and he therefore asks that the land granted on account of his two children, thus omitted, may be located to him.

ALEXANDER BRASHHEARS.

Sworn to and subscribed, before me, this fourteenth day of November, 1834.

WILLIAM BENNETT, J. P.

Before me, William Bennett, justice of the peace as aforesaid, personally came and appeared David W. Wall, Allen Stanton, and Betsey Buckles, of Sumter county, who, being duly sworn, say, that they are acquainted with Alexander Brashears, named in the foregoing affidavit, that he was a citizen of the Choctaw nation, and the head of a Choctaw family, at the date of the treaty of Dancing Rabbit creek; that they were present when the said Alexander Brashears gave notice to Col. Ward, the United States agent for the Choctaws, of his intention to remain and become a citizen of the State, and claimed the benefit of the 14th article of said treaty. That this took place at the Choctaw agency, about the month of June, 1831. That the said Brashears had, at the date of the said treaty, living with him, and unmarried, nine children, three of whom were, at the date of the treaty, over ten years of age, and six under ten years of age; that he registered with the said agent nine children; and that the facts stated in the foregoing affidavit, by the said Alexander Brashears, are true.

D. W. WALL.

ALLEN STANTON.

BETSEY BUCKLES.

Sworn to and subscribed, before me, this 14th November, 1834.

WILLIAM BENNETT, J. P.

I, William Bennett, a justice of the peace in and for Sumter county, do hereby certify that I am acquainted with D. W. Wall, Allen Stanton, and Betsey Buckles, above named, and that they are persons entitled to credit.

Given under my hand, this 14th day of November, 1834.

WILLIAM BENNETT, J. P.
STATE OF ALABAMA, Sumter county:

I, Daniel Warmack, clerk of the county court of the county aforesaid; do hereby certify that William Bennett, whose name appears to the foregoing certificate, is an acting justice of the peace in and for said county, and was at the signing of the same; and that due faith and credit may be given to his official acts as such.

Given under my hand, and seal of office, at Livingston, this 15th day of November, A. D. 1834.

[Signature]

DANIEL WARMACK, Clerk.

My acquaintance does not justify the expression of an opinion respecting the within subscribing witnesses.

GEO. W. MARTIN,
Locating Agent.

STATE OF MISSISSIPPI, Tallahatchee county:

Elias Williams makes oath that he has been well acquainted with Imponah and Cunneubbee, two Choctaw Indian citizens, the heads of Choctaw Indian families, for about six years. That, within the time prescribed by the treaty of Dancing Rabbit creek, he saw the aforesaid Indians at the Factory trading-house, where the Indians received their annuity, at which time and place Col. William Ward was registering the heads of Choctaw Indian families, under the 14th article of said treaty. That it was well understood at that time in the neighborhood, by everybody, that the aforesaid Indians, with many others, had attended for the purpose of registration, and receiving their annuities. That, in a short time afterwards, he heard said Indians say that they had registered, and that Col. Gaines went with them, and had seen it done. That said Indians, with their families, have permanently resided at the same place upon their claims and improvements ever since. That he is well acquainted with their families, and believes at the time of said treaty Imponah had one child over ten years of age; Cunneubbee had two children under ten years of age. That it has always been a matter of universal understanding that they had registered in due time under the 14th article of said treaty. That they have frequently so informed him, and he believes it to be true. That he has no interest whatever in the location of their claims.

ELIAS WILLIAMS.

Sworn to and subscribed, before me, on the 1st day of December, 1834.

THOMAS G. RINGGOLD, J. P.

DEMOPOLIS, ALA., November 15, 1834.

My dear Sir: I have met here Mr. Williams, the bearer of this letter, who was in pursuit of me, in order to obtain my testimony of the fact of Imponah, alias Billy, and Cunneubbee, two Choctaws residing on Factory creek, having applied in due time to Col. Wm. Ward, late United States Choctaw agent, to be registered for citizenship, in conformity to the treaty of Dancing Rabbit creek, the former having one child over ten years of age, and the latter two children under ten years of age.

I well recollect of interesting myself for the Indians residing in the neighborhood of the Factory, who desired to become citizens, and of going
with them to the agent's room when at the Factory, and seeing that he took down their names and described their families for registration, as the parties called upon me for that purpose, and I do verily believe the above-named Indians were of the number; and that they, with others, who I am told are not found on the register in your hands, did what was required of them to entitle them to the lands occupied by them.

