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Lands to organized militia men, &c

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LANDS TO ORGANIZED MILITIA MEN, &c.

[To accompany bill H. R. No. 570.]

APRIL 20, 1836.

MR. CASEY, from the Committee on the Public Lands, made the following

REPORT :

The Committee on the Public Lands, to which was referred the memorials of the General Assemblies of the States of Illinois and Indiana, praying for additional remuneration to the militia men and rangers who defended the frontier of the United States, during the late war with Great Britain; and also, a preamble and joint resolution of the General Assembly of the Commonwealth of Kentucky, proposing the passage of a law of Congress to place the officers and soldiers who served for a less term than five years, in the United States army, in the last war with Great Britain, on a just equality with the soldiers of that army, in the distribution of the public lands; with instructions by the House of Representatives "to inquire into the propriety of passing a law in accordance to the said preamble and resolutions," respectfully submit the following report:

That, by an act of Congress, passed the 2d of January, 1812, the President of the United States was authorized, whenever he should have satisfactory evidence of the actual or threatened invasion of any State or Territory of the United States, by any Indian tribe or tribes, to raise, either by the acceptance of volunteers, or enlistment for one year, unless sooner discharged, as many companies as he should deem necessary, not exceeding six, to serve on foot, or be mounted, as the service might require, and who should act upon the frontier as rangers; each of the said companies was to consist of one captain, one first, one second lieutenant, one ensign, four sergeants, four corporals, and sixty privates.

The above recited act further provided, "that the commissioned officers should receive the same pay and rations as officers of the same grades in the army of the United States; and when the rangers should arm and equip themselves, and provide their own horses, they should be allowed each one dollar per day. The manner of arming, equipping, and organizing the said corps, was placed under such regulations and restrictions as the nature of the service, in the opinion of the President, might require. This act of course took effect from its passage, and was to continue in force for one year, and from thence to the end of the next session of Congress.

On the 1st day of July, 1812, Congress, by a supplementary act, authorized the raising of one additional company of rangers, under like conditions and restrictions.

On the 25th day of February, 1813, Congress provided a further increase of ten additional companies of rangers, and placed them upon a similar footing; and on the 24th of July, following, the same acts referred to were continued for one year from that time, and until the end of the next ensuing session of Congress. And so efficient had the rangers proved themselves to be that these ten companies were made the substitute for a regiment authorized to be raised by a previous law.

The companies thus authorized to be raised, were organized, and entered the service of the United States. The nature of that service, its hazards and hardships, are well described in the memorial of the Illinois Legislature. They show that this class of citizens, now for the first time attempted to be brought forward to the consideration of Congress, are not the least deserving the aid of the Government, though they are the last almost of the defenders of our country who have asked for any remuneration. Their claims to the attention and favor of the Government, will be better understood from a brief outline of the condition of the country when they were its defenders, and the nature of their services. Previously to the year 1812, the settlements of the country were confined to the margin of the rivers Ohio and Mississippi, while all between was a wilderness but little frequented by the whites, and the constant abode of the Indians; and when the late war broke out these settlements were always exposed to their attacks, and subject to their perpetual hostilities. The weakness of their situation forced the inhabitants to use extraordinary exertions for their defence; they erected stations, and abandoning their homes, and in many instances all they had on earth, they devoted themselves wholly to the defence of their country; they were thus of great benefit to the inhabitants of the adjacent States, who, but for their adventurous boldness, would have been equally exposed; they formed the advance guard of the country, during a fierce and ferocious Indian war; and their privations and sufferings were almost unparalleled.

The late war with Great Britain raging at this time, the great body of the troops of the United States was engaged in defending the more populous parts of the Union, and what is now the States of Illinois, Indiana, and Missouri, were left to rely on their own strength and courage for their defence; and it is a proud reflection, that these brave men did effectually defend, not only their own widely extended frontier, but also the citizens and property of the adjacent States.

The individuals composing these companies, were not like those who made up the regular army of the United States in many respects; they were citizen *soldiers*, acting upon an extended frontier, surrounded on all sides by powerful and warlike tribes of Indians; many of them expended their all in equipping themselves for the service; their clothing, arms, and horses, were furnished by themselves; neither rations nor forage were supplied by the Government, for the ranger was bound, out of his small wages, to furnish himself with a horse, arms, ammunition, clothing, and provisions; not one cent was ever contributed by Government towards their subsistence; no convenience provided but what their own hard earned money paid for. Many of them had families, whose whole reliance for support was upon those who were on duty, and who were provided for out of their wages. While in service they were often prevented from cultivating their farms for an entire season, and the loss of a crop was to them a loss of no ordinary magnitude. Add to this, that all articles of con-

sumption, use, or necessity, bore an exceedingly high price, and then deduct from their pay those articles of necessity, without which they were not qualified for the service, and then, it may well be asked, what remains as a remuneration for the time, services, and devotion, of these citizen soldiers?

