

“Georgia’s Westward Expansion”

# Yazoo Land Fraud

GEORGIA HISTORICAL SOCIETY



# The Yazoo Land Fraud and Its Impact on Georgia

## ***Compelling Question: What was the Yazoo Land Fraud and how did it impact Georgia?***

**Task:** Gather evidence from primary and secondary sources to respond to the supporting question.

**Student Instructions:** Create five sections in a notebook, on a piece of paper, or document to record evidence or information from primary and secondary sources. Each section created is like a “bucket” that needs to be filled up. Use the five topics listed below to label each “bucket.” Analyze the primary and secondary sources to gather as much information about each topic to “fill up” the buckets. Use the evidence to respond to the supporting question, *what was the Yazoo Land Fraud and how did it impact Georgia?*

Label the buckets with these five topics:

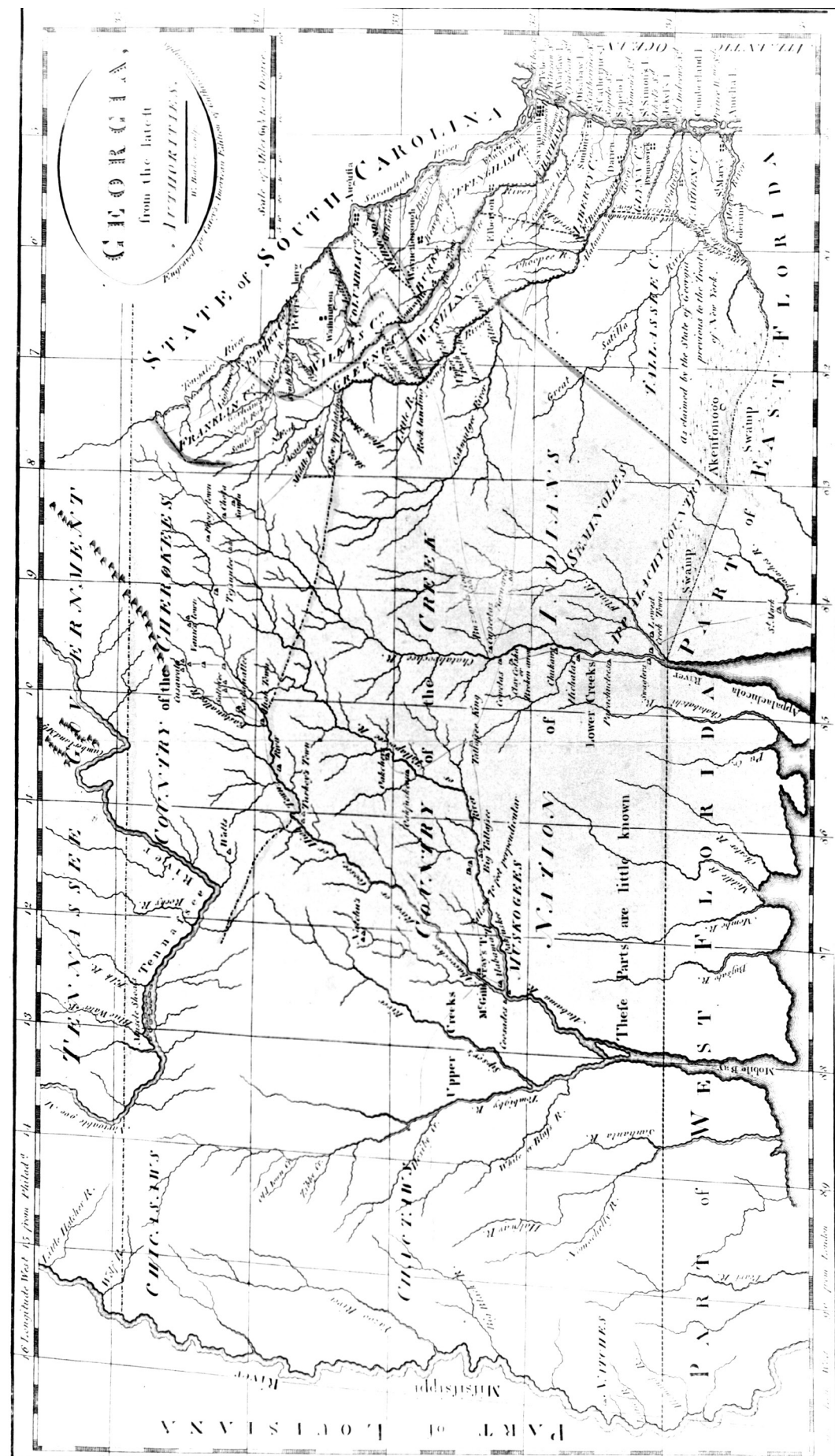
1. Yazoo Act
2. James Jackson
3. Territory involved
4. Land lottery system
5. Creek and Cherokee

