

# WILMINGTON GAZETTE.

THREE DOLLS. PER ANN.]

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## FROM THE AURORA.

### SPANISH AGGRESSIONS.

No. I.

A short time ago, (20th August) there appeared in the Register (a paper published by a dismissed placeman) an article which we here publish:—

"We have stated, on information which will not be contradicted, that Spain has refused to ratify the convention, heretofore agreed on; which convention, among other stipulations allowed to the citizens of the United States an indemnity for the spoiliations committed on their property by the government and subjects of Spain. The reason assigned by Cevallos for this refusal, was expressly as follows: *The accession of Louisiana has so varied the relations between Spain and the United States, that we cannot, and will not ratify the convention.*"

"Hence it appears that the boasted acquisition of Louisiana, which has been so much trumpeted and celebrated by our leading string administration, and for which we have paid FIFTEEN MILLIONS OF DOLLARS, or, nearly one fifth part of the whole amount of our national debt, may cost five millions more to quiet the possession. The boasting bargain turns out to be neither no more nor less than a purchase of individual injury and national dishonor.—OF INDIVIDUAL INJURY, being the cause of an absolute refusal to ratify an act of just retribution to our citizens.—OF NATIONAL DISHONOR, inasmuch as the refusal is made by a government, which a proper exertion of our power could have compelled to the performance of its engagements, and even shaken to the base of its authority.

"But the energies of our country are paralyzed, and her resources wasted in the trembling hands to which they have been confided—the claims of our citizens are disregarded, and the character of the nation, when brought into competition with the ease and convenience of our rulers, is an object of no importance.

"The frowns of war might shorten their stay in office—peace must, therefore, be maintained at any sacrifice."

Perhaps personal malignity never exposed itself in so fully and contemptible a view, as in this article. It is not yet forgotten that very bitter censure was thrown out against the government in the Gazette of the United States last winter, concerning a convention with Spain; and much pains were taken to induce an opinion that our government was indifferent or negligent of the public interests regarding our concerns with Spain. The information of that time was evidently given by a certain *New England* senator, for the business was of an executive nature, and even the members of the house of representatives were unacquainted with the subject or the existence of such a convention. It appears, however, that the delay of the convention was wholly attributable to the obstacles thrown in its way by the facinorous animosity of those called federal men in the senate. The convention, however, was ratified last session; and is in substance as follows. The title is, *A convention for the indemnification of those who have sustained injuries in consequence of the excesses of individuals of either nation during the last war.*

The first article provides for the formation of a board of five commissioners, two by each party, and the fifth by common consent.

Their duties fixed.

2. They shall assemble within 8 months after their appointment, and receive complaints of persons of both nations.

3. What evidence shall be received.

4. No appeal from the decision of a majority—and the amount of awards to be paid in specie.

5. This article declares, that it not having been possible for the plenipotentiaries to agree upon a mode by which the commissioners should arbitrate on claims originating from the excesses of foreign cruizers, agents, consuls, or tribunals, in their respective territories, which might be imputable to their two governments, each government shall reserve the rights they held to bring forward those claims at some future convenient time.

6. The convention not to be in force till ratifications are exchanged. Dated 11th Aug. 1802.

This is the sum of the convention—which we think proper to give here, that the American reader may not be imposed upon by misrepresentation.

Major Jackson lately an officer of the customs of the United States, will no

doubt think that a vindication of Spain and reprobation of the American executive, is justified by his dismissal from a lucrative office. To our humbler conceptions, he furnishes testimony that he ought never to have been entrusted with any office under this government; and this evidence, we apprehend, is to be found in the attempt which he suffers himself to make to support *Spanish injustice!*

The principles of the convention are simple, and under all the circumstances of the times, which it was agreed upon at Madrid, was as liberal on the part of the United States as Spain could have expected from the most sincere dispositions to promote a durable concord and friendship.

