

regarded as opening a fair prospect for the encouragement of domestic industry, or as laying the foundation for the production of a rich commodity for national commerce, it is equally entitled to public and private patronage.

In whatever country the culture and manufacture of silk has been successfully carried on the general government has lent its fostering aid to the business, both in its commencement and in its further progress. And there is full evidence of the fact that no nation has ever directed its industry to an object which has so amply paid the laborer for his toil, and the nation for its patronage, as that of the production and manufacture of silk.

It is ascertained by actual experiment that the United States throughout nearly their whole territory are admirably well adapted to the silk culture. A species of the mulberry tree is one of the natural productions of the American forests; and the white mulberry tree has been found to flourish in whatever part of the country it has been planted.

The insects instrumental in producing silk do not, in this climate, require a certain temperature of the atmosphere to be kept up in the houses where they are, by artificial aid, as they do in European countries. In the United States they are produced, and finish their work, in two-thirds of the time required to accomplish the same in other countries. And what is still more remarkable, though in other countries they have had the experience of centuries to perfect their art, yet the production of the silk insect is much finer, and more valuable, and one-third more in quantity, in this country than any other.

These facts, and others regarding the subject of this memorial equally important, are known to your honorable bodies. They have been adverted to merely that they may be remembered.

The measures lately taken by Congress to encourage the cultivation of the mulberry tree, and the production of silk, has drawn the attention of your memorialists to the expediency of introducing that branch of industry into this Territory.

The peninsula of Michigan, on account of its locality, requires that its inhabitants should be engaged in some branch of industry, the products of which will warrant an inland transportation to a very distant market. So distant from this Territory are the great marts of commerce, that the common productions of the agriculturist poorly pay for the labor which they cost after deducting the costs of transportation.

The soil and climate of this Territory are undoubtedly adapted to the culture of silk. The red mulberry tree is indigenous to the soil; and the climate is more mild than that of any of the New England States, or than many parts of the eastern continent where the silk culture flourishes.

The peninsula of Michigan is yet mostly uncultivated. It is now rapidly filling up with an industrious and hardy people, a people mostly who have for years been serving as pioneers to the army of emigrants which has been moving west. No enterprise of industry is too difficult for this people to accomplish; nor need it be feared that any art will retrograde under their superintendence. But they have not capital to vest in an undertaking which does not promise an immediate return of profit. The many wants incident to the first settlement of a new country tax heavily the small incomes of the inhabitants.

Your memorialists, therefore, are induced to ask of your honorable bodies a grant to this Territory of four townships of land within the peninsula of Michigan; which land shall be under the care of the governor and council of this Territory, and appropriated alone to the purposes necessary to promote the cultivation of the mulberry tree and the production of silk.

Lands have been granted in the States of Indiana and Alabama by Congress for the encouragement of particular branches of agriculture. But precedent need not be named to authorize the required grant of land. Were the grant asked for to form itself a precedent for a like grant to all the new States and Territories, your memorialists think it would not be dangerous. The object of the donations would promise full returns to the nation for her liberality. Like donations for like purposes to the different new communities would more closely connect their interests with the interests of the Atlantic States, and bind, as with *silken cords*, the extremities of the Union to the main body.

Resolved, That the governor of the Territory be requested to transmit copies of the foregoing memorial to the President of the United States, to the Speaker of the House of Representatives, the President of the Senate, and the delegate in Congress from this Territory.

A. EDWARDS, *President of the Legislative Council*.

Adopted January 26, 1831. A true copy.

E. A. BRUSH, *Secretary*.

21st CONGRESS.]

No. 898.

[2D SESSION.]

IN FAVOR OF ALLOWING BOUNTY LAND TO THE OWNER OF A SLAVE WHO WAS A SOLDIER IN THE ARMY.

COMMUNICATED TO THE HOUSE OF REPRESENTATIVES FEBRUARY 12, 1831.

Mr. STERIGERE, from the Committee on Private Land Claims, to whom was referred the resolution of the House of December 31, 1830, directing the committee to inquire into the expediency of allowing Archibald Jackson the bounty land due to James Gammons for services in the late war, reported:

That they have had the subject under consideration. It appears that the said James Gammons enlisted as a private soldier in the eleventh regiment of infantry of the United States on June 18, 1812, for the period of five years, and continued in the service from the time of his enlistment till February 19, 1813, when "he died in the service of the United States." The act of Congress under which Gammons was enlisted allows to "the heirs and representatives of non-commissioned officers or soldiers who enlisted for five years, and who died in the service of the United States, three months' extra pay and one hundred and sixty acres of land." At the time of his enlistment and service Gammons was the slave of the said Archibald Jackson, who never consented to the enlistment, but permitted him to remain in the service.

