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William J. Price. (To accompany bill H. R. no. 275)

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WILLIAM J. PRICE.

[To accompany bill H. R. No. 275.]

JUNE 1, 1852.

Mr. COBB, from the Committee on Public Lands, made the following

REPORT:

The Committee on Public Lands, to whom was referred the petition of W. R. W. Cobb and William J. Price, asking Congress to pass an act relinquishing the government title to the said William J. Price to a certain Indian reservation granted to William Jones, of Alabama, under the treaties of 1817 and 1819—which treaty or treaties granted to certain Indians, the head of Tombys, who may live upon said reservations for life, a lifetime interest, and upon the death of the husband to revert to the widow and heirs in fee, report:

The facts in the case are found to be about as follow:

On the 27th day of November, 1820, the government of the United States caused to be laid off, for William Jones, six hundred and forty acres of land, lying on Jones creek, in Jackson county and State of Alabama, and a plat returned to the proper department of this government, which plat has been under the inspection of the Committee on Public Lands, (to be found now in the Indian bureau, in the city of Washington.) Further, there is to be found in the same department evidences that, in 1831, the right of William Jones was contested by persons claiming they had the right to enter said reservation, under the prevention act then in force. The case was sent up to the general land office, and upon a hearing Jones was still permitted to remain in possession of the reservation; after which time it is found, by proof on file in the Indian department, that Jones leased to William J. Price a portion of his reservation, for a given time—say during his (Jones') life; and it is further shown by proof that Jones went, in 1824, on a visit to Walker county, Alabama, and upon his return to his home or reservation he found persons in possession of his closed land: he demanded possession and it was refused him, and he was compelled to build him another cabin upon his reservation. Here we lose sight of him until the 13th of March, 1834, when we find him applying before the government commissioners, under the treaty of 1835, as modified by a supplementary article which provides and substitutes a money allowance in cases where the parties had not sold or conveyed his or her reservation; and they rejected his application without giving any reason for such rejection: whether it was by the commissioners supposed that the lease to William J. Price deprived him of the benefit of the provisions of the treaty of 1835, or that they confounded the name of William Jones, of North Carolina, who claimed a tract of land for the last thirty years, and supposing his claim to be unquestionable, having, in addition to his lease from William Jones, (he, the said Price,) purchased from said Jones' widow and heirs their

right, which is shown by deed of conveyance accompanied herewith and made a part of this report :

This indenture, made and entered into this 18th day of February, 1844, between Elizabeth Jones, James R. Jones, Thomas Brandon, Rebecca Brandon, Lucy Jones, Elijah Jones, William M. Jones and Armsted Jones, of the county of Itawamba, Mississippi State, of the one part, and William J. Price, of the county of Jackson and State of Alabama, of the other part, witnesseth: That, for and in consideration of the sum of six hundred dollars to us in hand paid by the said William J. Price, we have this day bargained and sold, and do, by these presents, bargain and sell unto the said W. J. Price, all of our interest in a certain tract or parcel of land lying and being in the county of Jackson, State of Alabama, on the waters of Jones creek, known as William Jones' reservation, granted to him under the treaties of 1817 and 1819, to have and to hold the above named premises, with all that appertain thereunto, free from the claim of the heirs of William Jones forever.

| | | |
|------------------|-------------|---------|
| ELIZABETH JONES. | her x mark. | [L. S.] |
| THOMAS BRANDON. | his x mark. | [L. S.] |
| REBECCA BRANDON. | her x mark. | [L. S.] |
| WILLIAM JONES. | his x mark. | [L. S.] |
| ARMSTED JONES. | his x mark. | [L. S.] |
| JAMES R. JONES. | | [L. S.] |
| LUCY JONES. | her x mark. | [L. S.] |
| ELIJAH JONES. | his x mark. | [L. S.] |

Signed, sealed and delivered in the presence of—

GEORGE WHITTON,
JACKSON WHITTON.

THE STATE OF MISSISSIPPI, {
Itawamba county: }

Personally appeared before me, Edwin G. Thomas, clerk of the probate of said county, the within named George Whitton, one of the subscribing witnesses to the within and annexed deed, who, being first duly sworn, deposeseth and saith, that he saw the within named Elizabeth Jones, Thomas Brandon, Rebecca Brandon, William Jones, Armsted Jones, James R. Jones, Lucy Jones and Elijah Jones, whose names are subscribed thereto, sign, seal and deliver the same to the within named William J. Price; that he (this deponent) subscribed his name as a witness thereto in the presence of the said Elizabeth Jones, Thomas Brandon, Rebecca Brandon, William Jones, Armsted Jones, James R. Jones, Lucy Jones and Elijah Jones; and that he saw the other subscribing witness sign the same in the presence of the said Elizabeth Jones, Thomas Brandon, Rebecca Brandon, William Jones, Armsted Jones, James R. Jones, Lucy Jones and Elijah Jones, and in the presence of each other, on the day and year therein named.

Given under my hand and the seal of the said court, at my office, in Fulton, this 20th day of February, anno Domini 1844.

E. G. THOMAS, *Clerk.*

The State of Mississippi:

Be it remembered, that I, John C. Ritche, judge of the probate court of said county, do hereby certify that Edward G. Thomas, whose signature appears to the above and foregoing certificate, is, and was at the date thereof, the duly elected, qualified and acting clerk of the said probate court of said county, and that full faith and credit are due to all his official acts as such.

In testimony whereof, I hereunto set my hand and seal, this 20th day of February, anno Domini 1844.

JOHN C. RITCHE, *Judge.* [L. S.]

I, Moses Jones, clerk of the county court of Jackson county, Alabama, do hereby certify that the foregoing deed was this day duly recorded and compared in my said office in deed-book P, page 266 H.

February 28, 1844.

Test:

MOSES JONES, *Clerk C. C.*
by W. J. GREEN, *D. C.*

THE STATE OF ALABAMA, }
 Jackson county: }

I, Moses Jones, clerk of the county court in and for said county, do hereby certify that the foregoing pages, numbered one, two and three, inclusive, contain a full and complete transcript of a deed, together with the proofs and certificates on the same, as the same now stands on record in my said office.

Given under my hand and the seal of said county court, at office in Bellefonte, this 5th [L. s.] day of December, A. D. 1844, and of the American independence the sixty-ninth.

MOSES JONES, Clerk C. C.

The said Price resting contented, as shown by himself, until some time since—say 1844—he was advised it would be best, as it was the custom of persons claiming under Indians holding reservations of a similar kind, to obtain the reversionary title from the government upon that information. The application of W. J. Price for such title was brought before Congress, and referred, on the 30th of December, 1844, to the Committee on Indian Affairs, which committee reported a bill; the case was lost for the want of time to pass through both houses; and again it was referred, and a similar report made and lost as in the first case for the want of time; and in every case the application has been favorably considered and lost as in the first and second cases, up to the present time. The committee have been thus explicit in their reasons for arriving at the conclusion to again report a bill and recommend its passage.