I have, some two weeks ago, addressed the Hon. Secretary of War on the subject of the omission of the agent mentioned to record upon his books the applications for citizenship of many families made to him at the Factory, and full minutes of the same, made by him for that purpose in my presence, requesting an order from him on the proper authority to reserve from sale the lands claimed until the parties could produce proof of their applications in due time. But as there may not be time to receive such an order at the land offices before the public sales next month, I would respectfully suggest to you whether, under the circumstances, it would not be your duty to cause to be reserved from sale all the lands claimed by the parties mentioned, including all those named in my letter to the Hon. Secretary, a copy of which Major Whitsell will lay before you. It is beyond doubt that the parties are entitled to their lands, and that justice would be subserved by the course suggested, and the Government saved much trouble.

I am; &c.,

GEO. S. GAINES.

Geo. W. Martin,
Locating Agent Choctaw Claims.

Mr. Gaines, I expect, is well known as a respectable and intelligent man; I conceive him such, from information; with Mr. Williams, the other witness, I am unacquainted.

GEO. W. MARTIN,
Locating Agent.

The State of Alabama, Marengo county, ss.

Before me, Charles H. Drummond, a justice of the peace in and for the county of Marengo, and State of Alabama aforesaid, personally came and appeared Allen Stanton, of Sumter county, who, being duly sworn according to law, deposeseth and saith, that he is acquainted with Lush-pe-o, a Choctaw woman, who resided near the mouth of Suckenatchie, in the Choctaw nation, (now Sumter county, Alabama,) at the date of the treaty of Dancing Rabbit creek, concluded in the month of September, 1830. That she resided with her family at the place before described, for several years before said treaty, and from that period down to the present time. This affiant further says that the said Lush-pe-o was entitled to all the privileges of a Choctaw citizen at the date of said treaty, and that she is a full blooded Choctaw woman; that she had, at the date of said treaty, living with her, four children, all unmarried, two over ten, and two under ten years of age, at the date of said treaty, to wit, a girl named Betsy, otherwise called Shamah, in Choctaw, about fourteen years of age, at the date of the treaty; a girl named Eliza, otherwise called, in Choctaw, Juchapo-yo, about twelve or thirteen years of age; a boy, named Sam, other-
wise called Neck-a-chubbee, about eight years old; a girl named Lucy, about six years of age. This affiant further says, that he was present at the old Choctaw trading-house, in the month of August, 1831, between the 10th and 13th of August, 1831, and saw the said Lush-pe-o apply to the agent, Colonel William Ward, and give him notice of her intention to remain and become a citizen; and requested him to register her name, and the number and ages of her children, so as to entitle them to the provisions made by the 14th article of the treaty before mentioned, and saw the said agent take down their names in writing accordingly. This affiant well remembers this fact, because Lush-pe-o did not speak the English language, and she was carried to the presence of the agent by Zadock Brashears, sen., and her request to be registered under the 14th article of the treaty was communicated to the agent through an interpreter. This affiant well remembers that George S. Gaines, Dr. Hard, of Columbus, and Thomas Lewis, were present at the time. This affiant further says, that Lush-pe-o was the reputed wife of a white man, named George Clarke, who, from his constant habits of intemperance, is wholly unfit to attend to or transact business of any kind, and that, upon the occasion referred to, his reputed wife gave the notice of her intention to remain, and had her register of their names made by the agent, as before stated. That the said Lush-pe-o, and her family, have remained upon their land ever since, and have always believed and said they were entitled to the provisions made by the 14th article of the treaty, and that, upon the application made by the said Lush-pe-o to have her name registered under said treaty by Colonel Martin, the locating agent, it was found that her name was not upon the register. This affiant further says, that the agent who went around for the purpose of ascertaining the quantity of acres each Choctaw had in cultivation, under the 19th article of the treaty, took down and returned the names of all heads of families; as well those who intended to remain as those who did not; and that the name of George Clarke was taken down for a cultivation claim, but he always claimed the benefit of the 14th article, and he and his reputed wife have always expressed their intention to remain, and claimed the benefit of the said 14th article, and now remain upon their land, as before stated. Upon the survey of the land, the residence is upon section 22, township 17, range 1 west, in Sumter county.

