

IN SENATE OF THE UNITED STATES.

JANUARY 13, 1835.

Read, and ordered to be printed.

Mr. WHITE made the following

REPORT:

The Committee on Indian Affairs, to which was referred the petition of Charles Juzan, have had the same under consideration, and ask leave to submit the following report:

That they believed there was probably some evidence in the War Department which would be useful in their examination of the merits of the petitioner's claim; they, therefore, caused an application to be made to that department, and received, from the Commissioner of Indian Affairs, a communication under date of the 3d of January instant, by which it appears that the petitioner was provided for under the 19th article of the treaty with the Creek Indians; and that he has no claim to the provisions made by the 14th article of the same treaty.

Your committee believe the information thus procured is correct, and ask that the communication referred to may be considered a part of their report, and recommend the adoption of the following resolution:

Resolved, That the prayer of the petitioner is unreasonable, and ought not to be granted.

WAR DEPARTMENT,

Office Indian Affairs, January 3, 1835.

SIR: In compliance with your direction, I submit a report upon the case of Charles Juzan, presented to you by the honorable Mr. King.

The 19th article of the treaty with the Choctaws of 27th September, 1830, gave two sections of land to Charles Juzan. The return made by Maj. Armstrong of persons entitled to reservations under this article, contains the name of Charles Juzan. The return states that he had twenty-six persons in family, two males over ten years of age, one white, and twenty slaves, with one thousand two hundred and eighty acres of land. Juzan's name is also upon the list of claims allowed under the treaty; whereon, Col. Ward entered the relinquishments to the United States, made by the reservees. It does not appear that Juzan had relinquished his lands; nor is there any evidence that he, at any time, signified his intention to become a citizen, and so entitled himself and his children to reservations under the 14th article.

I am not able to state the particulars required by the committee, in regard to the number and ages of the children of Juzan. The only report of locations received from Col. Martin is dated 20th August last; it contains no locations for these children.

I would respectfully suggest that, as the provision in the 19th article, in regard to those who omitted to take reservations, cannot properly be considered as applicable to the individuals therein named, the claim of Juzan to the two sections granted, is clear; and the admission of this would preclude the grant to him of reservations under the 14th article, unless, at the date of the treaty, he had other sections than these, on which he had made improvements.

I am, sir,

Very respectfully,

Your obedient servant,

ELBERT HERRING.

Hon. LEWIS CASS,
Secretary of War.