

JOHN SIBLEY AND JOHN W. BUTLER.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

*A report of the Register and Receiver of the Land Office at Ouachita,
Louisiana, upon certain claims to land therein mentioned.*

FEBRUARY 16, 1836.

Referred to the Committee on Private Land Claims.

TREASURY DEPARTMENT,
February 15, 1836.

SIR: In compliance with the provisions of the 2d section of the act of 6th February, 1835, I have the honor to transmit the report of the Register and Receiver of the land office at Ouachita, Louisiana, made in pursuance of said act; accompanied by the opinion of the Commissioner of the General Land Office, touching the validity of the claims therein referred to.

I have the honor to be,

Respectfully, sir,

Your obedient servant,

LEVI WOODBURY,
Secretary of the Treasury.

Hon. the SPEAKER
of the House of Representatives.

GENERAL LAND OFFICE,
February 12, 1836.

SIR: I have the honor to submit herewith a letter, dated the 9th ultimo, from the Register of the land office at Ouachita, Louisiana, transmitting the reports of the Register and Receiver of that land office upon two claims, numbered 1 and 4, under the provisions of the act of Congress of the 6th of February, 1835, entitled "An act for the final adjustment of claims to land in the State of Louisiana;" and in relation thereto beg leave to make the following remarks:

No. 1. This claim was filed by the legal representatives of Pierre and Julien Besson, brothers, with the Register of the land office at Opelousas, for examination, under the provisions of the act of the 11th of May, 1820; who entered the same in his report of the 1st of October, 1825, as claim B, No. 67, and observed that, "in this claim there are not sufficient, indeed no data, in the office to test the genuineness of the documents filed herein; without knowing even that there was ever such an officer at the post of Natchitoches, as Lieutenant Governor De Mezier, and in the absence of any oral testimony, this claim cannot, for the present, be recommended for confirmation. As it bears marks of some authenticity, and as it would be unjust to condemn it without allowing the claimants further time to substantiate it, which it may be in their power to do, it is therefore recommended that a further time be given to the claimants for that purpose."

By the additional testimony now produced in support of this claim, it would appear that upon examining the archives in the office of the parish judge of Natchitoches, it is found that De Mezier acted as Lieutenant Governor at that post during the year 1770, and that his signature to the concession seems to be genuine.

No. 4. In this case the entry is made by John Sibley, as the assignee of Louis Tregarie, in virtue of a settlement made by the said Louis: the confirmation of it, under certain restrictions, is, however, recommended to be made to Tregarie, his heirs and assigns. The notice of Mr. Sibley states the claim to be on the east side of Red river, and as being bounded below by the lands of Athanaze De Mezier, and above by public lands. One of the witnesses identifies the land as being on the "bayou Cypree," and another one states it to be adjoining to that of Athanaze De Mezier. By a note from P. Barry, accompanying the report, it is stated, that the land now claimed by Mr. Sibley, has been already confirmed by the United States to Augustine, (a free negro,) and to John Pierre, in township 10 north, of range 7 west, and by the enclosed copy of part of the plat of that township; as returned to this office by the surveyor general, it will be seen that the land on the east side of Red river, situate adjoining and immediately above the claim of A. De Mezier, and embracing both sides of Cypress bayou, has been surveyed as the confirmed claims of the said Augustine and John Pierre; and that therefore the land now claimed by Mr. Sibley, and the confirmation of which is thus conditionally recommended, is not part of the public domain.

With great respect, sir,

Your obedient servant,

ETHAN A. BROWN.

The Hon. LEVI WOODBURY,
Secretary of the Treasury.

LAND OFFICE, OUACHITA, LOUISIANA,
January 9, 1836.

SIR: We enclose the claims, Nos. 1 and 4, with the proof, and our report upon the same. Several others are recorded, but in so imperfect a state that no decision can be made. Further time is therefore allowed to obtain proofs and documents in relation to them.

Respectfully, your obedient servant,

JNO. M. A. HAMBLIN, *Register.*

Hon. ETHAN A. BROWN,
Commissioner of the General Land Office.

No. 1.

