

6-4-1858

Report : Mr. Johnson, of Arkansas

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IN THE SENATE OF THE UNITED STATES.

JUNE 4, 1858.—Ordered to be printed.

Mr. JOHNSON, of Arkansas, made the following

REPORT.

[To accompany Bill S. 54.]

The Committee on Public Lands, to whom was referred the bill to revive and extend an act entitled "An act for the relief of the representatives of John Donnelson, Stephen Heard, and others," approved May 24, 1824, respectfully report:

That by the aforesaid act John Donnelson, Stephen Heard, William Downs, Joseph Martin, John Sevier, and Thomas Carr, or their heirs and representatives, respectively, were authorized to enter, under direction of the Secretary of the Treasury, 5,000 acres of land, within two years from the passage of the act, in any land office in Mississippi or Alabama, "being the amount of a grant made to them, by a resolution of the legislature of the State of Georgia, in the year 1786."—(U. S. Statutes at Large, volume 6, page 313.)

On the 15th of May, 1826, this act is revived and extended for twelve months.—(*Ibid.*, page 340.)

On the 19th of May, 1832, it is again extended twelve months.—(*Ibid.*, page 486.) On the 23d of June, 1836, it is again revived and extended for twelve months, and the beneficiaries of the act are authorized, in addition to Mississippi and Alabama, to enter their lands in any land office in Louisiana or Arkansas.

It appears by the letter of the Commissioner of the General Land Office, hereto appended and made part of this report, that prior to the passage of this last act, 23d June, 1836, some 1,460.46 acres of land had been located and patented for the Donnelson claim, out of the 5,000 acres granted by the original act, leaving still 3,539.54 acres to be located under the act of 1836; that prior to the expiration of the twelve months' limitation of said act, application was made by the Donnelson representatives to enter certain lands, in virtue of said act, in certain townships in Mississippi, which had been withdrawn from sale prior to the passage of the said last act of 1836, to await the adjustment of the boundary line of the Chickasaw cession; and that these lands thus applied for, and having been withdrawn from market before the passage of said last named act, the General Land

Office did not and could not properly recognize the location thus made by the representatives of said Donnelson, and can only obtain relief through Congress. The committee find the original claim a just and legal one, recognized as such by four several Congresses; that it has been but partially satisfied; and they can discover no good reason why the beneficiaries of the act sought to be revived should not be permitted to locate the balance of the lands awarded to them by the State of Georgia in 1786, and confirmed to them by the United States in 1824, as authorized by the act of 1836. The committee, therefore, report back the bill with an amendment, and recommend that the same do pass.