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Letter from George Sibley to Josiah Johnston, December 17, 1832

George Champlin Sibley
Lindenwood College

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Linden Wood near St. Charles Missouri
December 17th. 1832

Dear Sir,

I have purposely deferred troubling you with the enclosed Petition 'till now; in the Supposition that its reaching you Soon after Christmas, would be better suited your own convenience, and probably that of the Senate, to which branch of the Legislature I wish it presented as early as possible, in order that it may be acted on promptly -

My pledge to Mr. Maxer (?) to make this application to Congress, was probably the principal inducement for him to allow me the additional time, that he has so kindly done upon my request - It is possible Mr. Maxer may have expected me to present my Petition in June last; and this I should have done, but for the lateness of the Session, and your Suggestion that it would be much better to postpone it till now.

The Universal belief that now prevails here, that the Bank of the United States will immediately commence winding up its immense business, already begins to affect the Money value of real property; and as soon as the Debts due to the Bank in this quarter, are called in; it is reasonable to expect that property, especially Land, will at once be reduced in the Cash value not less than fifty per centum - Indeed, that Species of Capitalists who live, and grow rich in such times, are already Harking about, preparing to make profitable investments in property that they foresee must soon come under the Hammer - It occurs to me that the Govt. of the U.S. might be willing to avoid the odium (?) of favouring such Speculation by any act of its own (as the protraction of the Bank + the rigid collection of its own Debts would surely do) and with such view might very properly, and with eminent justice too, pass a general Act such as the One I have asked

in

[End of first page. Due to the strange formatting of quotation marks on the second and third pages of the letter, I am transcribing it so that the breaks between lines in the document correspond with the line breaks in the photocopy of the original document.]

in my Petition - My own case however, I Should much prefer to have provided for by a Special Act.

In my own Case, as I once Stated to Mr. Maxer, more than 18 months ago, "If the Marshall Sells my "Property under execution at Jefferso city, it will "not assuredly produce a Sum Sufficient to discharge "the Interest due on the Debt - My anxious desire is "to pay this Debt, to the full if possible; and to effect "this Sir, I assure you I would without a murmur "yield up all I possess if required; if by that means I "could obtain credit for any thing like its fair value. "But to See it absolutely thrown away, to enrich Some "Speculator, to See my family reduced to poverty, and "the Govt. even then not half, nor a fourth paid, is to "Say the least, extremely painful - The proper object of "this legal coercion, is to get payment - Its real effect, "in Missouri, owing to peculiar Circumstances; is to take "all means of payment from the hands of the honest Debtor, "throw out a fresh bait to Some Hawking Speculator, "and at once destroy every prospect of the Ultimate "discharge of the Debt - I absolutely loathe the idea "of thus becoming, a hopeless, desponding, insolvent "Public Debtor - I care not for mere Property, but I "dread that Superadded burthen that deprives poverty "of every gleam of Hope - Sales of Property under "execution from the U.S. Court in this State, are obliged "by Law. to be made by the Marshall at the City of Jeffersn, "an obscure place, where but few persons resort. Bidders "are consequently few at Such Sales, + are almost always "Speculators of the rankest (?) description, who are content "to purchase for an Hundred Dollars a property they well "know to be worth thousands - it is thus that the most am= "ple means may be transfered from an Honest Debtor "to Some heartless Speculator, who alone receives the "Smallest benefit. The Creditor gets nothing Scarcely, "and loses his lien (?) on the property; the Debtor is prostrated "with a weight Suspended over him that he has no power "to remove, and which completely paralises all future

“exertion, even to attempt it - It is thus that a Marshall’s
Sale

[End of second page.]

“Sale in Missouri, is a mere trap, to catch Debtor and
“Creditor, for the benefit of the most mischievous of
“all Gamblers – I beg leave to refer you to Judge Shannon
“for the Substantial correctness of these views, + their
“peculiar applicability to my care”-

Thus stood the case in June 1831, as was
confirmed to Mr. Maxer by the District Attorney, Shannon.
It is very easy to conceive that at the present time
its prospects are Still less hopefull -

Upon the whole, I cannot but hope, that
when all the circumstances of this Case are
fairly considered, that the proper authorities
will deem it an Act of Simple justice to re=
-lease me upon my Petition -

This Paper may perhaps be useful, if added
to those attached to the Petition.

I remain, as ever

Yours very truly

G. c. Sibley.

To)

The Hon: Josiah S. Johnston
Senator from Louisiana
Washington City.