Begin by reading the [Yazoo Fraud](#) historical marker. Read it closely and make sure to pay attention to the source information. After reading, record any information or evidence that corresponds to the five buckets. For example, the marker states “land along the Yazoo River in what is now Alabama and Mississippi.” In your own words, record that information in the “territory involved” bucket.

Because historical markers are limited in the amount of text they can contain, and because strong evidence is supported by more than one source of information, examine the following primary and secondary sources. Use these sources to “fill-up” your buckets with more evidence.

**Tip:** For help with analyzing primary sources use the [Primary Source Analysis Tool](#) from the Library of Congress.

**Assessment:** Citing evidence from each of the buckets, respond to the supporting question: *what was the Yazoo Land Fraud and how did it impact Georgia?*



Georgia From the Latest Authorities, 1795. Georgia Historical Society Map Collection.





[The details of the appearance of the old State House were furnished by Mr. William Fleming, of Jefferson County. The man with the burning-glass in his hand is James Jackson; next to him stands Thomas Glascock; then John Milledge. The man on the right is William Few, while Jared Irwin stands behind the messenger. David B. Mitchell stands behind Jackson, and Peter Early behind Few. Benjamin Taliaferro, David Meriwether, and David Emanuel were also present on this occasion.]

Original Drawing, "Burning the Yazoo Act, February 1797."  
 Copyrighted by University Publishing Co.  
 Presented to the Georgia Historical Society by  
 Lawton B. Evans, February 12, 1914.

C.H. Warren Illustration of the Burning of the Yazoo Act. Georgia Historical Society.



6th March, 1798.

*Read the first and second time, and committed to the Committee, to whom were referred, on the second ultimo, so much of the message from the President of the United States, of the twelfth of June, one thousand seven hundred and ninety seven, to both Houses of Congress, as relates to the expediency of erecting, under certain modifications, a government in the district of the Natchez, similar to that established for the territory north west of the river Ohio; as also, the message of the twenty third of January last.*

## An Act,

For an amicable settlement of limits with the state of Georgia, and authorizing the establishment of a government in the Mississippi territory.

- 1 Sec. 1. *Be it enacted by the Senate and House of Representatives of the*  
 2 *United States of America, in Congress assembled,* That the President of the  
 3 United States be, and he is hereby authorized to appoint three commis-  
 4 sioners; any two of whom shall have power to adjust and determine, with such  
 5 commissioners as may be appointed under the legislative authority of the  
 6 state of Georgia, all interfering claims of the United States and that state,  
 7 to territory situate west of the river Chatahouchee, north of the thirty first  
 8 degree of north latitude, and south of the cession made to the United  
 9 States by South-Carolina:—And also to obtain and accept, through the  
 10 said commissioners, or otherwise, a relinquishment or cession of the whole  
 11 or any part of the territory both as to jurisdiction and soil claimed by or  
 12 under the state of Georgia, and out of the ordinary jurisdiction thereof.
- 1 Sec. 2. *Be it further enacted,* That all the lands thus ceded or secured  
 2 to the United States, shall be disposed of in such manner as shall be here-  
 3 after directed by law; and the net proceeds thereof shall be applied to the  
 4 sinking and discharging the public debt of the United States, in the same  
 5 manner as the proceeds of the other public lands in the territory north west  
 6 of the river Ohio.