Your committee answer, respectfully but unhesitatingly, *nothing!* The same may be said of the militia and volunteers in every part of the United States. They left their firesides, families, and farms, penetrated, in many instances, the uninhabited wilderness—traversed countries without roads, or bridges,—and met, without a murmur, all the inclemencies of the weather, and all the hardships incident to the nature of the service, to rid the country of violence, outrage, and death.

The battle of Baltimore was fought mainly by the militia and volunteers of the country; the bloody field of Fort Erie was mainly won by the militia; the ever memorable battle of the Thames was achieved by a charge of mounted volunteer gunmen, a military operation unparalleled in the history of any country; all General Jackson's battles with the Indians were won by volunteer militia; and to close the late war with Great Britain, a battle was fought and won on the plains of Orleans by the gallant but undisciplined sons of Tennessee and Kentucky, under the direction of their able chief, without a rival, and which covered the country with imperishable glory and renown.

These brave men now come forward, and, relying confidently upon the justice and liberality of Congress, ask a bounty in land proportionate to their services. Your committee are disposed to view favorably this application.

By estimates furnished the Committee on the Public Lands by the Treasury Department, it will be seen that the quantity of land to which the Indian title has been extinguished by the United States up to September 30, 1835, was 268,348,942 acres; the quantity of land surveyed and offered for sale on the date aforesaid 166,897,082 acres; the quantity of land sold at said date 44,499,620 acres; the quantity of land remaining unsold and liable to private entry on said date, 122,397,462 acres; the quantity surveyed but not offered for sale at said date, 9,772,739 acres; the quantity within the limits of the United States west of the river Mississippi, and west of the organized limits of the States and Territories, 715,000,000 acres.

It is true that the public domain has stood pledged for the redemption of the public debt, and that fact may have justified the argument that Congress could not dispose of it by granting it in bounties, or making donations to our meritorious citizens. But your committee are glad to have it in their power to say that the time for the use of that argument has gone by, and now that the last cent of the public debt has been paid, and that the vast quantity of the public lands held by the Government, is free of all incumbrances, your committee hope, and believe, that a more liberal policy will hereafter characterize the legislation of Congress on the subject of those lands.

By two several acts of Congress, passed the 24th of December, 1811, and on the 14th of January, 1812, it is provided, that whenever any non-commissioned officer or soldier of the *regular* army shall be discharged from the service, who shall have obtained from the commanding officer of his company, battalion or regiment, a certificate that he had faithfully performed his duty whilst in service, he should be allowed, in addition to the bounty in money that those acts provided, three months' pay, and *one hun-*

dred and sixty acres of land; and the heirs and representatives of those non-commissioned officers and soldiers who might be killed in action, or die in the service of the United States, should likewise be paid and allowed the said additional bounty of three months' pay and *one hundred and sixty acres of land*, to be designated, surveyed and laid off at the public expense, in such manner, and upon such terms and conditions, as should be provided by law.

By an act passed December 10, 1814, it is provided, that in lieu of the bounty of one hundred and sixty acres of land then allowed by law, there should be allowed to each non-commissioned officer and soldier thereafter enlisted, when discharged from the service, who should have obtained from the commanding officer of his company, battalion or regiment, a certificate that he had faithfully performed his duty whilst in the service, *three hundred and twenty acres of land*, to be surveyed, laid off and granted, under the regulations prescribed by law. In the same act it is provided, that the widow and children, or parents of even non-commissioned officers and soldiers, enlisted according to law, who might be killed, or die in the service of the United States, should be entitled to receive the three hundred and twenty acres of land.

Thus it will be seen that the principle of giving bounties in *land*, for faithful military services, has been fully recognised by the Government, and approved by our fellow-citizens generally.

It is believed by your committee, that no class of troops engaged in the military service of the United States during the late war, performed their duty more faithfully, or rendered services more hazardous in their nature, or more beneficial in their results to the country, than those organized militia men, volunteers and rangers, whose claims on the liberality and justice of the Government are now brought before Congress by the memorials of the Legislatures of Illinois and Indiana, and joint resolutions of the Legislature of Kentucky, who have received no bounty in land from the United States, but who bravely defended their country during the trying scenes of the late war with Great Britain, against all her foes, whether civilized or savage.

A liberal bounty in land to these brave men would be of great advantage to them, and an easy method of remunerating such signal services so faithfully rendered.

