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FROM THE AURORA.

SPANISH AGGRESSIONS.

No. III.

Since the two preceding numbers were written, a series of articles, purporting to be letters from Spain, have appeared in the Philadelphia Gazette—some of which merit particular attention.

The letters are declared to be from "characters of the first respectability"—we have not the least doubt of this fact, and they are said to have been received by an intelligent character here—which is still more certain! We could wish that they had fallen into the hands of an editor either intelligent himself or capable of discerning what was due to the honor and interests of his own country; or who possessed a knowledge of the subject to be capable of forming an opinion upon it.—The opinion of the Philadelphia Gazette here is certainly of no more importance than the chirping of the locust, but when it is well known that foreign governments have taken pains to obtain and make use of the opinions of certain American individuals for the purpose of delaying or denying the just claims of American citizens made by the American government; we should not be at all surprised to hear of the equally inconsistent and imbecile opinions of a mercenary Gazetteer, being employed for the same purposes as the opinions of mercenary lawyers.

We have not the least doubt that the Madrid letter of the 12th July, comes directly from an official source; and in this view we shall offer a few remarks upon it.

It now appears, notwithstanding all the previous exultations of Major Jackson and other wife accretions, that Spain "does not dispute our title to Louisiana properly so called," and that all the exultations on the injurious consequences resulting from the purchase are reduced to a simple dispute about boundaries!

That some negotiation would necessarily arise, and some indifference of opinion follow, upon the final settlement of boundaries which have never yet been settled, were incidents that might naturally have been expected; and it was as natural to suppose that in the negotiation Spain would employ all the means usually resorted to by European diplomats to procure for itself as good terms as possible.

But it was not, therefore, a necessary consequence that a war should be the effect of this negotiation; and it will scarcely be supposed that the menace of war, would be the most likely method of obtaining from us the best terms for Spain—Whatever therefore has been said in the papers in the nature of menace, we conclude to be mere *brutum fulmen*, and that the whole will be amicably settled by the more pacific system of negotiation—we find in the letter from Madrid, that Spain is disposed to do this for "a fair equivalent."

What then are the objects upon which negotiation will principally hinge? They appear to be founded in the following propositions—

1. The East and West Florida were originally ceded by France to England in 1763, who at the same time ceded to Spain the Island of New-Orleans, and the territory West of the Mississippi.
2. That in 1780, Spain conquered the country east of the Mississippi, then divided into E. and W. Floridas, which conquests were confirmed by the peace of 1783.
3. That West Florida formed no part of Louisiana as originally ceded by France to Spain.

These propositions will be found perhaps to contain the essence of the dispute, so far as it concerns territory; but it should be kept in view that while Spain affects to carry a lofty port on these particulars, there are other subjects, upon which Spain has to render justice and retribution to the United States; and it is very apparent that she assumes a more arrogant tone upon these points, only because our government has in the most delicate manner, demanded satisfaction of the insult and injury done us, by the Spanish intendant at New-Orleans, and by the pillage of our vessels at sea.

Spain in fact appears to wish for a general compromise of differences, to obtain an oblivion of injuries, and to make that oblivion the price of a settlement of boundaries—but in the course she pursues, she defeats her own purpose—either her ministers are misinformed or very much mistake the character of our government—from what we know we are rather

disposed to think them mistaken. Let us now examine the principles laid down in support of the pretensions of Spain, as expressed in the Madrid letter.

The first proposition sets out with stating in a manner and in words incorrect, what is not in fact true. It states, that "East and West Florida were originally ceded by France to England." This is incorrect in terms, because there was no division of the territory into East and West until after the English took possession of Florida in 1763. The treaty bears date the 10th of February, 1763, and the British king's proclamation is of date the 7th October, of that year, the 7th and 24th articles contain all that relates to this subject therein.

Art. VII. In order to establish peace on solid and durable foundations, and to remove forever all subject of dispute with regard to the limits of the British and French territories on the continent of America, it is agreed, that for the future, the confines between the dominions of his Britannic Majesty and those of his most Christian Majesty, in that part of the world shall be fixed irrevocably by a line drawn along the middle of the river Mississippi, from its source to the river Iberville, and from thence by a line drawn along the middle of this river and the lakes Maurepas and Ponchartrain to the sea, and for this purpose the most Christian King cedes in full right and guarantee to his Britannic Majesty the river and port of Mobile, and every thing which he possesses or ought to possess on the left side (east side) of the Mississippi, except the town of New-Orleans and the island on which it is situated, which shall remain to France, &c.