- 1 Sec. 3. *Be it further enacted,* That all that tract of country bounded on  
 2 the west by the Mississippi; on the north by a line to be drawn due east  
 3 from the mouth of the Yalores to the Chatahouchee river; on the east by  
 4 the river Chatahouchee; and on the south by the thirty first degree of north

- 5 latitude, shall be, and hereby is constituted one district, to be called the  
 6 Mississippi territory: And the President of the United States is hereby au-  
 7 thorized to establish therein a government in all respects similar to that  
 8 now exercised in the territory north west of the river Ohio, excepting and  
 9 excluding the last article of the ordinance made for the government there-  
 10 of by the late Congress, on the thirteenth day of July, one thousand seven  
 11 hundred and eighty seven, and by and with the advice and consent of the  
 12 Senate to appoint all the necessary officers therein, who shall respectively  
 13 receive the same compensations for their services; to be paid in the same  
 14 manner as by law established for similar officers in the territory north west  
 15 of the river Ohio; and the powers, duties and emoluments of a superin-  
 16 tendant of Indian affairs for the southern department, shall be united with  
 17 those of Governor: *Provided always,* That if the President of the Unit-  
 18 ed States should find it most expedient to establish this government in the  
 19 recess of Congress, he shall nevertheless have full power to appoint and  
 20 commission all officers herein authorized; and their commissions shall  
 21 continue in force until the end of the session of Congress next ensuing the  
 22 establishment of the government.

- 1 Sec. 4. *Be it further enacted,* That the territory hereby constituted a  
 2 district for the purposes of government, may, at the discretion of Congress,  
 3 be hereafter divided into two districts, with separate territorial governments  
 4 in each, similar to those established by this act.

- 1 Sec. 5. *Be it further enacted,* That the establishment of this government  
 2 shall, in no respect, impair the right of the state of Georgia, or of any pri-  
 3 son or persons claiming under it, either to the jurisdiction or the soil of  
 4 the said territory, but the rights and claims of the said state, and of all  
 5 persons interested, are hereby declared to be as firm and available, as if  
 6 this act had never been made.

- 1 Sec. 6. *And be it further enacted,* That the sum of ten thousand dollars  
 2 be, and hereby is appropriated, for the purpose of enabling the President  
 3 of the United States to carry into effect the provisions of this act; and that  
 4 the said sum be paid out of any monies in the Treasury not otherwise ap-  
 5 propriated.

1798, March the 5th,

Read the third time, and passed the Senate.

Attest, SAMUEL A. OTIS, Secretary.

Georgia Historical Society  
 Papers: MS. A. 2. 66. 60. 61. 62.  
 Coll. No. 584. Item No. 2.