Your committee therefore report a bill: they also adopt as part of this report, letters from the Hon. J. Reynolds, of Illinois, and the Hon. J. Carr, of Indiana, addressed to the committee; they also append to this report the estimates before alluded to, from the Treasury Department.

WASHINGTON CITY, February 8, 1836.

GENTLEMEN: Having introduced, both at the last and present session of Congress, the subject of a bounty in lands to the United States rangers and other troops; and having also addressed you a short letter on the subject at the last session, I hope it will not be intrusive to call respectfully your attention again to a subject which is so interesting to a very worthy and meritorious class of citizens. I feel great confidence in the committee acting on this subject in such generous and proper manner as to be worthy of themselves and the subject. The subject having already been before

Congress, and some of the committee being fully impressed with the justice and propriety of the measure, I will, on that consideration, confine myself to the prominent features of the subject.

Serving myself in the late war with Great Britain, as a private in the United States ranging corps, I am enabled by that service to speak with more confidence on the subject, and I hesitate not to say, that these and other similar troops are, in justice and equity, entitled to a bounty in land, in proportion to the bounties other soldiers received for their services. These soldiers, and others, suffered all the hardships and privations incident to such service in the defence of the country, and performed that service not only to the satisfaction of the Government, but to the entire approbation and satisfaction of the country itself, that they defended.

An act of Congress passed on the 2d January, 1812, creating several companies of mounted rangers for the protection of the frontiers. It is true, that these rangers received one dollar per day for their services, and were on consideration thereof compelled to furnish themselves in every thing complete for the service; out of this compensation, each man was required to provide himself with a horse, gun, clothing, provisions, forage, and all other equipments necessary for the service. It is almost useless to inform the committee, that on the frontiers of a thinly inhabited country, all those articles necessary to equip the United States ranger for the service of his country, were not only dear, but difficult to be procured at all.

I will not trouble the committee with a minute detail of the price of articles, to show that these troops were in fact worse paid than the regular army, but will content myself with a general statement:

One horse, per year	-	-	-	\$100 00
One gun	-	-	-	30 00
Provision for ranger	-	-	-	70 00
Forage for horse	-	-	-	30 00
Clothing, saddle, &c.	-	-	-	50 00
Incidental expenses	-	-	-	40 00
				<hr/>
				\$320 00

I have made a very low estimate of the equipment for a mounted ranger for one year. Some of these articles may be of service at the expiration of the year, but others will be used or lost within the year, so that the above is a fair estimate of the expenses, and a very low one, when we take into consideration the very dear price of these articles on an exposed frontier. At the end of a year, each ranger, by this calculation, will receive for his service, forty-five dollars, when the soldier of the regular army will receive ninety-six; being fifty-one dollars more than the United States ranger received.

I would respectfully suggest to the committee, if it be just and proper, that this disparity in the pay of troops of equal grade and standing, both sworn into the service of the United States, and fighting in the same war, under the same Government, should exist? This consideration alone, separate and apart from all other views of the subject, would give to these troops a strong claim on the bounty and liberality of the Government; but when we know that the United States observed towards other troops a policy that was not only patriotic and just, but also liberal and generous, in granting bounties of land to them, we are constrained to believe that

the same policy will be extended to the United States rangers, and other similar defenders of the country.

By two several acts of Congress, passed on the 24th December, 1811, and on the 14th of January, 1812, it is provided that each soldier or non-commissioned officer of the *regular* army, who shall receive an honorable discharge from the proper officer, or die in the service, shall be entitled, together with other bounties, to receive one hundred and sixty acres of land for his services.

In another act, passed on the 10th December, 1814, it is provided, that all soldiers and non-commissioned officers hereafter enlisted, in lieu of other bounties in land, shall receive three hundred and twenty acres for their military services. This liberal and enlightened policy of the Government, demonstrated its beneficial effects in the late war, by organizing an army that through the means of their gallantry and noble bearing, the character and standing of the country was not only sustained at home, and throughout a contest with the most powerful nation on earth, but our high standing for honor and chivalrous deeds were known and acknowledged by every nation on the globe.

The United States rangers, and similar troops, "acted well their part" in the defence of the country during this war. The frontiers of Indiana, Illinois, and Missouri, were much exposed to the enemy at that trying period. The settlements at that day were sparse, and in many instances separated from each other for hundreds of miles around the borders of this region of country of which three States are now formed.

