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Memorial of the Legislature of Alabama, on behalf of sundry individuals belonging to the Creek Indians, praying for assistance from the government.

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MEMORIAL

OF

THE LEGISLATURE OF ALABAMA,

On behalf of sundry individuals belonging to the Creek Indians, praying for assistance from the Government.

FEBRUARY 15, 1832.

Referred to the Committee on Indian Affairs, and ordered to be printed.

To the Honorable the Senate and House of Representatives of the State of Alabama in General Assembly convened:

The petition of the undersigned unto your honorable body,

RESPECTFULLY SHOWETH:

That your petitioners are native Creek Indians of mixed blood; that they are now, and long have been, inhabitants of that space of territory ceded by the Creek nation of Indians to the United States, by a treaty concluded at Fort Jackson, on the 9th day of August, A. D., 1814: which cession of territory is expressed to be made as an indemnity to the United States for the lawless and unprovoked hostilities, before that time, committed by said tribe of Indians upon its citizens; and also for the expense and charge of waging a successful war on the part of the United States, for the present security and future repose of its people. That your petitioners, before the occurrence of hostilities, and the scene of wide spread devastation which followed the incursion of their red brethren, were in the enjoyment of a high degree of prosperity, and blessed with a liberal share of those comforts which the great Dispenser of Good is pleased to bestow upon his children. Possessing lands of a fertile quality, extended far beyond their wants, and pursuing a course of rigid frugality and industrious exertion, they received as the reward of their toils, every thing which seemed suitable to their condition; and, in the substantial comforts of life, were not surpassed by the white settler on the frontier. Nor was it in this respect only, that they endeavored to emulate the neighboring and more privileged citizens of the United States. They adopted, in many particulars, their manners, habits, and customs; cultivated their sentiments of justice and love of order, and conferred on their children, as far as their means and opportunities would permit, the advantages of education and literary discipline. Thus situated, and possessed with these feelings, your petitioners desired nothing more ardently than a continuance of the friendly relations which had subsisted between their own people and the United States, in pursuance of several treaties of amity and concord; nor

could they contemplate a subject of more painful apprehension; than the occurrence of a state of things calculated to depress their advances towards civilization, or to disturb the even tenor of their peaceful pursuits. They accordingly, on the first manifestation of an unfriendly disposition by the Creek nation towards the whites, were punctual in warning the latter of their danger; active in the employment of palliatives to soothe the irritated feelings which drove their misguided brethren to an unequal contest; and when all expedients for the preservation of peace had failed, were no less conspicuous for their firm and unshaken adhesion to the cause of the whites. The sentiments of loyalty, long and sincerely cherished towards the Government of the United States, and a deep rooted confidence in its justice and magnanimity, were strengthened by the assurance of its civil and military officers, that the United States would save harmless, and award adequate indemnity to all who persevered in their refusal to take part in the hostile operations against them. Thus fortified, your petitioners were enabled to remain true to their pledges of neutrality or friendly aid, even under circumstances, in the contemplation of which, all hopes of future remuneration are apt to be lost in the extremity of the present sacrifice. It is no exaggeration of their sufferings to say, that there was scarcely an enormity committed in the course of that disastrous war, whether of a sanguinary or predatory character, that had not its parallel, affecting either your petitioners, or those who stood connected with them by the most endearing ties. The persons and property of your petitioners, seemed for a while the choice and selected objects of the vengeance of those whose fury they were unable to restrain; so that, in a few weeks, from a situation of enviable prosperity and affluence, they became penniless outcasts, condemned to want, degradation, and misery. Yet, even under these afflictions, your petitioners continued firm in their allegiance, and true to the pledge they had given.

Your petitioners deem it unnecessary to dwell upon, or to detail particulars of the grievances alluded to, because the hardships which befel them, in common with others of the Creek tribe, are matters of notoriety to thousands now living, some of whom perhaps, have the honor of filling seats in your body; and because the voice of their complaints, some years since, arrested the ear of Congress, and produced a course of legislation, in which their rights to indemnity for losses sustained in consequence of their faithful adherence to the whites, was distinctly recognized. As a proof of this, your honorable body is referred to an act of the Congress of the United States, passed April 27th, 1816, for the relief of Samuel Manac, a friendly Creek Indian of the half blood, by which the proper accounting officer of the War Department, was authorized and directed to audit and settle his claims for loss of property destroyed by the Creek Indians; under which act he received the sum of \$12,597 25; also, to "an act for the relief of certain Creek Indians," passed March 3, 1817, appropriating \$85,000 for the liquidation of their supposed claims; which appropriation fell short of the amount of claims legally audited under the provisions of that act, to the amount of \$97,560, some of the claimants receiving two-fifths, others three-fifths, or in different proportions, as your petitioners have been informed, and; as by reference to the report of the Secretary of the Treasury, made March 15th, 1828, more fully appears.