LAND OFFICE, OUACHITA, LOUISIANA,
December 24, 1835.

John W. Butler, of the parish of Natchitoches, in the State of Louisiana, claims a tract of land in said parish, containing thirty arpens in front, with the ordinary depth of forty arpens, equal to one thousand and fifteen $\frac{54}{100}$ superficial American acres, situated at a place called "L'écour Rouge, de la Paire Aux äyes," and designated as "boué dún coté par le bayou de L'écour Rouge et de l'autre par celui nonemé Dourbeaux or Bourbeaux.

The present claimant represents, that he is the assignee, by regular transfer, of the legal heirs and representatives of Pierre and Julien Besson, deceased, and produces a paper purporting to be the requete of Pierre Besson and Julien Besson, addressed to Athanase de Mezier, then commandant, or Lieutenant Governor of the post of Natchitoches, &c. dated the 25th of February, 1770, to which is subjoined the act of said de Mezier, authorizing the said Pierre and Julien Besson to take possession of, and occupy, said tract of land for the purpose set forth in said requete. On the 30th of December, 1820, Prudhomme fils notified the Register of the land office for the western district of Louisiana, at Opelousas, of the claim of Pierre and Julien Besson, brothers, and in consequence of that notice the commissioners of that office made a report on the first day of October, 1825, recommending that further time be allowed the claimants to establish their title. Since then, the act of adjudication to John W. Butler, at the sale of the succession in community between John Baptiste Besson, deceased, and his widow, Marie Belasaire Ris, the conveyance from Francois Besson to John W. Butler; the testimony of Piere Trichell; the certificate of Fernando Gayoso, and the official certificate of C. E. Greneaux, judge of the parish of Natchitoches, have been added. By an endorsement on the file of these papers, it also appears, that the same had been, at the last session of Congress, referred to the committee of that body on private land claims, but not acted upon. We have given these papers an attentive examination, and considering that the said Pierre and Julien Besson may have been for a long lapse of years under the Spanish Government, and since, under that of the United States, in the uninterrupted possession and enjoyment of said land, and that great injustice might be done to them, their heirs, or assigns, we are of opinion that the claim should be allowed; but as it is not sufficiently shown that Jean Baptiste and Francois Besson were such legal heirs, we would suggest, if such shall be the will of Congress, that the confirmation be in the name of Pierre and Julien Besson, their heirs, or assigns. The papers, such as they came to us, are therefore respectfully submitted.

JNO. M. A. HAMBLÉN, *Register.*RAN. EASTIN, *Receiver.*

NOTICE.

To the Register and Receiver of the land office at Ouachita, acting as a board of commissioners, under an act of Congress, entitled "An act for the final adjustment of claims to lands in the State of Louisiana," approved February 6, 1835.

John W. Butler, of the parish of Natchitoches, and State of Louisiana, gives notice, that by regular transfers, copies of which are hereunto an-

nexed, he is the assignee of the heirs and legal representatives of Pierre and Julien Besson, deceased, to a tract or parcel of land situate in the parish of Natchitoches, at a place called l'Ecor Rouge, of the prairie Aux Oyes, containing about thirty arpens front, bounded on one side by the bayou of l'Ecor Rouge, and on the other, by a bayou called Dourbeaux, about six leagues above the post of Natchitoches, which land was conceded to the said Pierre and Julien Besson, brothers, on their petition, by Athanaze De Mezier, on the 25th day of February, 1770, who was at that time Lieutenant Governor of the post of Natchitoches, all which will more fully appear by reference to the said petition and concession hereto annexed, and made part of this notice.

The said John W. Butler, begs leave further to represent, that on the 20th day of December, 1820, the representatives of Pierre and Julien Besson, filed a notice of this claim with the Register of the land office at Opelousas, as will appear by reference to the receipt and certificate of Levin Wales, hereto annexed. That afterwards the said Register made a report, by which it appears, that the only reason for not immediately reporting favorably on said claim was, that there was no data in their office by which the genuineness of the signature of De Mezier could be tested, and that they did not know of the existence of such an officer as Lieutenant Governor of the post of Natchitoches, but they say, that as the acts have some appearance of authenticity, they accord further time to the claimants to furnish the proof necessary for making out their title; all which will more fully appear by reference to a copy of said report herewith filed and specially referred to.