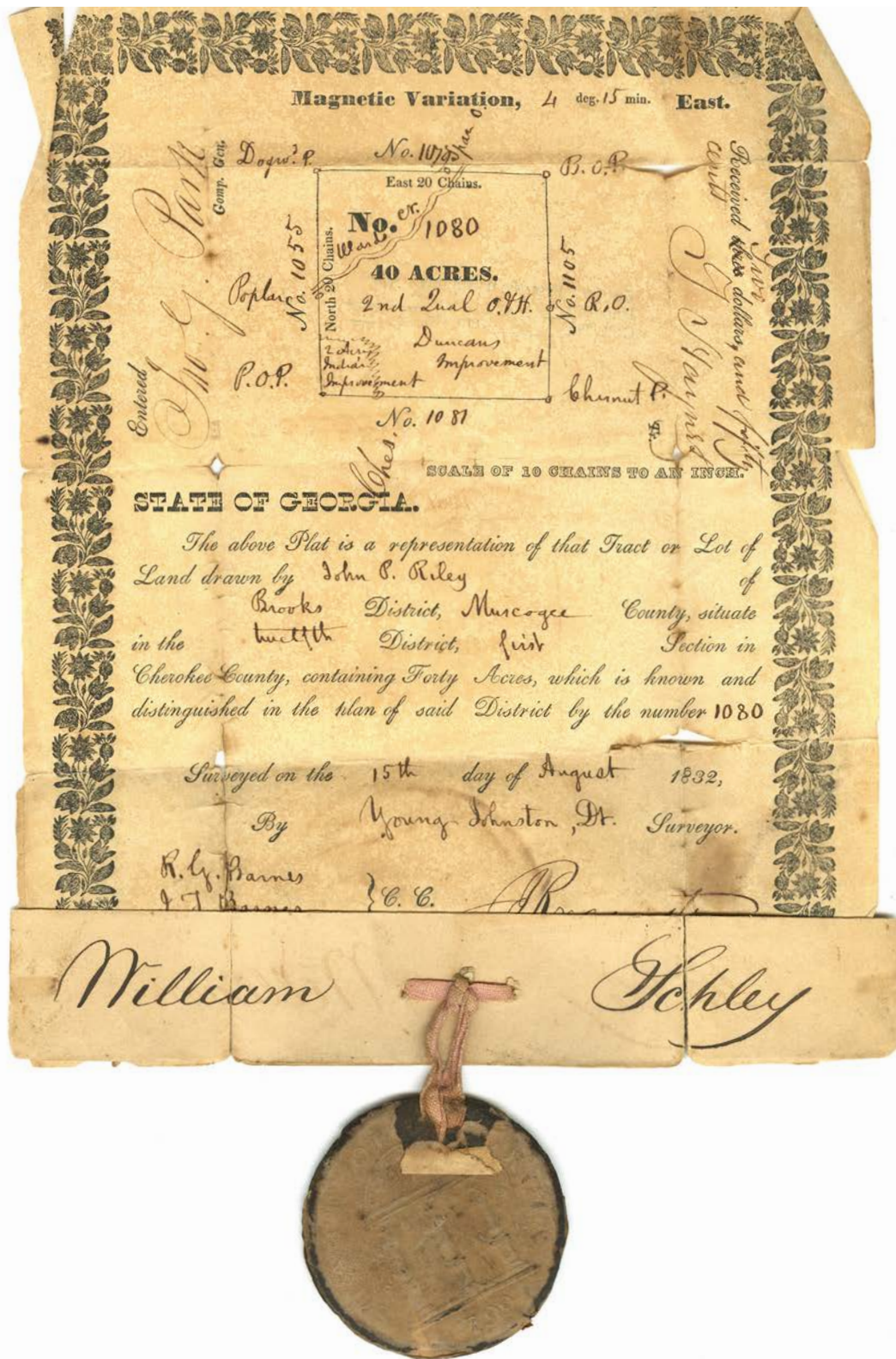
Engraved by W. A. Wilson from a drawing by J. B. Longacre after St. Memin.

JAMES JACKSON.

*J. W. Jackson.*

Etching of James Jackson. From the GHS Collection of Etchings, Silhouettes, and Prints.





Land grant from state of Georgia to John P. Riley. Signed by William Schley, Governor. Lot no. 1080, 12th District, 1st Section, Cherokee County, 40 acres. Plat with pendant seal included. From the John P. Riley Land Grant Collection at the Georgia Historical Society.



# Yazoo Land Fraud

Original entry by [George R. Lamplugh](#), The Westminster Schools, Atlanta, 06/12/2002  
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The Yazoo land fraud was one of the most significant events in the post-[Revolutionary War](#) (1775-83) history of Georgia. The bizarre climax to a decade of frenzied speculation in the state's public lands, the Yazoo sale of 1795 did much to shape Georgia politics and to strain relations with the federal government for a generation.

