

GABRIEL PRIEST.

MAY 28, 1836.

Read, and laid upon the table.

Mr. E. WHITTLESEY, of Ohio, from the Committee of Claims, made the following

REPORT:

The Committee of Claims, to which was referred the claim of Gabriel Priest, report :

That he presents the following account :

"Amount of losses sustained by depredations of the Florida Indians, burning, destroying, or plundering on or about the 6th of November, 1835, belonging to Gabriel Priest."

For 950 bushels of corn at \$1 50	-	-	-	\$1,425 00
For 10,000 lbs. of cotton, in the seed, at 3 cts.	-	-	-	300 00
For 12,000 lbs. of fodder, at \$1 50	-	-	-	180 00
For houses, consisting of dwelling house, kitchen, three corn houses, stables, dairy and smoke house	-	-	-	600 00
For 47 head of geese, at \$1 per head	-	-	-	47 00
For fowls, \$50 hogs \$250	-	-	-	300 00
For 26 head of horses, at \$75 per head	-	-	-	1,950 00
For 1,184 head of cattle, at \$4 50 per head	-	-	-	5,328 00
For household and kitchen furniture	-	-	-	300 00
For salt \$24, farming utensils \$100	-	-	-	124 00
For carpenters' tools	-	-	-	75 00
For potatoes \$50, oats \$5, peas \$50	-	-	-	105 00
For hay \$20, one rifle gun \$20	-	-	-	40 00
For wearing apparel \$50, bedding \$25	-	-	-	75 00
For sheep \$24, books \$100, shot gun \$5	-	-	-	129 00
For pumpkins \$30, sugar cane \$75	-	-	-	105 00
				\$11,083 00

No part of this property was in the possession of the United States for military or other purposes, or in any way inured to their benefit. If the testimony therefore fully established the destruction of the property in the manner mentioned, the sufferer would have no claim against the United States to be compensated for his loss. The testimony does not, however, prove the destruction of all the property, nor even the greatest portion of it. The date of the account is erroneous, it should be the 6th of December, 1835, instead of the 6th of November.

It appears the claimant apprehending danger to himself and family from the Indians, the latter part of the month of November, 1835, abandoned his home on the Withlacooche, and fled to a more secure place of safety. One of the witnesses says he was within a few hundred yards of the buildings of the claimant on the 6th of December, 1835, and saw them on fire; and some of the company said they saw Indians around the fire.

Other witnesses speak of the burning of the buildings, but none of them give any particular account of the destruction of any of the stock or other personal property. It can hardly be supposed that all of his horses and cattle were killed; but he has, most probably, been a great sufferer with other citizens of that Territory. The liability of the United States for losses depends on the fact, whether the property was in its use or occupation, and destroyed in consequence thereof.

As this was not the case here, the committee submit the following resolution:

Resolved, That the claimant is not entitled to relief.