In answering these objections, the claimant has first examined the parish judge's office in Natchitoches, in company with the parish judge and the other witness, whose testimony, with that of the parish judge is hereto annexed, and found that the signature of De Mezier to the concession is genuine. Secondly: That the office of Lieutenant Governor was one known to the Spanish Government, the claimant refers to the testimony taken by V. King and D. L. Todd, and found at page 1042 of the Appendix of the Land Laws, to which reference is made; and that there was such an officer at the post of Natchitoches, the claimant refers the commissioners to "documents relative to Louisiana and Florida, received at the Department of State, from the Secretary of State of Spain, through the Hon. C. P. Van Ness, envoy extraordinary and minister plenipotentiary at Madrid, a copy of which has no doubt been received at your office; and special reference is made to document No. 2, page 2, of said documents, and to the testimony of the parish judge of Natchitoches, relative to the official character in which De Mezier acted. It will be remarked by the commissioners, that the concession was made in February, 1770, and the recommendation of O'Reilley that the granting of lands should, *in future*, be confined to the Governor alone, is August, 1770.

The habitation and cultivation of this land by the Bessons, will be found proved by the annexed testimony of Durcy, Trichell, and others.

The premises considered, the said John W. Butler prays that his title to said land be confirmed by the said Register and Receiver, and that an order of survey may issue, and his title be made complete according to law. And as in duty bound, &c.

J. W. BUTLER.

STATE OF LOUISIANA, *Parish of Natchitoches.*

Before me, the undersigned authority, personally came and appeared Pierre Trichell, of the parish of Natchitoches, and State of Louisiana, who being duly sworn by me, deposes and says, that he is now about fifty five years of age, and that he has always lived in this parish, at a place called Compte, about twelve miles from the land now belonging to John W. Butler, and which he acquired of the family of Bessons; that it is to his knowledge that Pierre Besson and Julien Besson, brothers, lived on the land mentioned in John W. Butler's notice to the Register and Receiver of the land office at Ouachita; that affiant was a small boy, can't say how old, but the said Bessons were his uncles, and he visited them on said tract of land, in company with affiant's father and mother; that they continued to live on the land until the death of Pierre; Julien then continued to live on the land, and cultivated it for many years after the death of his brother Pierre. Affiant had always understood that the Bessons were in possession of said land, in virtue of title given by Athanase de Mezier, who was in authority under the Spanish Government. Affiant must have known them on the land, he is certain, twenty years before the 20th day of December, 1803. Pierre Besson died many years ago, and Julien died about 1818; since the death of Julien, Jean Baptiste Besson, the son of Julien, has lived on and cultivated the land: the land was always considered, and sold by the parish judge, as part of the estate of Julien Besson. In old times, the Bessons had their vacherie on this land; since that, there has been much land cleared and cultivated by both the old and young Bessons.

PIERRE TRICHELL.

Sworn to and subscribed before me, this 15th day of April, 1835.

I. HOLMES, *Justice of the Peace,*
Parish of Natchitoches, State of Louisiana.

STATE OF LOUISIANA, *Parish of Natchitoches.*

I, the undersigned, parish judge of the parish aforesaid, do hereby certify, that I am well acquainted with Pierre Trichell, of this parish, and that his testimony is entitled to credit. I do further certify, that Isaac Holmes, whose name is subscribed to the within affidavit, is now, and was at the time of signing the same, a justice of the peace, duly commissioned, and acting in and for the said parish, and that full faith and credit are due to all his official acts.

Given under my hand and official seal, at Natchitoches, this sixth day of May, A. D. 1835.

[L. S.]

C. E. GRENEAUX, *Parish Judge.*

[N. B.—The annexed papers were sent to Congress, with claimant's petition, but the land offices being opened again, the papers were returned.]