The committee will at once see the importance of this service, and the great hardships, privations and dangers in performing it. These soldiers were not provided with baggage wagons, tents, barracks, and other necessities which were furnished to the regular army, but were compelled to penetrate the wilderness country of the enemy for months at a time, without any of the conveniences which the Government provided for the regular army, over and above their pay. These hardships, perils, and privations, were endured, and the service performed with cheerfulness and alacrity for the honor, character, and defence of their country.

The country at that time was embarrassed with a war and in debt. The public lands were pledged for the payment of this debt, and the beneficial influence of peace had not yet reached the people. On that consideration, these brave men, with the same patriotism which induced them to defend their country, without an equivalent, caused them to suspend a presentation of their claims. But now they present it to a country crowned with prosperity, and in fact the admiration of the world, for its growth and prosperous condition. The public debt is liquidated; the lands of the Government, which were pledged for its payment, are now clear of that embarrassment, and in the hands of Congress for beneficial purposes; and the Treasury itself is in such prosperous situation, as is unparalleled in this or any other country.

Resting the claims of these soldiers on this unvarnished statement of facts, I appeal to the committee in their behalf, and solicit for them a bounty of a part of the very lands which they defended in the most gloomy and dark periods of the war. Many of these brave defenders of the country are now advanced in years, and poor; and in fact need this bounty of the Government. It would gladden the hearts of many of the rangers, to know that the Government for which they had spent many of their best

days, had at last recollected them, and restored them to plenty and happiness. All that these claimants expect, is to be placed on a footing with other troops, and thereby to receive such bounty in land as they are entitled to.

Your obedient servant,

JOHN REYNOLDS.

HOUSE OF REPRESENTATIVES, *March 10, 1836.*

GENTLEMEN: On yesterday I had the honor of presenting to the House of Representatives, and referring to your committee, a memorial and joint resolution of the General Assembly of the State of Indiana, praying the Congress of the United States to grant a bounty in land to the militia men, mounted militia men, and rangers, who so successfully protected the frontier during the late war with Great Britain.

This subject has been presented to Congress by the official acts of the Legislatures of Illinois and Indiana, within whose limits reside some of the individuals for whom the memorials pray Congress for relief, and within whose borders reside some of the widows and orphans of those who performed service in defence of their country, and whose fate was the fate of war, for whose benefit the memorials aforesaid were also presented.

Gentlemen, the people of the States of Illinois and Indiana have shown to you through their respective Legislatures that they remember with the deepest gratitude; and appreciate most highly, the patriotism and signal service rendered to the country by the troops named in the memorials, and under circumstances peculiarly hard, and in times that tried men's souls.

This service was not only performed at the sacrifice of time, and of property, but it was performed at the expense of many robust and sound constitutions. Nor was this service the business of a day, or a month, or of a year's duration, but of years; nor yet were the beneficial results of this service confined to the frontier of the now flourishing States of Illinois and Indiana, but extended far north and west.

I have said that this service was performed at the sacrifice of time, of property, and of health; this is true. Nor was the incentive that of pleasure, or of speculation; those who rendered this service were actuated by the same spirit, and resolved to maintain that independence so dearly won by the toil and the blood of their forefathers.

I have also said that this service was performed under circumstances peculiarly hard. It is true. There were instances where the father went into the service of his country under circumstances which left no alternative other than for the wife, with her own hands, to till the ground, thereby making a scanty support for her helpless family; this, too, was done cheerfully by her, with a fond hope that the labors of her husband and his associates in arms would be crowned with success, and that he would return home and enjoy with his family and friends peace and happiness. In some instances this fondest hope was realized, while in many other instances the wives and the mothers of those in the service of the country, whose anxiety was beyond imagination or description, were saluted with the woful intelligence that a husband, a son, had fallen in the battle field, never to return. It may be thought by some, and said by others, that these

troops have been amply paid for their services and losses sustained. To this I cannot assent; I think it can be clearly shown that the pay received by them would not, in many instances, half equal the losses of property incurred; and that the committee may have some idea of the expense and liabilities incurred by some of them, I beg leave to refer you to a letter which I had the honor to address to the Committee on the Public Lands at the last session of Congress, which, I think, clearly shows that their pay was not equal to the pay received by the regular troops who served in the late war, exclusive of the bounty in lands which was given to the regular soldiers.

The States of Illinois and Indiana now come forth and ask Congress in behalf of those who are still living, and in behalf of the widows and orphans of those who served their country in time of peril and of danger, and who are no more, a small bounty in land, upon which to locate their families in their declining years, and which they may call their freeholds and their homes.

It is to the citizen soldier that this country looks to avenge her wrongs; standing armies in time of peace, to eat out our substance, we will not have. It has been by the citizen soldier that this country has, in all times past, been mainly defended against the savage foe and the foreign enemy; and it is to the citizen soldier that this country will confidently look in time to come to repel all invading foes.