Art. XXIV. Great-Britain shall, at the end of three months after the exchange of ratifications enter into possession of the river and port of Mobile, and of all that is to form the limits of the territory of Great-Britain on the (East) side of the Mississippi as specified in the 7th article.

These we presume are the foundation of the assertion that East and West Florida were originally ceded by France to England, "who at the same time ceded to Spain New-Orleans and the territory west of the Mississippi—which Spain has alleged to have held ever since without any alteration of boundaries whatsoever."

Now this is altogether either wilfully misstated or palpably mistaken.—The country here specified was ceded to Spain by France in virtue of a secret convention dated the 3d of November, 1762, which preceded what is called the "original cession."

Nether is it a fact that the country now called East and West Florida, was held ever since and without alteration of boundaries by Spain; for it is well known that during our revolution, the British took possession of Florida and so far from its remaining without boundary, the British did actually divide the country into two Provinces, which they called E. and W. Florida.

But it may be proper in this place to advert to the original condition & names of those countries. The whole of the territory south of Virginia was first called Florida, and it was with a view to its conquest that Soto set out from Cuba, in the voyage wherein he discovered the Mississippi. The Plantations of Carolina and of South-Carolina and subsequently of Georgia, took from the countries theretofore called Florida.

The success of the British plantations, and the disputes which arose between their southern neighbours, and the disputes which arose upon the seas between the two nations, produced a variety of negotiations. Those which took place in 1738, arose from the Spaniards insisting on the right of "visiting, searching" British vessels, and the counter complaint of Britain, that Spain was encroaching upon British boundaries, in convention concluded at Pardo, on the 14th of January, 1739, wherein it was stipulated "that commissioners should be appointed to regulate the pretensions of the two powers in relation to the limits of Florida and Carolina."

It appears that Commissioners were appointed, and that they determined the limits of Florida, to be a line drawn from Fort St. George on the mouth of the river San Matheo, due west to the mouth of the river Valsia, in the bay of Apalachee. We have before us the convention of Pardo, and the map with the boundary line thus drawn, published in the year 1755.

The river St. Matheo, is now called St. John's river and is in latitude 30, 35 north.

This boundary it will appear was a sacrifice on the part of Great-Britain, which plainly shews that the thought it necessary to make some reparation to Spain; for the Carolinians had by two very desperate battles in 1702 and 1703 in which the Spaniards were overcome, obtained possession of the country of the Apalachees, and had extended their conquests to the full limits of the Carolina charter, by the destruction of the Timoogua Indians, and the Spaniards who had joined them in 1706.

The Carolina charter extended the boundary to the 30th degree of north latitude and these several victories of the Carolinians had secured what by charter they had been granted. Great-Britain in granting to Spain by the operation of the convention of Pardo territory, which she held to the extent of a degree of latitude ceded towards Spain so far liberally. But what is important to the present question is, that the line settled by the convention at Pardo, limits Florida simply to the Peninsula, and does not extend it even as far as the St. Marks or to the Apalachicola rivers.

From hence forward to 1732, when the Charter for Georgia was passed, the whole of that country from the Currituck Inlet, the fourth boundary of Virginia, to Cape Careveral, in latitude 28, 54, was called Carolina; and after Georgia had been established, the country north of the river St. John, and as far as Savannah on the sea coast was called Georgia, as well as the interior to the river Abama, and all the countries of the Creeks; & hence beyond called and claimed by the French as Louisiana up to the Alleghany mountains.

It appears then that the Madrid letter is not incorrect in its position, that East and West Florida was originally ceded by France to England in 1763.

1. Because neither the treaty of 1763, and the convention of Pardo of 1739 even mention any such subdivisions.
2. Because as it appears by the facts, the whole of Florida after the convention of Pardo, was necessarily limited to the Peninsula, part of what is now called East Florida.
3. Because as is evident from this convention, that even the occupation of that part of what is now called East Florida which lies north of the 30th deg. 35 min.—was an usurpation and contravention of the pre-existing convention, which ought not to be brought up even if it would be of use in support of a claim to a still more extensive innovation.
4. It is not a correct position to assert, that any part of Florida was originally ceded by France to England because the original cession was made by France to Spain in 1762.
5. Because the division into two provinces was made by the British after the treaty of 1673, their intention being to extend their frontier along the Mississippi, and to combine their political and commercial operations from Canada by the lakes with the Mississippi.