*Monsieur Athanaze de Mezieres, Capitaine d'Infanterie, Lieutenant
Gouverneur, Juge Civil, ou Criminal du Natchitoches et les dependances.*

Supplient humblement Pierre et Julien Besson, freres, habitans en ce poste, disant qu'ayant entréux plusieurs bestieaux, lesquels diminuent plutot que d'augmenter, en ce poste, à cause de la difficulte qu'il y a de les pouvoir garder ils auraient formé le dessein de faire un vacherie; et pour

cet effet ils ne trouvent pas d'endroits plus propre pour leur projet qu'un endroit situé à l'Ecor Rouge de la prairie aux Oïes, contenant environs trente arpens de face en haut de ce post à six lieues ; borné d'un coté par le bayou de l'Ecor Rouge, et de l'autre par celui nommé Baurbeaux. Ce considéré Monsieur, les suppliants recours a vous afin qu'il vous plaise leur accorder la concession de trente arpens de terre ou environ, de face c'y dessus designés, sur la profondeur ordinaire, pour s'y mettre tout de suite dessus. Ils ne cessent de faire des voeux pour la conservation de votre santé et prosperités.

Aux Natchitoches, le 25 Fevrier, 1770.

(Signed)

PIERRE BESSON.

Athanaze de Mezieres, Capitaine d'Infanterie, Lieutenant Gouverneur du poste de Natchitoches et ses dependances.

Vû la requête c'y avant nous permettons à Pierre et Julien Besson, freres, de s'establir sur les trente arpens d'environs, de face sisé à l'endroit mentionné en la ditte requête, pour y placer leur bestieaux, conformément à leur exposé et aux conditions portés par les ordonances de sa majesté.

Au loge du Gouvernement, le 25 Feb. 1770.

(Signed)

ATHANAZE DE MEZIERES.

LAND OFFICE AT OPELOUSAS, *State of Louisiana.*

The foregoing is a true copy of the original réquete and order of survey, on file in this office, in the claim reported by the Register (No. 67) on the first of October, 1825.

In testimony whereof, I have hereunto signed and affixed my private seal of office, this 11th day of October, A. D. 1834.

[L. s.]

VALENTINE KING, *Register.*

To the Register of the Land office, for the southwestern district of the State of Louisiana.

The legal representatives of Pierre and Julien Besson, brothers, give notice, that pursuant to the second section of an act of Congress, entitled "An act supplementary to the several acts for the adjustment of land claims in the State of Louisiana," approved the 11th of May, 1820, they claim a tract of land containing twelve hundred superficial arpens, to wit: thirty arpens front, with the depth of forty arpens, at a place called *Ecore Rouge*, of the Goose prairie, about six leagues above the post of Natchitoches; bounded on one side by the bayou *Ecore Rouge*, and on the other by that called *Dourbeaux*. The claimants file herewith a requête for the said land made by the said Pierre and Julien Besson, on the 25th of February, 1770, to which is annexed the concession of the same date made by Mr. Athanaze de Mezier, at that time Lieutenant Governor and commandant for the post of Natchitoches.

Knowing the justice of this claim, they hope it will be confirmed by the honorable Congress of the United States.

Opelousas, December 30, 1820.

For the claimants :

(Signed)

PRUDHOMME, Fils.

LAND OFFICE AT OPELOUSAS, *State of Louisiana.*

The foregoing is a true copy of the original notice on file in my office. In testimony whereof, I have hereunto signed and affixed my private seal of office, this 10th day of October, A. D. 1834.

[L. s.]

VALENTINE KING, *Register.*

B, No. 67.

The legal representatives of Pierre and Julien Besson, brothers, claim a tract of land containing twelve hundred superficial arpens, equal to $1,015\frac{54}{100}$ American acres, at a place called *Ecore Rouge*, in the Goose prairie, about six leagues above the Post of Natchitoches, bounded on one side by the bayou *Ecore Rouge*, and on the other by that called *Dourbeaux*. The claimants file herewith a requete for the said land, made by the said Pierre and Julien Besson, on the 25th February, 1770, soliciting a grant of the above described tract of land, to which is subjoined the concession of the same date, and granting the said as solicited, made by Mr. Athanase de Mezier, at that time Lieutenant Governor and commandant for the post of Natchitoches. In this claim there are not sufficient, indeed no data in the office to test the genuineness of the documents filed herein; without knowing even that there was ever such an officer at the post of Natchitoches as Lieutenant Governor De Mezier, and in the absence of any oral testimony, this claim cannot for the present be recommended for confirmation. As it bears marks of some authenticity, and as it would be unjust to condemn it without allowing the claimants further time to substantiate it, which it may be in their power to do, it is therefore recommended that a further time be given to the claimants for this purpose.