Gentlemen, your treasury is full to overflowing, a plenty and to spare; in addition to this, the United States Government is the proprietor of some hundred millions and more acres of unappropriated lands, but which is fast going into the hands of speculators and monopolists, consequently to be vended out to the honest and laboring classes of the community at exorbitant prices. Under these circumstances, can it be considered as unreasonable to grant to those surviving patriots, and to the widow and orphan of those who spent so much of their youth and manhood in defending their country's cause, and braved all the perils and underwent all the privations incident to a warfaring life, a small portion of this vast public domain in part consideration for their invaluable services, and which they can call their own and their homes.

Having the utmost confidence in the committee to do full and ample justice to so meritorious a class of our citizens, I look with the most sanguine hope for a favorable report in their behalf.

With profound respect and esteem, I have the honor to be your most obedient and most humble servant,

JOHN CARR.

To the honorable the Committee on the Public Lands.

TREASURY DEPARTMENT,
January 13, 1836.

SIR: I have the honor to transmit a report of the Commissioner of the General Land Office, in compliance with your request of the 23d ultimo.

I am, very respectfully, your obedient servant,

LEVI WOODBURY,
Secretary of the Treasury.

HON. ZADOK CASEY,
Com. on Public Lands, H. R.

GENERAL LAND OFFICE,
January 13, 1836.

SIR: The information requested by the Hon. Z. Casey, in his letter to the Department of 23d ultimo, and which you referred to this office, has been prepared with every practicable expedition, and I transmit herewith the required report.

I have the honor to be, very respectfully, sir,

Your obedient servant,

ETHAN A. BROWN, Comm'r.

Hon. LEVI WOODBURY,
Secretary of the Treasury.

TABLE.

States and Territories.	Estimated superficial contents of each State and Territory.	Estimated quantity of land to which the Indian title has been extinguished by the U. States, 30th Sept. 1835.	Quantity of land surveyed and offered for sale in each State and Territory, on the 30th Sept. 1835.		Quantity of land remaining unsold and liable to private entry on the 30th Sept. 1835.		Quantity of land sold in each State and Territory, 30th Sept. 1835.		Estimated quantity of land surveyed but not offered for sale, 30th Sept. 1835.	Estimated quantity of land in the States and Territories, not ceded to the U. States, 30th Sept. 1835.
	Acres.	Acres.	Acres.	ths 100	Acres.	ths 100	Acres.	ths 100	Acres.	Acres.
Ohio	24,923,899	24,777,683	14,703,163	10	4,100,492	18	*10,602,670	92	6,438	146,916
Indiana	22,032,469	21,020,167	18,690,447	53	10,299,608	62	8,390,838	91	299,520	1,012,302
Illinois	32,321,947	32,321,947	21,574,495	45	17,234,014	35	4,340,481	10		
Missouri	39,119,018	39,119,018	20,392,249	14	17,443,429	90	2,948,819	24		
Alabama	32,174,640	30,654,000	29,915,088	56	22,586,058	56	7,329,030	00	158,621	1,520,640
Mississippi	27,487,200	27,487,200	† 17,525,818	82	11,924,301	48	5,601,517	34	1,382,400	
Louisiana	31,463,040	-	6,450,942	05	5,683,526	98	767,415	07	4,055,040	400,000
Arkansas	37,555,200	36,955,200	13,891,538	31	13,223,175	80	668,362	51	829,440	600,000
Michigan, peninsula	24,209,567	17,189,407	12,211,519	37	9,003,697	49	3,207,821	88	-	7,020,160
Michigan, west of lake	77,251,840	8,824,320	4,674,690	71	4,524,935	96	149,754	75	599,040	68,427,520
Florida	35,286,760	30,000,000	6,867,129	87	6,374,220	71	492,909	16	2,442,240	
Total	383,825,580	268,348,942	166,897,082	91	122,397,462	03	44,499,620	88	9,772,739	79,126,838

Estimated quantity of land within the limits of the United States, west of the Mississippi river, and west of the organized limits of States and Territories, 715,000,000 acres.

* This quantity includes the lands sold at New York and Pittsburg, and the special sales to John Cleves Symmes, and the Ohio company, prior to the organization of the district land offices.

† The lands ceded to the United States by the Chickasaw Indians, lying within the limits of the States of Mississippi and Alabama, by the treaty of 1832, and estimated to contain 6,422,400 acres, are not included in the lands "surveyed and offered for sale" in those States.

GENERAL LAND OFFICE, January 13, 1836.

ETHAN A. BROWN,
Commissioner.