

8-8-1846

Report : Mr. Morehead

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IN SENATE OF THE UNITED STATES.

AUGUST 8, 1846.

Submitted, and ordered to be printed.

Mr. MOREHEAD made the following

REPORT :

[To accompany bill S. No. 259.]

The Committee of Claims, to whom was referred the memorial of the attorney of the estate of Jacob Housman, report :

Jacob Housman, on behalf of whose estate this memorial is presented, was, in the year 1840, and for many years previous, a resident of Indian Key, on the southern coast of Florida, where, by his intelligence and enterprise, he had amassed a considerable fortune, consisting of real and personal property. Almost every house on the island belonged to him; in addition to which, he was the owner of a large stock of merchandise and other movables. On the breaking out of what is termed the Florida war, the island being exposed to the attacks of the hostile Indians, owing to the want of adequate protection on the part of the Territorial government, Housman raised and equipped a company at his own expense, which he commanded in person, for the defence of the Key, and its inhabitants were by this means protected from Indian aggression until the arrival of the United States steamer Poinsett, commanded by Commander Mayo. In consequence of the presence of this national vessel, the local force was disbanded. Captain Mayo was succeeded by Lieut. Com'g McLaughlin, who arrived with the Wave, Flirt, and other national vessels, and established a military and naval depot for the use of his squadron, which continued to exist for more than a year. Lieutenant McLaughlin, finding it necessary to sail with his entire force, left the island completely unprotected; and scarcely had he left, when the Indians effected a landing, and burned and destroyed all the property they found, with the exception of a single house belonging to Housman, including his books and evidences of debt, amounting to many thousands of dollars.

The extent of the indemnity claimed is \$144,630; and in proof of the correctness of the estimate, which is sworn to by Housman, is adduced the testimony of persons of high respectability, who had resided on the island and in its vicinity for several years, and possessed the best means of information. A considerable portion of the claim is attested by statements, under oath, made by merchants from whom Housman had purchased goods, with the cost annexed.

Of the fact of the Key having been used as a military depot by United States officers there is no doubt, as Commander Mayo, Lieut. Com'g

McLaughlin, and Passed Midshipman Murray, together with many of the most reputable inhabitants of Indian and other neighboring Keys, testify to that effect. Among others, the collector at Key West gives very strong evidence as to the credibility of the witnesses whose depositions are filed, and the use made of the Key as a place of deposite for provisions and fire-arms and other munitions of war.

After the most matured consideration, your committee are of opinion that the prayer of the petitioner is reasonable, and ought to be granted. As to the extent of the loss, it is perhaps as well proved as can be expected under the circumstances; whilst the certainty on the score of military occupation brings the case fully and fairly within the principle uniformly recognised by Congress in deciding on claims of this description.

The committee recommend the passage of the accompanying bill.