LAND OFFICE AT OPELOUSAS, *State of Louisiana.*

The foregoing is a true copy of the original report, made, among others, by the Register of this office, to the Secretary of the Treasury of the United States, on the 1st day of October, 1825.

[L. s.] In testimony whereof I have hereunto signed and affixed my private seal of office, this 10th day of October, A. D. 1834.

VALENTINE KING, *Register.*

Sale at auction of the property belonging to the succession of Jean Baptiste Besson, late of the parish of Natchitoches, in community with his widow Marie Belasire Ris, made on this 3d day of February, one thousand eight hundred and thirty-four, by me, the undersigned parish judge and ex-officio auctioneer, in and for the parish of Natchitoches, in the State of Louisiana, in pursuance of an order of the court of probates of the said parish, under the following terms and conditions, to wit: The moveable property payable on the 1st May, 1835; the immoveable property payable in three equal annual instalments, the first to become due on the 1st May, 1835. Purchasers will give their notes, with security, in solida, to the satisfaction of the testamentary executor, and mortgage on the immoveables.

Property belonging exclusively to Jean Baptiste Besson's succession.

One undivided half of a tract of land, situate in the said parish, on the bayou of Compte, containing about six hundred arpens superficial measurement, at a place called Ecore Rouge, bounded on one side by the bayou Ecore Rouge, and on the other by the bayou Dourbeaux, adjudicated to J. W. Butler, B. B. Breazele, security for the sum of sixteen hundred and seventy dollars - - - - \$1,670 00

When, there being nothing more belonging to the said succession, to be offered for sale, I have closed the present sale, and signed the same with François Besson, the testamentary executor, and the undersigned witnesses, on the day and year first above written.

FRANCIS BESSON.

Witnesses: Jn. Prat, Pierre Trichell, C. E. Greneaux, parish judge and auctioneer ex-officio.

I hereby certify the above and foregoing to be a true extract of the original on file and of record in my office.

[L. s.] Given under my hand and seal of office, on this 11th day of December, one thousand eight hundred and thirty-four.

C. E. GRENEAUX,
Parish Judge.

STATE OF LOUISIANA, *Parish of Natchitoches.*

Be it known, that this day, before me, Charles E. Greneaux, parish judge and ex officio notary public in and for the parish of Natchitoches, State of Louisiana, aforesaid, duly commissioned and sworn, personally came and appeared Mr. François Besson, of the same parish, who declared, that for the consideration hereinafter expressed, he doth, by these presents, grant, bargain, sell, convey, transfer, assign and set over, with a full guaranty against all troubles, debts, mortgages, claims, evictions, donations, alienations or other incumbrances whatsoever, unto John Walter Butler, also of the same parish, his heirs and assigns, one undivided half of a certain tract or parcel of land situate and being in the said parish, the whole of which contains twelve hundred arpens, superficial measurement, heretofore held in common between the present vendor and John Baptiste Besson, his deceased brother; and being the same tract of land which was granted to Pierre and Julien Besson, bounded on one side by the bayou "Ecores Rouges," and on the other by the bayou "Bourbeaux," near the place called "Goose Prairie;" to have and to hold the said undivided tract of land unto the said John Walter Butler, his heirs and assigns, to their proper use and behoof for ever. And the said François Besson, for himself, his heirs, and administrators, to the said John Walter Butler, his heirs and assigns, shall and will warrant and for ever defend against the lawful claims of all persons whomsoever, by these presents. And the said vendor doth moreover subrogate the said purchaser to all the rights and actions of warrantee which he has or may have, against his own vendor, or against the vendors of his vendor, fully authorizing said purchaser to exercise the said rights and actions, in the same manner as he himself might or could have done.