Jackson, as the owner of Gammons, after his death claimed the extra and back pay, amounting to thirty-seven dollars and forty-two cents and the bounty land. The pay was allowed by the War Department and paid to Jackson, but the committee are informed that the department refuse to grant Jackson a warrant for the bounty land due to Gammons, because he was a slave at the time of his enlistment and service. A claim similar to that of Jackson for pay was allowed to the owner of the slave by the department in 1823, but the committee are informed no bounty land was allowed in that case.

It appears to the committee that the services rendered by Gammons were as valuable as those of any other soldier. He performed the same services and duty, and the United States are just as much bound to pay for those services as if rendered by another. And the only question is, who are legally entitled to the pay and bounty land due to Gammons? If Jackson had a legal right to the back and extra pay due to Gammons, (and the committee think he had,) the committee cannot conceive any reason why the bounty land should not, also, be allowed to Jackson. The right to both accrued under the same law, both were due for the same service, and the claim to both rests on the same principles. The owner of the slave is entitled to all his property, and, so far as property is concerned, is the legal representative of the slave. Hence Archibald Jackson, as the legal representative of Gammons, by the words of the law is entitled to the bounty land due to Gammons, as well as the pay due him. The committee, therefore, report a bill directing the Secretary of War to issue a warrant to said Archibald Jackson for said bounty land.

21ST CONGRESS.]

No. 899.

[2D SESSION.]

ADVERSE TO THE CORRECTION OF A DEFICIENCY IN QUANTITY OF LAND CALLED FOR
IN WARRANT.

COMMUNICATED TO THE HOUSE OF REPRESENTATIVES FEBRUARY 12, 1831.

Mr. SPERIGERE, from the Committee on Private Land Claims, to whom was referred the petition of John Bever, reported:

That the petitioner states that, as assignee of Isaac Craig, he is the owner of fractional sections numbers 6 and 12, township 5, in range 1, said to contain 618.50 acres, which was sold by the United States, at the sales in Pittsburg, in the year 1796, by the governor of the northwestern territory, for which a patent issued, dated February 22, 1799, for which he paid \$2,041 05, which land was sold under the act of May 18, 1796; that he bought at the land office, Steubenville, the fractional lots or sections numbered 17 and 18, in the same township, at two dollars per acre, for which a patent issued August 9, 1806; that the quantity paid for was 839.45 acres; that at the time he purchased these sections he supposed there was no deficiency in the quantity; that he has since ascertained there is a considerable "lackage." He asks a remuneration for deficiency in his fractional sections.

The petitioner has submitted to the committee a draught and calculation of said sections, by which it appears there is a deficiency in quantity of about ninety-six acres.

The committee think the prayer of the petitioner ought not to be granted; such stale claims ought not to be countenanced. But there are other sufficient reasons for rejecting it. By the act of Congress of February 11, 1805, it is declared that the quantity expressed in the returns of survey shall be held and considered the *exact quantity*. If these purchases were not made after the said act, the purchasers have acquiesced so long, they may be regarded as bound by its provisions. But, independent of this act, it was for the purchasers to see to the quantity, &c., and to have the returns corrected before the patent issued, if it would even then be allowed. It would not do for the government to consider itself liable to make up deficiencies in lands sold. In practice there would be no reciprocity, for none would inform the government when there was any excess, while every one would come forward who has less than the quantity expressed in the surveys or patents. It would be setting a bad precedent to allow this claim. If the principle is ever established that the purchaser may call on the government for remuneration when his patent may happen to call for too much, it would unavoidably create endless and numberless disputes and litigation about the quantity, and consequently thousands of applications to Congress for relief. The committee think the petitioner has no legal or equitable claim under these circumstances for relief, and offer the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

21ST CONGRESS.]

No. 900.

[2D SESSION.]

ON THE ESTABLISHMENT OF THE PLAN OF THE CITY OF DETROIT, IN MICHIGAN.

COMMUNICATED TO THE HOUSE OF REPRESENTATIVES FEBRUARY 12, 1831.

Mr. STRONG, from the Committee on the Territories, to whom was referred, on January 24, 1831, the memorial of John R. Williams and others, citizens of Detroit, in the Michigan Territory, reported:

The old town of Detroit was destroyed by fire in 1805. In April, 1806, Congress passed a law appropriating ten thousand acres of land in and adjacent to the old town, and authorized the governor and judges of the Territory of Michigan to lay out a new town or city, to adjust the land titles, and dispose