ALLEN STANTON.

Sworn to and subscribed, before me, November 11, 1834.

C. H. DRUMMOND, J. P.

Before me, Ch. H. Drummond, a justice of the peace, as aforesaid, personally came and appeared William H. Brickhotts, of Sumter county, who, being duly sworn, says that he is acquainted with Lush-pe-o, within named. That he was present at the old Choctaw trading-house about the 11th of August, 1831, and saw her apply to Colonel Ward to have her name, and the number and ages of her children, registered, under the 14th article of the treaty of Dancing Rabbit Creek; that the register was made by Colonel Ward accordingly, and that she had; at the date of said treaty, four children, two under ten, and two over ten years of age, living with her. That George S. Greene was present, and interpreted for the same Lush-pe-o to the agent at the time of her registration. That she has always, from before the treaty till the present time, lived with her family upon the land
now claimed by her, and was and is entitled to all the privileges of a Choctaw citizen. She is the reputed wife of one George Clarke, who, from excessive intemperance, is unfit to attend to business of any kind. This affiant has, for several years, lived near said Lush-pe-o, and knows that she intended to remain upon the land claimed by her and her family, and that she has always believed her name, and those of her children, were duly registered by the agent, under the 14th article of the treaty.

WILLIAM H. BRICKHOTTS.

Sworn to and subscribed, before me, November 12, 1834.

C. H. DRUMMOND, J. P.

I certify that I am acquainted with Allen Stanton and William H. Brickhotts, who have testified in relation to the annexed claim of Lush-pe-o, and that I consider them both entitled to credit.

November 11, 1834;

C. H. DRUMMOND, J. P.

My acquaintance does not justify the expression of an opinion respecting the within-subscribed witness.

GEO. W. MARTIN, L. Agent.

November 22, 1834.

Sir: After my respects, Mr. Sprague will deliver you the proofs for Lucy McGilbray’s land claim. I am able to make more proof, if that is not sufficient under the last instruction. The land she wishes to apply for is the east half of section three, to all but her section, and northwest quarter of section two, township fifteen, range nineteen. I would have come and seen you myself, but our election for representatives comes on the 6th of December, and I am a candidate, and my friend Felder is spoken of on the other party, in consequence of that, it is out of my power to come and see you.

Your compliance will much oblige your friend,

T. D. WOOLDRIDGE.

To Colonel George W. MARTIN.

THE STATE of MISSISSIPPI, Lownes county.

Personally appeared before me, A. G. Weir, an acting justice of the peace for the county aforesaid, John McGilbray, who, being first duly sworn, saith that he registered Lucy McGilbray as a head of a family, under the fourteenth article of the treaty, and, by mistake of the agent, or this deponent, she was registered as one of this deponent’s children, over ten years of age. This deponent states that he registered four children over ten years of age for himself. There does not appear on the register but three over ten years of age. This deponent is informed the agent neglected to register the said Lucy McGilbray as one of his children, or as head of a family. This deponent further states that the said Lucy McGilbray had,
at the time of the treaty, one child under ten years of age, and still has
this child, and remains on the place with the expectation of being benefited
by the fourteenth article of said treaty, and still remains there.

JOHN McGILBRY, his x mark.

Sworn to and subscribed, before me, this 22d November, 1834.

A. G. WEIR, Justice of the Peace.

THE STATE OF ALABAMA; Pickens county:

Personally appeared before me, Mordica W. Harrison, an acting jus-
tice of the peace for the county aforesaid, Thomas D. Wooldridge, who,
being first duly sworn, deposes and saith, that he was present when Jesse
Beams applied to his captain, Benjamin James, to secure him land un-
der the 14th article of the treaty of Dancing Rabbit creek, and believes he re-
mained in the country with the expectation of obtaining land under the
14th article of said treaty.

T. D. WOOLDRIDGE.

Sworn to and subscribed, before me, this 4th day of November, 1834.