The purchaser declared that he waived and dispensed with the certificate of the conservator respecting the mortgages which may exist on the said tract of land.

The above sale is made for and in consideration of the sum of sixteen hundred and twenty dollars, for which the said purchaser has this day given his three several promissory notes, each for the sum of five hundred and fifty-six dollars and two-thirds; the first payable on the first of May, eighteen hundred and thirty-five; the second on the first of May, eighteen hundred and thirty-six; and the third and last on the first of May, eighteen hundred and thirty-seven. All of which notes are signed by Blount Baker Breazeael, as security in solida, and are duly attested by me, said judge and notary, according to law. And in order to secure the true and punctual payment of said notes at maturity, the purchaser hereby mortgages and specially affects the above sold undivided half of tract of land.

Thus done and passed in my office, in the parish of Natchitoches, aforesaid, in the presence of Daniel R. Hopkins and Chrysostome Vasocu, witnesses, of lawful age, and domiciliated in this parish, who hereunto sign their names, together with the said parties, and me, the said notary, on this twenty-eighth day of April, in the year one thousand eight hundred and thirty-four.

FRANCOIS BESSON.
J. W. BUTLER.

D. R. HOPKINS, CH. VASOCU, attest.

C. E. GRENEAUX, *Par. Judge,*
and ex officio Notary Public.

I hereby certify the above and foregoing to be a true copy of the original on file and of record in my office. Given under my
[L. s.] hand and seal of office, on this 16th day of December, one thousand eight hundred and thirty-four.

C. E. GRENEAUX, *Parish Judge.*

NATCHITOCHEs, *December 2, 1834.*

Personally appeared before me, the undersigned, a justice of the peace in and for the parish of Natchitoches, Louis Closeau and Pierre Trichell, the former sixty-eight years, and the latter fifty-four, both of them born and raised in the parish of Natchitoches, both of them being duly sworn according to law, made oath that they remember well Athanaze De Mezier, sen. that he was commandant and Lieutenant Governor. Mr. Trichell only recollects that he was commandant of this parish, and both of the affiants declare that they know that Pierre Besson and Julian Besson, both of them occupied what is called the Ecore Rouge and Bayou Borbèaux. They both declare that the Bessons occupied the said place forty years ago.

LOUIS CLOSEAU.
P. TRICHELL.

Subscribed and sworn to at Natchitoches, the 2d of December, 1834, before me.

JOHN SIBLEY, *Justice Peace.*

STATE OF LOUISIANA, *Parish of Natchitoches.*

I, Charles E. Grenaux, parish judge of the parish aforesaid, do hereby certify that I am well acquainted with Louis Closeau and Pierre Trichell, whose names appear above; that they are both respectable citizens of this parish; that their testimony is entitled to full faith and credit, and that their

signatures hereto are genuine. I further certify that John Sibley, who has certified to the within affidavit, was, at the time he signed the same, and is now, an acting justice of the peace, duly commissioned and sworn, in and for the said parish; that full faith and credit are due to all his official acts, and that his signature hereto is genuine.

Given under my hand and official seal, at Natchitoches, this 17th day of December, 1834.

C. E. GRENEAUX, *Parish Judge*, [SEAL:]

STATE OF LOUISIANA, *Parish of Natchitoches*.

I do certify that I examined with Judge Greneau, the papers in his office for the year 1770, and that we found many executed by Athanaze De Mezier, and among others, a proclamation dated the 21st of January, 1770, and signed by Athanaze De Mezier, as Lieutenant Governor of the post of Natchitoches and its dependencies. And further, I certify that on comparing the signatures at the foot of the concession of land to the Bessons brothers, of a tract of thirty arpens front, at the Ecor Rouge of the Prairie au Oyes, with the signature to the aforesaid proclamation, and other acts of said De Mezier, I am of opinion that the signature to the concession is genuine.

FERNANDO GAYOSO.

