

IN SENATE OF THE UNITED STATES.

MARCH 20, 1840.

Submitted, and ordered to be printed.

Mr. LINN submitted the following

REPORT:

[To accompany bill S. No. 284.]

The Committee on Private Land Claims, to whom was referred the petition of the heirs of Joseph Thompson, deceased, praying the confirmation of their title to a tract of land in Missouri, report :

That it appears that Joseph Thompson, the father of the petitioners, obtained a Spanish concession for 400 arpens of land on Randall's creek, in Cape Girardeau county, Missouri, surrounded by older claims ; that, on surveying his concession, it was found that the tract contained but 260 arpens, falling short of the quantity granted by 140 arpens ; that, in 1801, he moved to this tract, where he resided with his family and cultivated the same till 1807, when he sold it to one Webb Hayden, and removed to a tract of 234 arpens, now claimed by his heirs, on Ramsey's creek, which had been surveyed by B. C. Cousin, deputy surveyor under Antonio Soulard, surveyor general, on the 20th December, 1805, which he claimed as completing his original concession, (being an excess of 94 arpens) and began the cultivation of it, and in a few months died, leaving his family in the occupation and use of the same ; since which time, they either jointly or severally have continued in the possession and cultivation of the same to the present time, and have made improvements thereon.

The first board of commissioners confirmed the 260 arpens on Randall's creek, in 1809.

This tract of 234 arpens has been reserved from sale as a private unconfirmed land claim.

This claim was again laid before the last board of commissioners, who, on the 18th of November, 1834, decided against it, on the ground of Joseph Thompson, senior, having had a confirmation under a concession.

The concession made by the Spanish governor De Lassus, dated 28th of December, 1799, to Thompson, only called for 400 arpens, 260 of which only could be located, on account of its being surrounded by older claims. The petitioners, therefore, would only be entitled to 140 arpens, that being the residue of the 400 ; but, inasmuch as they have remained in uninterrupted possession of the land surveyed by Soulard on Ramsey's creek, since 1807, and having, as is fully believed by the committee, settled upon it in good faith, believing themselves entitled to it ; and, as under the act of

June 13, 1812, Thompson would have been entitled to 640 acres as a "head right," had he not claimed under a Spanish grant; the committee consider that, under all these circumstances, the claim of the petitioners to the land in question should be confirmed; for which purpose, they report a bill.

MARCH 30, 1840.

Submitted, and ordered to be printed.

Mr. Linn submitted the following

REPORT:

[To accompany bill S. No. 281.]

The Committee on Private Land Claims, to whom was referred the petition of the heirs of Joseph Thompson, deceased, praying the confirmation of their title to a tract of land in Missouri, report:

That it appears that Joseph Thompson, the father of the petitioners, obtained a Spanish concession for 400 arpens of land on Randall's creek in Cape Girardeau county, Missouri, surrounded by other claims; that, on surveying his concession, it was found that the tract contained but 260 arpens, falling short of the quantity granted by 140 arpens; that, in 1801, he moved to this tract, where he resided with his family and cultivated the same till 1807, when he sold it to one Webb Hayden, and removed to a tract of 234 arpens, now claimed by his heirs, on Ramsey's creek, which had been surveyed by B. C. Gonsin, deputy surveyor under Antonio Soudard, surveyor general, on the 20th December, 1805, which he claimed as comprising his original concession (being an excess of 94 arpens) and began the cultivation of it and in a few months died, leaving his family in the occupation and use of the same; since which time, they either jointly or severally have continued in the possession and cultivation of the same to the present time, and have made improvements thereon.

The first board of commissioners confirmed the 260 arpens on Randall's creek, in 1809.

This tract of 234 arpens has been reserved from sale as a private unconfirmed land claim.

This claim was again laid before the last board of commissioners, who, on the 18th of November, 1834, decided against it on the ground of Joseph Thompson, senior, having had a confirmation under a concession.

The concession made by the Spanish governor De Laseras, dated 25th of December, 1799, to Thompson, only called for 400 arpens, 260 of which only could be located, on account of its being surrounded by other claims. The petitioners, therefore, would only be entitled to 140 arpens, that being the residue of the 400; but, inasmuch as they have remained in uninterrupted possession of the land surveyed by Soudard on Ramsey's creek, since 1807, and having, as is fully believed by the committee, settled upon it in good faith, believing themselves entitled to it; and as under the act of