M. W. HARRISON,
Justice of the Peace. [L. s.]

THE STATE OF ALABAMA, Pickens county:

Personally appeared before me, Mordica W. Harrison, an acting jus-
tice of the peace for said county, Reuben A. Grant, who, being first duly
sworn, deposes and saith, that he was present when the said Jesse Beams
made application to his captain, Benjamin James, to secure him land un-
der the 14th article of the treaty of Dancing Rabbit creek, and knows the
said Beams still remains in the country. The said Beams has frequently
requested this deponent to register himself and children, but this deponent
does not recollect that he ever did register the same: He also informed this
deponent that he had requested David Pulsom to attend to his land busi-
ness for him and his children.

REUBEN A. GRANT.

Sworn to and subscribed, before me, this 17th day of November, 1834.

M. W. HARRISON,
Justice of the Peace. [L. s.]

THE STATE OF ALABAMA, Pickens county:

Personally appeared before me, Mordica W. Harrison, an acting jus-
tice of the peace for the county aforesaid, Jesse Beams, a Choctaw, who,
being first duly sworn, deposes and saith, that he did inform the agent
of the United States for the Choctaw nation that he would remain
and become a citizen under the 14th article of the treaty of Dancing
Rabbit creek, for himself and three children, one over ten years of age, and
two under ten years of age, before the expiration of six months after the
ratification of said treaty, and this deponent is informed that his name does
not appear on the agent's register; and this deponent further states, that
he has remained until the present time, under the expectation of having so-
cured to him by said treaty, two sections of land, and expects to remain the time stipulated in said treaty.

JESSE BEAMS, his x mark.

Sworn to and subscribed, before me, this 17th day of November, 1834.

M. W. HARRISON,
Justice of the Peace. [L. s.]

The State of Alabama, Pickens county:

Personally appeared before me, Mordica W. Harrison, an acting justice of the peace for the county aforesaid, Arthur Carney, Siney Carney, and Betsey Beams, all of them, being first duly sworn, depose and say, that they were present when Jesse Beams requested Benjamin James, who was his captain, to register his name to take provisions under the 14th article of the treaty of Dancing Rabbit creek, concluded between the United States and the Choctaw nation on the 27th September, 1830, and have been informed that the said Jesse Beams's name does not appear on the register of said agent; these deponents further state, that they know the said Jesse Beams had, at the time of the said treaty, one child over ten years of age, and two under ten; and that the said Jesse Beams remained for the purpose of securing land for himself and children, and still remains in the late Choctaw nation.

ARTHUR CARNEY, his x mark.
SINEY CARNEY, his x mark.
BETSEY BEAMS, her x mark.

Sworn to and subscribed, before me, this 17th day of November, 1834.

M. W. HARRISON,
Justice of the Peace. [L. s.]

The State of Alabama, Pickens county:

Personally appeared before me, Mordica W. Harrison, an acting justice of the peace for the county aforesaid, Jesse A. Ivery and Thomas D. Wooldridge, who both, being first duly sworn, say that they have known Betsey Beams, a Choctaw woman, for five or six years, and know she resides in the late Choctaw nation, and know she had, at the time of the treaty of Dancing Rabbit creek, one child over ten years of age, and two under ten years, and the said Betsey Beams and children are still residing in the Choctaw country; and that the said Betsey Beams still resides on the same land that she did at the time of said treaty.

JESSIE A. IVERY.
THOS. D. WOOLDRIDGE.

Sworn to and subscribed, before me, this 17th day of November, 1834.

M. W. HARRISON,
Justice of the Peace. [L. s.]

The State of Alabama, Pickens county:

Personally appeared before me, Mordica W. Harrison, an acting justice of the peace for the county aforesaid, Reuben H. Grant, who, being first duly sworn, deposes and saith, that he has been acquainted with Betsey Beams before and since the treaty, and that the said Betsey Beams requested him, the said Grant, to make out a list of her children, and to.
register them with the agent of the United States for the Choctaw nation and this deponent further states that he did hand to the agent the said Betsey Beams's name, and the names of three children, one over ten, and two under ten years of age, and knows the said Betsey Beams had the children as stated, and still has them, and that she resides, and has continued to reside, in the late Choctaw nation:

REUBEN H. GRANT.

Sworn to and subscribed, before me, this 17th day of November, 1834.

M. W. HARRISON,
Justice of the Peace. [L. s.]

I am personally acquainted with R. H. Grant and Thomas D. Woolridge, and conceive them both intelligent, and creditable witnesses.

GEO. W. MARTIN, L. Agent.