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Report of the Committee on the Public Lands on the petition of the legislature of the Mississippi Territory and petitions of sundry persons of said territory praying indulgence to purchasers of public lands

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REPORT

Of the Committee on the Public Lands, on the Petition of the Legislature of the Mississippi Territory, and Petitions of Sundry Persons of said Territory, praying indulgence to Purchasers of Public Land.

January 9, 1816.

Printed by order of the House of Representatives.

The committee on the Public Lands, to whom were referred the memorial of the legislative council and house of representatives of the Mississippi Territory, and sundry petitions of the people in different parts of said Territory, praying for indulgence to purchasers of public land, respectfully submit the following REPORT....

The petitioners state that, in the year 1813, when payments for the lands they had purchased became due, many of them were confined within
the walls of forts, whilst the remainder, from less exposed parts of the territory, were engaged in protecting themselves, their families, and their country, from the surrounding hostile Indians; and that, during these troubles, the land office in one of the districts was removed, and was not restored to the place at which it is required to be kept by law until after the time for making payments had elapsed: that, in the year following, when their principal payments became due, a large British force was hovering on the coast, to guard which the people generally were again called to arms; and that they remained in service until the ratification of the treaty of peace: that large quantities of provisions and forage were taken from them for the use of the army, for which they are yet unpaid; and that, although the government may owe individuals a larger amount for military services and supplies than the same individuals owe for public lands, yet the latter have to pay interest on the debts due to the former, and, after all, suffer a forfeiture of their lands; also, that many forfeitures, have been incurred by the refusal of the receiver at one of the land offices to receive, in payment for lands, the notes of the banks of New-Orleans, although the militia of the territory were receiving from the government for their services the same species of paper: in consideration of all of which, the petitioners pray that those persons who have purchased more than a fraction, or one quarter section, of public land, may be permitted to place the whole of the payments which they have made, to the credit of such fraction, or quarter of a section, as they may think proper, on their releasing all claim to any other included in their purchases. They pray also, that the purchasers of public land may be placed in the same
situation which they were in at the commencement of the war: by which they mean, as they express themselves, that the period of the war may not be reckoned in the calculation of the interest, or in ascertaining the period at which the several instalments may become due.

From all that has been presented to the consideration of your committee, they are fully convinced that the people of the Mississippi Territory have suffered great distress and embarrassment from the war, and that they are placed by it in a situation which requires more than ordinary relief. But, in recommending this, as an act of humanity and of justice also in some respects, they are not persuaded of the propriety of going to the extent which is asked. The government has never, as your committee believe, permitted any purchaser of the public lands to reduce the quantity originally purchased, and to have placed to his credit for a part the monies which he may have paid on the whole; nor has the interest which became due on any of the instalments been remitted in any case. However much your committee might be inclined to grant such indulgence in the present case, they conceive it necessary to guard against precedents, which might subject congress to applications without end for similar favours, and tend to relax that vigilant policy which is so necessary in all legislation on the subject of public lands. They nevertheless conceive that the public interest would not be injured by granting the concluding part of the prayer of the petitioners, so far as it relates to an exclusion of the period of the war, from the time which has been allowed to complete the payment of the principal of the debt which they owe.
lieving such an indulgence to be expedient, and demanded by the circumstances of the petitioners, your committee have prepared a bill with this view, which they respectfully submit.