

University of Oklahoma College of Law

## University of Oklahoma College of Law Digital Commons

---

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

---

2-18-1839

### **Memorial of the Legislative Council of the Territory of Florida, praying the passage of a law to authorize the enrolment of a number of volunteers for the defence of that Territory**

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indigenous, Indian, and Aboriginal Law Commons](#)

---

#### **Recommended Citation**

S. Doc. No. 233, 25th Cong., 3rd Sess. (1839)

This Senate Document is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact [Law-LibraryDigitalCommons@ou.edu](mailto:Law-LibraryDigitalCommons@ou.edu).

## MEMORIAL

OF THE

LEGISLATIVE COUNCIL OF THE TERRITORY OF FLORIDA.

PRAYING

*The passage of a law to authorize the enrolment of a number of volunteers for the defence of that Territory.*

FEBRUARY 18, 1839.

Ordered to be printed, to accompany Senate bill No. 160:

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

The memorial of the Legislative Council of Florida

**RESPECTFULLY REPRESENTS :**

That for more than three years past a war of extermination on the part of the Seminole Indians has been prosecuted against the people of this Territory ; that hundreds of valuable lives have been sacrificed, and thousands of private property have been destroyed ; that although the Government of the United States has shown a proper regard for the safety of the people, and a just sympathy for their sufferings, by extending in some degree relief to the unfortunate, and affording the ordinary protection against the attacks of the enemy ; that although the war has been conducted by able and experienced generals, and well appointed armies have been employed, it still continues with all its disastrous consequences, without the hope of termination, by the measures heretofore pursued. The people of the Territory have hailed with the highest approbation the plan proposed by the honorable Secretary of War, in his annual report, both for the defence of the frontier, and for the expulsion of the Indians. They confidently believe, if carried into execution, both will be successful ; that those who have been driven from their homes will be reinstated in their possession ; that the hardy defenders of the frontiers, who have so long maintained their posts in the presence of the enemy, exposed to every peril, will be enabled to cultivate their fields in peace, and sleep without the apprehension of being awakened by the midnight yell of the savages. They are equally confident that by proper encouragement to emigration and settlement, every portion of the peninsula susceptible of cultivation will in a very short time be permanently located by enterprising emigrants, who will seek the enemy in his lurking places, and relieve the country from his presence. Your memorialists believe this the most efficient plan by which they can be relieved from the disastrous results of this sanguinary and protracted war. Your memorialists have read and attentively considered

the bill which has been introduced in the Senate, for the accomplishment of this desirable object, and while they admire the liberality of the provisions, and are gratefully impressed for the feelings by which it was dictated, they believe that although it may ultimately effect the purpose designed, that this may be much more certainly and expeditiously achieved by an amendment which they beg leave most respectfully to suggest, and which will be attended with less expense to the Government. Your memorialists believe, without the mutual confidence and protection the settlers would derive from a military organization, without the rules of discipline and subordination, so necessary for their defence against the attacks of the enemy, without the number essential to insure safety, few would be willing to expose their lives and those of their families, by a location within the enemy's country: while under a different system, thousands would be organized in the neighboring States into regiments and companies, and would march under the proclamation of the President, or orders of the Secretary of War, to any point required, prepared to drive the enemy from his hiding places, and make the wilderness their home. In anticipation of such a system, your memorialists are informed that thousands of the hardy mountaineers of Georgia and Tennessee, under enterprising leaders, are now organizing and are ready to march at a moment's warning to fix their destiny in the peninsula of Florida. Your memorialists would therefore respectfully suggest the propriety of authorizing the President of the United States to receive such number of persons, not exceeding ten thousand, first, from among the citizens of Florida, and the balance, if any, from among the citizens of the different States as may offer their services as settlers in this Territory, to be organized into companies, regiments, and brigades, to be allowed pay and subsistence from their respective places of rendezvous, and to continue for twelve months; to be supplied with forage for six months, and at the close of the war each private and non-commissioned officer to receive a grant in fee simple of one quarter section of land, and the officers in the same proportion, or such other quantities as Congress may direct. Under these provisions your memorialists entertain the most sanguine belief that the war with the Seminoles will be brought to a speedy and successful termination. And your memorialists, as in duty bound, will ever pray.

E. L. DRAKE,

*Speaker of the House of Representatives.*

JOHN WARREN,

*President of the Senate.*

Approved, February 8, 1839.

R. K. CALL, *Governor of Florida.*

TERRITORY OF FLORIDA:

I, John P. Duval, Secretary of Florida, do hereby certify that the above is a true copy from the original memorial in my office; in testimony whereof I have hereunto set my hand and caused the seal of the Territory to be affixed, at Tallahassee, this 8th day of February, A. D. 1839, and of the independence of the United States the 63d year.

JOHN P. DUVAL.