

MEMORIAL

OF THE

LEGISLATURE OF THE STATE OF FLORIDA,

ASKING FOR

The appointment of a board of commissioners to ascertain losses of citizens of Florida, by the destruction of their property in the Seminole war of 1836.

DECEMBER 23, 1845.

Referred to the Committee on the Judiciary, and ordered to be printed.

To the honorable the Senate and House of Representatives of the United States in Congress assembled :

The Senate and House of Representatives of the legislature of the State of Florida, convened at their first session under the new organization of the Territory as an independent member of the Union, regard it as one of the earliest and most important of the duties devolved upon them, to call the attention of Congress to the losses sustained by the inhabitants of the country during the late cruel and desolating Seminole war, and to their just claims for indemnification from the government for these losses, which occurred through the neglect of the federal authority ; seasonably warned, though it was, of approaching evil, and earnestly petitioned on the subject, to afford them, at the commencement of the Indian hostilities, that adequate protection which, as dependants on its guardianship and care, they had been led to look for, and had the right to expect.

The legislature of Florida, therefore, having adopted and *unanimously* passed the following preamble and resolutions in relation to this subject, herewith submit them to your honorable bodies, and respectfully and earnestly request your early attention to, and favorable consideration of the same :

Whereas the government of the United States having, in pursuance of a general policy long since adopted, of concentrating the Indians under its control, and not with any view to the interest, or at the instance of the people of Florida, undertaken the removal of the Seminole and other tribes of Indians associated with them, from the Territory—first by treaty, and then by military force :

But, whereas this measure was undertaken with such inadequate means as to involve both itself and the inhabitants of the country in protracted hostilities with the Indians, which resulted in the loss of numerous lives, and the destruction of the homes and property of the unfortunate people, in favor of whose rights an appeal is here made; an appeal which, when the will is united with the power of doing justice, as we believe it will be on this present occasion, cannot be preferred in vain :

Be it therefore resolved, That the general government, as the guardian and protector of the Territories, and as the cause, however unwittingly, of the losses sustained by the inhabitants of Florida, during the late Indian war, is bound, by every consideration of justice and of right, to take the necessary measures to ascertain the amount of their losses, and to make provision for their reimbursement and liquidation at as early a period as this can be conveniently done.

Resolved, That the readiest mode of effecting this just and equitable object would be the passage of a law by Congress for the appointment of a board of commissioners, to sit in Florida, to take testimony in relation to the claims, to ascertain the nature and extent of the losses incurred, and report upon the subject in such manner and at such time as Congress may direct.

Resolved, That, in the opinion of this legislature, the amount of the losses will probably fall far short of the estimates hitherto made on the subject, and would be covered by a sum quite within the power of the government to pay, without inconvenience to the national treasury.

Resolved, That there is reason to believe that death and other causes have already removed, beyond the hope of recovery, much of the proof which, at an earlier period, existed in ample abundance to establish the nature and amount of individual losses in the late war; and that the only method by which the losers can be secured against further deprivation of the chance of authenticating their claims, is to be looked for in the perpetuation of such testimony in support of them as is still spared and within reach of the claimants; and that to effect this desirable and all-important end, as well as to protect the government against spurious demands, the speedy appointment of a board of commissioners, such as is herein suggested, is especially and indispensably necessary.

Resolved, That our Senators and Representative in Congress be, and hereby are, requested and enjoined to lay this representation before the houses to which they respectively belong, and to urge the subject upon their efficient and favoring notice with their utmost ability, and all the zeal its importance demands.

JAMES A. BERTHELOT,
President of the Senate.

H. ARCHER,
Speaker of the House of Representatives.

Passed the Senate July 10, 1845.

THOMAS F. KING,
Secretary of the Senate.

Passed the House of Representatives July 14, 1845.

M. D. PAPY,
Clerk of the House of Representatives.

Approved July 17, 1845.

W. D. MOSELEY,
Governor of Florida.

I certify that the foregoing is a true copy of record.

OSCAR A. MYERS,
Private Secretary.

STATE OF FLORIDA,
Executive office, Tallahassee, July 19, 1845.

SIR: In obedience to a resolution of the Senate of this State, I have the honor to forward to you the foregoing preamble and resolutions.

I have the honor to be, very respectfully, your obedient servant,

W. D. MOSELEY,
Governor of Florida.

HON. JAMES D. WESTCOTT,
Senator in Congress of the United States.