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Memorial of the Legislature of Alabama, relative to the payment of interest by the General Government on advances made by said state, for the prosecution of the war against the Creek Indians.

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EXPENSES OF THE CREEK WAR.

MEMORIAL

OF

THE LEGISLATURE OF ALABAMA,

RELATIVE TO

The payment of interest by the general government on advances made by said State, for the prosecution of the war against the Creek Indians.

MARCH 22, 1848.

Referred to the Committee of Claims, and ordered to be printed.

Your memorialists beg leave to represent to your honorable body, that on the 8th of January, 1836, the Secretary of War, in consequence of the hostile aspect of the Creek tribe of Indians, then residing upon the eastern border of Alabama, made a requisition upon the Executive of this State for such a force of armed men as General Clinch might require to subdue them. For further particulars on this point, your honorable body is respectfully referred to the 3d volume Executive Documents, 2d session 24th Congress, 1836-'37, Doc. No. 140, which embraces in full the correspondence of the Secretary of War with the governor of Alabama upon the subject of Indian hostilities. Your memorialists further represent, that in pursuance of this call, thus made, the State of Alabama furnished about four thousand men during the continuance of the war with said tribe of Indians; that a part of these forces assembled, in great haste, to hold in check the enemy, and before the federal government could furnish supplies for their maintenance; and the State was thus compelled to furnish provisions and to defray all the other expenses incidental to a state of war, or to disband her troops then in the field, by the requisition of the government of the United States. In this emergency Alabama did not hesitate to make the necessary advances to prosecute the war, and to protect her citizens from the barbarities of Indian warfare. The amount thus paid by the State was one hundred and twelve thousand and five hundred dollars; of which sum the United States through its accounting officers, and by a special act of Congress, placed to the credit of the State, in 1846, the sum of one hundred and eight thousand dollars. The advances of Alabama were made out of a fund upon which the State paid and yet continues to pay interest, and now most respectfully ask interest upon the sum audited and allowed by the government. In this demand the State does not ask the payment of interest of money, but that

the amount found due may be placed to the credit of the State, to meet, so far as it may go, the interest accruing semi-annually upon the bonds of Alabama, made payable to the government of the United States, as trustee for the Chickasaw tribe of Indians, for the sum of one million of dollars. The money thus obtained from the government was invested, by the State, in bank stock, and it was out of the funds of the banks of Alabama that the said sum of one hundred and twelve thousand and five hundred dollars was loaned to the United States; and it is a singular fact, that the State of Alabama is now paying interest to the government upon this very fund, out of which she made said advances, and has received no interest in return. The precedents for the payment of interest by the federal government, upon the advances of a State or corporation, are ample; but it is only deemed necessary to refer to the case of South Carolina, where the United States paid interest to that State on her advances during the war of 1812 with Great Britain. This precedent is in point, and your honorable body is most respectfully referred to it. (See report of the Committee on the Militia, 2d volume Senate Documents, 1st session 20th Congress, 1827-'28, Doc. No 54.)

Be it resolved by the Senate and House of Representatives of the State of Alabama in General Assembly convened, That the governor be instructed to transmit a copy of the foregoing memorial to each of our Senators and Representatives in Congress, and that they be requested to act forthwith upon it.

L. P. WALKER,

Speaker of the House of Representatives.

JNO. A. WINSTON,

President of the Senate.