But your petitioners would make known to your honorable body, that, notwithstanding this unequivocal evidence of the liberality and justice of the Government of the United States, the claims of a part of the undersigned,

originating from the same circumstances, and based upon the same grounds, have never been considered, allowed, or satisfied, to the value of one cent: a misfortune attributable partly to accident, and partly to their want of legal advisers, to instruct the min the forms proper to be pursued for obtaining their rights.

Your petitioners are apprized of the prejudice which attaches itself to a stale demand. They are aware that, with many, a delay of justice is often made the pretext for its ultimate denial. But your petitioners have not slept upon their rights. They have, from time to time, in their individual capacities, addressed letters and petitions to the members of Congress from this State, setting forth their cause of complaint. These, although laid before that body, have never procured them the desired redress. They have been looked upon (as your petitioners presume) as the idle wailing of a son of the forest, who, according to the known customs of his country, could be only heard through the medium of his chiefs. Whereas your petitioners have long since forfeited the benefit of that mode of appeal. They have become incorporated with the white people, have submitted to their laws and usages, and many of them have, by act of your Legislature, been admitted to the full immunities of citizens of this State. The undersigned would further remark, in relation to the lateness of the period at which their application in this shape is made, that they have been advised it is a principle universally adopted among civilized States, that no lapse of time or length of prescription, can avail against the admitted rights of the sovereign power; and they respectfully suggest that every consideration of justice, and all that constituted national honor, required the reciprocal action of this principle, when the right happens to exist on the part of a citizen against his own Government.

Your petitioners are well apprized of the delicate nature of the task, as well as of the responsibility, they draw on themselves, by invoking the paternal interference of your honorable body, in behalf of them and their rights. Even a sense of wrong, painful and aggravated as it is, would not have driven them to this course, had not experience demonstrated that all other measures of a less decisive or more private character, were utterly hopeless. They trust therefore, that their petition will receive your serious consideration; and that, in setting forth their grievances, they will not be looked upon as merely wishing to indulge the ebullitions of that querulous temper, which oft times delights to obtrude upon the patient ear, a recital of the common calamities of human nature.

Your petitioners therefore humbly pray your honorable body, inasmuch as they are now, in common with the good people of this State, the rightful objects of your care and guardianship, to prepare and transmit to the Congress of the United States, a memorial in behalf of the undersigned, making known to that body the nature of their grievances, and soliciting such redress as is called for by the singular hardships of your petitioners; and such as may comport with the character of a Government distinguished for its magnanimity; for its kind and parental care of its own people, and its undeviating observance of the principles of good faith and justice towards the world at large. And your petitioners, as in duty bound, will ever pray, &c.

James Earles,
 Arthur Lizemore, his x mark,
 John Weathersford, his x mark,
 Arthur Lizemore, his x mark,
 Admin. on the estate of Dixon Bailey
 and James Bailey.

Charles Elhert,	his x mark,
Zachariah MacGirt,	his x mark,
David Maniac,	
Exec. of the estate of David Tate, dec.	
Simmoice,	his x mark,
Wm. Oliver, in right of his wife, formerly Polly Jones.	
Thos. Armstrong, admin. to the estate of J. Fletcher.	
Lauchlin Durant,	his x mark,
George Stiggins,	
David Hale,	
William Hallinger,	
Lynn MacGhee,	his x mark.

SECRETARY OF STATE'S OFFICE,

TUSCALOOSA, ALA., *January 26th, 1832.*

I hereby certify that the foregoing petition is a true copy taken from the original roll on file in this department. In testimony whereof, I hereunto set my hand, and affix the seal of the State.

JAMES J. THORNTON,
Secretary of State.

Memorial of the General Assembly of the State of Alabama, to the Congress of the United States, for the relief of William Williams and William Bush.

The General Assembly of said State beg leave to bring to the notice of the Congress of the United States, the claims of the above named citizens of said State. It appears to this General Assembly, that these individuals, being in the public service, on the frontiers of the State of Georgia, in the late war with the Creek and Seminole Indians, while absent from home, had their property destroyed by the latter named Indians; and that, notwithstanding their claims have long since been laid before the War Department of the United States, these men have received no remuneration for the losses and injuries so sustained by them. This General Assembly, therefore, recommend to the favorable consideration of Congress, the claims aforesaid.

Resolved, That his excellency the Governor be requested to furnish each of our Senators and Representatives in Congress, with a copy of this memorial.

Approved, 21st January, 1832.

SECRETARY OF STATE'S OFFICE,

TUSCALOOSA, ALA., *January 26, 1832.*

I hereby certify that the foregoing memorial is a true copy, taken from the original roll on file in this department. In testimony whereof, I hereunto set my hand, and affix the seal of the State.

JAMES J. THORNTON,
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