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Isidore Moore [to accompany bill H.R. no. 68].

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H.R. Rep. No. 58, 23rd Cong., 1st Sess. (1833)

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ISIDORE MOORE.

[To accompany bill H. R. No. 68.]

DECEMBER 20, 1833.

Read twice, and committed to a Committee of the Whole House to-morrow.

Mr. BULL, from the Committee on Private Land Claims, made the following

REPORT:

The Committee on Private Land Claims, to which was referred the petition of Isidore Moore, report:

That, on the first day of June, 1797, Don Zenon Trudeau, then Lieutenant Governor of the country now formed into the State of Missouri, granted to Thomas Fenwick, an American emigrant, a tract of 500 arpens of land, French superficial measure, to be located between Apple creek, and Cinq Homme's creek, in the present county of Perry, in said State. The land granted lies within a tract of country upon which the Spanish Government permitted a remnant of the old Shawnee nation of Indians to settle after their defeat and dispersion by the United States. On the 22d of May, 1813, the petitioner, who appears to be a farmer by occupation, with a large family, purchased the claim from Fenwick, and, in the following spring, by permission, settled upon the land authorized to be occupied by the grant, and has resided thereon ever since. In November, 1827, the petitioner forwarded a former petition to Congress, praying a confirmation to his claim: that, in October, 1828, the land upon which said petitioner lives was brought into market by the Government of the United States, and that he availed himself of the right of pre-emption, and purchased 240 acres of land named in the petition, and including his improvements: that, on the 26th day of May, 1830, (after the sale aforesaid,) his claim was confirmed by a law of Congress, and authorized the proper surveyor to survey said claim, so as to include the improvements of the petitioner as nearly in the centre of said tract as the situation of the other private claims would permit; and, upon presentation of an authentic copy of the survey to the General Land Office, a patent should issue to the claimant for the land so surveyed; which act provides that it shall not affect the rights of any other individual to the same grant thereby confirmed: and that, if any part of such survey should fall upon the 16th section reserved for township schools, the county court of Perry county might select any other section or part of section in the same township, the sale of which is authorized by law, and enter the same with the register of the proper land office, to be reserved for the use of schools in said township, instead of

such 16th section. The petitioner further states that the land is so entered round and near his purchase, that, to survey it adjoining, if the law would bear that construction, he could not get more than 160 acres of land that would be worth having; the balance is so stony and full of sink holes, and deprived of timber by intruders, that it would not sell for twenty-five cents an acre.

The petitioner prays that a supplement may be added to the law, enabling him to locate his claim conformable to the sectional subdivisions, either by quarter sections, half quarter, or quarter quarter sections, so as to enable him to enter the whole of the claim in parcels with the register of the land office at Jackson, Missouri, and that the same be certified to the Commissioner of the General Land Office, and patents issue as in other cases.

There is no proof before the committee showing that the lands are entered round and near the purchase of the petitioner, as he has alleged. The committee are of opinion that the petitioner is entitled to the money which he paid for the two hundred and forty acres of land named in his petition, which was brought into market by the Government previous to the confirmation of his claim thereto, and for that purpose report a bill.