From the Political Register.

TO THE MARQUIS DE CASA YRUJO.

SIR,

To your acknowledged attempt to corrupt my fidelity as a citizen, by engaging my services to support the reasonings of a foreign minister, you have dared to add the atrocity of impeaching the truth of my declaration, which had been made under the sacred obligations of an oath.

In the nature of your employment, and the paucity of your means, you might have found an excuse, as well as a motive, for the former part of your conduct; in the mortification of your failure only, can even the shadow of a cause be traced for this last departure from all that is honorable, just and true.

The guarantee of the nation will protect your person; but as that guarantee cannot in this country, be extended, by any construction, to invest a foreign minister with the privilege of falsely charging a citizen of the United States with perjury, and of promulgating that charge through the medium of a newspaper, neither your office, nor all the sanctions of diplomacy shall restrain my refutation of the deliberate falsehood, nor prevent the refutation being made through the same channel.

In your belief that "political intolerance" had prepared me to receive with "less reluctance" the communication of your proposals, you may have exhibited a correct view of your own mind, however grossly you were deceived in the analogy which it suggested.

The circumstances of that communication were faithfully and correctly detailed in my deposition; and, on a careful review of that statement, I solemnly assert that every part of the deposition is true.—I shall therefore leave you to enjoy the honor and the benefit of the evasions and contradictions which you have attempted. By those contradictions you have endeavored to invalidate the distinguished oath of a man, who, in the relations of private character, would deem himself degraded by a comparison with the Marquis de Casa Yrujo. A man, Sir, who holds testimonials of personal worth, and public service, from different chief magistrates of his nation, which will obtain equal consideration with your boasted nobility, for they are certainly quite as honorable, and even of more ancient date than the title you bear.

You doubtless presumed that you had only to contradict "the editor of a new paper, whose threats" (notwithstanding you had felt them to diffuse your calumnies!) "are scarcely to be feared against the Schuylkill and Delaware, who is without a place in the government, and without personal influence," effectually to dissipate all that he had stated under the obligations of his oath. In this presumption, however, you have only betrayed "a wicked heart and a miserable head." Where we are both known, it is not, I hope, an undue assumption to suppose that I should obtain equal credence with Mr. Yrujo, abstracted from the sanction of my oath.

On the present occasion your malignity has forced me to a course of proceeding, in the vindication of my truth, of which, under all the "political intolerance" you had mentioned, I had heretofore scorned to avail myself. By the nature of your infamous imputation, I am compelled for the information of those to whom I may be unknown, to exhibit such documents as, in connexion with the facts I have stated, may establish my claims to belief against the contradictions, with which you have unblushingly dared to attack me.

When my fellow-citizens of the United States, and the people of other countries, have examined these vouchers of character, the publication of which have been thus extorted from me; when they have reflected that on the part of Major Jackson there could not have existed a single motive for misstatement or departure from truth in framing his deposition; when they shall likewise have reflected that on the part of the Marquis de Casa Yrujo, every motive arising out of mortification, every wish to avert the consequences of his unsuccessful attempt, were combined in the most forcible degree, to prompt his perversion of the truth; when these results are dispassionately considered, there will remain but one opinion on the subject.

Yes, Sir, I even persuaded myself that your own nation thus informed, will pronounce that you have prostrated the dignity of your office, and violated moral obligation.

Your idle threat of "demanding the punishment of said Jackson from the government" I laugh to scorn, and consign to its merited contempt.

It is not in this country that a citizen can be punished for obeying the laws by disclosing the designs of a foreign minister. Nor is it within the control of any government to prevent a citizen of the United States from repelling such a charge as you have brought against me, nor of giving his refutation of the calumny thro' the same medium, with that you have chosen for its promulgation, a public newspaper, could any other doctrine prevail, our citizens would be deemed the miserable vassals of "anglified slaves," about whom you have prated.

W. JACKSON.

Philadelphia, October 9, 1804.

From the letters, with which I was honored by General Washington, I have selected the two which are subjoined, on account of their dates, and the subjects to which they relate.

The first was received on the expiration of my military service, which, at the age of twenty-four, had embraced the period of the American war.

The second was received when I was