Georgia was too weak after the Revolution to defend its vast western land claims, called the "Yazoo lands" after the river that flowed through the westernmost part.

Consequently, the [legislature](#) listened eagerly to proposals from speculators willing to pay for the right to form settlements there. In the 1780s the state supported two unsuccessful speculative projects to establish counties in the western territory and in 1788 tried, again without success, to cede a portion of those lands to Congress. In 1789 the legislature sold about 25 million acres to three companies, only to torpedo the sale six months later by insisting that payment be made in gold and silver rather than in depreciated paper currency.



James Jackson and the Yazoo Land Fraud

Pressure to act continued to build on legislators until, by mid-November 1794, a majority reportedly favored the sale of the western territory. On January 7, 1795, Georgia governor [George Mathews](#) signed the Yazoo Act, which transferred 35 million acres in present-day Alabama and Mississippi to four companies for \$500,000. To achieve this successful sale, the leader of the Yazooists, Georgia's Federalist U.S. senator James Gunn, had arranged the distribution of money and Yazoo land to legislators, state officials, newspaper editors, and other influential Georgians. Cries of bribery and corruption accompanied the Yazoo Act as it made its way to final passage. Angry Georgians protested the sale in petitions and street demonstrations. Despite the swelling opposition, the Yazoo companies completed their purchases.

Learning of the circumstances surrounding passage of the Yazoo Act, Georgia's leading Jeffersonian Republican, U.S. senator [James Jackson](#), resigned his seat and returned home, determined to overturn the sale. Making skillful use of county grand juries and newspapers, Jackson and his allies gained control of the legislature. After holding hearings that substantiated the corruption charges, Jackson dictated the terms of the 1796 Rescinding Act, which was signed by Governor [Jared Irvin](#) and nullified the Yazoo sale. He also arranged for the destruction of records connected with the sale; ensured that state officials tainted by Yazoo were denied reelection and replaced by his own anti-Yazoo, pro-Jefferson supporters; and in 1798 orchestrated a revision of the [state constitution](#) that included the substance of the Rescinding Act.



James Jackson

To prevent those claiming lands under the Yazoo purchase from receiving a sympathetic hearing in a Congress dominated by Federalists, Jackson and his lieutenants blocked any cession of the western territory until the Republicans were in control. Then, in the Compact of 1802, commissioners from Georgia, including Jackson, transferred the land and the Yazoo claims to the federal government. The United States paid Georgia \$1.25 million and agreed to extinguish as quickly as possible the remaining claims of Native Americans to areas within the state.

Northern speculators who had acquired land from the Yazoo companies pressed Congress for payment, but for more than a decade congressmen sympathetic to Georgia rebuffed them. Frustrated claimants sued for redress. In the case of [Fletcher v. Peck](#) (1810), Chief Justice John Marshall ruled that the Rescinding Act had been an unconstitutional violation of the right of contract. Finally, in 1814, Congress resolved the issue, providing \$5 million from the proceeds of land sales in the Mississippi Territory to be shared by the claimants.



Georgia politicians used the "Yazoo" label to bludgeon opponents for almost twenty years following the congressional settlement. A more tragic legacy of the Yazoo fraud grew out of the 1802 cession to Congress. As [cotton](#) culture spread across Georgia, the national government proved unable to extinguish Creek and Cherokee claims to land quickly enough for white Georgians, who were rapidly laying claim to inland tracts through the [land lottery system](#). Anger over this matter fueled the development of the states' rights philosophy, for which Georgia's leaders became notorious in the 1820s and 1830s as they continually prodded the United States to complete the process of [Indian removal](#). In a sense, the Yazoo land fraud helped lead to the Cherokee "Trail of Tears" in 1838.