Sworn to and subscribed before me, this 6th day of May, 1835.

C. E. GRENEAUX, *Parish Judge*.

STATE OF LOUISIANA, *Parish of Natchitoches*.

I, Charles E. Greneau, parish judge of the parish aforesaid, do hereby certify, that from an examination of the archives in my office, I find that on the twenty-first day of January, seventeen hundred and seventy, a proclamation was issued by Athanaze De Mezier, then captain of infantry and Lieutenant Governor of Natchitoches and dependencies; and I do further hereby certify, that on comparing the signature of De Mezier on the said proclamation, as well as upon other public acts signed by him during all the year seventeen hundred and seventy, with the signature on the concession of a tract of land made to Pierre and Julien Besson, I am convinced that the signature on the said concession is genuine.

Given under my hand and official seal, at Natchitoches, this 17th day of December, A. D. 1834.

C. E. GRENEAUX, *Parish Judge*, [SEAL.]

No. 4.

To the Register and Receiver of the land office at Ouachita, acting as a board of commissioners, under an act of Congress, entitled "An act for the final adjustment of claims to lands in the State of Louisiana," approved February 6, 1835.

John Sibley, of the parish of Natchitoches and State of Louisiana, gives notice that he is the assignee of Louis Tregarie, late of said State and parish, who, on the 20th day of December, 1803, and for ten consecutive years

prior to that date, had been in possession of a tract of land containing five arpens front by forty in depth, situated on the northeast side of Red river, and in the grand Ecore settlement, about seven miles from the Post of Natchitoches, the said land being bounded below by lands of Athanase de Mezier, and above by public lands. That the said Louis Tregarie continued to hold and occupy said land until the ninth day of September, one thousand eight hundred and eleven, at which time he sold the same to the present claimant; that the claimant has continued to hold the same from the said 9th day of September, 1811, until the present time, and is still in possession.

The premises considered, the said John Sibley prays that his title, as assignee of Louis Tregarie to said land may be confirmed and perfected, he prays for all such other and further relief in the premises as justice, equity, and law, will allow, and as in duty bound, &c.

JOHN SIBLEY.

STATE OF LOUISIANA, *Parish of Natchitoches.*

Before me, the undersigned authority, personally came and appeared Francois Durcy, who, being duly sworn, deposes and says, that he is about sixty-five years of age; that he has lived in the parish of Natchitoches since the year seventeen hundred and ninety-seven; that he was well acquainted with Louis Tregarie; that when witness first came to Natchitoches Tregarie lived on the land mentioned in John Sibley's notice, on the other side of this paper written; that Tregarie continued to live on and cultivate said land from the time witness first knew him in 1797 until he sold to John Sibley in 1811; that John Sibley has held the same by himself and one Louis Lamotte from the time of his purchase, in 1811, until the present moment; that in 1797 the place had the appearance of an old settlement.

F. DURCY.

Sworn to and subscribed before me, this 23d of April, 1835.

I. HOLMES, *Justice of the Peace,*
Parish of Natchitoches, State of Louisiana.

Francois Durcy further states that he has a distinct recollection, that in conversation with Felix Trudeau, the commandant of the Post of Natchitoches, under the Spanish Government, that Trudeau said that Louis Tregarie had presented him a petition for land on the Bayou Cypre, between Campte and the grand Ecor; that the said Trudeau told Tregarie to go and settle on the land and he did so.

F. DURCY.

STATE OF LOUISIANA, *Parish of Natchitoches.*

Before me, the undersigned authority, personally came and appeared Louis Geoffrois, of the parish of Natchitoches and State of Louisiana, who being duly sworn, deposes and says, that he has been living in the parish of Natchitoches since 1808; that at that time he knew Louis Tregarie, generally called Quirrier; that the said Tregarie then lived on the land he afterwards sold to John Sibley, and which is mentioned in the foregoing

notice of said Sibley; that the place had, at that time, (1808) the appearance of an old establishment, and that he was informed that Tregarie was the man who first settled it.

LOUIS GEOFFROIS.

Sworn to and subscribed before me, this 28th of April, 1835.

C. E. GRENEAUX,

Parish Judge of Natchitoches.

STATE OF LOUISIANA, *Parish of Natchitoches.*

Before me, the undersigned authority, personally came and appeared Rosetti De Mezier, f. w. c. of the parish of Natchitoches and State of Louisiana, who, being duly sworn, deposes and says, that she is about forty-six years of age; that in her infancy she recollects Louis Tugarie, generally called Quirrier; that she recollects, because, when a small child, Tregarie lived within a short distance of her father's, and used to teach her songs and make much of her; she supposes she must have been about five years old at the time she speaks of; that Tregarie then lived on a tract of land adjoining to her father, Athanase De Mezier, the same land was afterwards sold by Tregarie to Doctor Sibley, and Louis Lamotte now lives on it; it is the same mentioned in Doctor Sibley's notice. Witness recollects that Tregarie was living on said land long before the change of Government. This land has always been, since the recollection of witness, in the possession of either Louis Tregarie, Doctor Sibley or Louis Lamotte.

her
ROSSETTE × MESSIERE.
mark.

Sworn to and subscribed before me this 28th day of April, 1835.

I. HOLMES, *Justice of the Peace,*

Parish of Natchitoches, State of Louisiana.

STATE OF LOUISIANA, *Parish of Natchitoches.*

I do hereby certify that I am acquainted with the above named witnesses, and that their testimony is entitled to credit. I do further certify that Isaac Holmes, whose signature appears on the above and within affidavits, is now, and was at the time of signing the same, a justice of the peace in and for the parish aforesaid, and that full faith and credit are due to all his official acts.

[L. S.] Given under my hand and official seal, at Natchitoches, this 29th day of April, A. D. 1835.

C. E. GRENEAUX,

Parish Judge of the parish of Natchitoches.

NATCHITOCHEs, April 28, 1835.

DEAR SIR: Enclosed, I send you the notice of Doctor John Sibley, with the evidence in support of his claim; should any further testimony be thought necessary, I would thank you to let me know. I hope, however, you will think what I have offered sufficient, for time and an unhealthy climate has taken off many who might have proved this claim.

I would thank you to let me know, whether there is in your office, any evidence of a claim to land, situated on the Rigolet du Bor Dieu, in favor of Jean Baptiste Trichel.

Please to send me by the bearer, a certificate notice for Doctor Sibley.

I have the honor to be, dear sir,

Your obedient servant,

FERNANDO GAYOSO.

JOSEPH FRIEND, Esq.

Memorandum for Doctor Hamblen and Judge Eastin.

I wish, gentlemen, to call your attention to the claim of John Sibley, for the land record in your book for report. You have seen the certificates and the report of the commissioners confirmed by acts of Congress I believe in 1825. It was confirmed to Augustein, f. m. c. as appears on township lat 10, R. 7 W. there is also another claim in the same situation, in the name of John Pierre. I purchased these claims of the heirs of Fleming and Irwin, who purchased of the original owners. I merely bought the land, paying them so much per acre, for every acre they give me undisputed title to, so the principal interest is in the heirs of Fleming and Irwin. There is a suit now pending at Natchitoches, Heirs of Fleming and Irwin, vs. Lamotte, f. m. c. and Sibley applies to make a title to affect the suit, as he has no color of title. The suit was continued last term on this ground.

Yours,

P. BARRY.

No. 4.

In this case there is no evidence before us of the ownership of John Sibley to the said land, save the oral testimony of his ex-parte witnesses. Therefore, we are of opinion that this claim should be confirmed to the said Tregarie, his heirs and assigns, whoever they may be, provided it does not interfere with the rights of any other person of previous date, the evidence of whose claim shall be in conformity with the established usages of the Spanish Government, and confirmed by the proper authorities of the Government of the United States; and provided, also, that the said Louis Tregarie, or his legal representatives in his name, shall not have obtained a grant or donation of a similar nature at Opelousas, or some other land office of the United States.

LAND OFFICE, *Ouachita, Louisiana.*

JOHN M. A. HAMBLEN, *Register.*

RAN. EASTIN, *Receiver.*

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