The period of the conclusion of this convention will be found not to be remote from that of the aggression of the Spanish intendant at New-Orleans, (Dec. 16, 1802.) The liberality of our government as well as its sound policy, was conspicuous in the postponement of the consideration of those cases, which related solely to the French aggressions; because on the one hand, Spain was so circumstanced with regard to France, that her own will could not properly be said to stand unrestrained on any subject connected with France; and on the other, our government was eagerly pressing the acquisition of the Floridas, with a view to save our southern frontier from annoyance by the renewal of war between Great-Britain and either of those powers.

The aggression at New-Orleans, however, placed the two governments upon different grounds. The injury done us was incompatible with good faith, and even with friendship; and our government found it necessary to adopt a course the most decided—to obtain not simply reparation for the act of the Spanish intendant, but security against the recurrence of similar or greater wrongs.

The dependent condition of Spain was not a secret to the world—and while remonstrances were carried to that court on the conduct of its officer—he negotiation was concluded with the actual owners of Louisiana; by which the sovereignty of that country, and the exclusive navigation of the Mississippi, were secured forever.—We obtained a country, the value of which Mr. Gouverneur Morris thus describes in his speech in the senate of the United States, on the 14th of Feb. 1803.

"With this country in our possession, we have means of defence more ample, more important, and more easy, than any other nation on earth. In a short time all the West-India Islands, fed from our granaries must depend on our will. It is a defence superior to fleets and armies."

Yet Major Jackson assures us that Don Pedro Cevallos has refused to ratify the convention because—"The accession of Louisiana has varied the relations between Spain and the United States."

That a Spanish minister should be so absurd, is barely possible—but that a man pretending to be an American, who has lived upon the revenue of the public for several years past, should undertake to justify such a pretence, bears something more than a common execration.

What if the Spanish vessels have plundered our ships on the high seas, and instead of making reparals as we might justly do, we resort to the pacific course of negotiation, and a convention is formed and signed by this minister, openly recognizing the justice of our complaint, and providing means for redress.

An American editor undertakes to say that because America has obtained, thro' the energy and decision of her executive, a territory belonging to France; that Spain is justifiable in not making remuneration for the wrong she has done us on the high seas.

This is the sum of the argument; or it is nothing; for the acquisition by us of Louisiana and the sum which we paid for it; have nothing to do whatever with the convention, or the depredations which it was proposed to redress.

It would be insulting the understanding of the public to compare the understanding of major Jackson with that of Gouverneur Morris; the advantages of Louisiana are already set; those who wish to be more sensible of them will refer to the debate from which the above extract is made.

But it is alleged, that we are subject to individual injury and national dishonor by this acquisition; and this conduct in Don Pedro Cevallos in rejecting the convention, is produced as the evidence of this dishonor and injury.—But does the

assigning of a cause so absurd prove its justice? Because we have obtained from France, what France had before obtained from Spain; is that a sound ground of objection to do us justice for other wrongs?

I should scorn the insignificant sophistry that prates about "paralyzed energies" and "wasted resources," and "trembling hands;" the bitterness of mind that dictates the mean asperity, merits no other animadversion! The characteristic bombast that concludes this article, is of that description which may excite public derision, but it cannot ever obtain even the approbation of a man of common judgment of any party.

But there is a point of view in which the arguments of this imbecile editor may be placed that supercedes every other comment.

The convention with Spain has been declared to be on our part a bad one.

The acquisition of Louisiana has been declared to be on our part of no advantage.

Yet Spain is alleged not only to be at enmity with us because we have obtained Louisiana; but she is represented as rejecting a convention said to be advantageous to her, and disadvantageous to us; and her conduct in rejecting those alleged advantages which we have allowed her, made a matter of reproach to our government!

### SPANISH AGGRESSIONS.

No. II.

The Political Register of the 4th Sept. contains an article (*professedly*) from a Merchant at Madrid, dated July 16, 1804, which we think it our duty to copy, that our remarks thereupon may be perfectly understood.

"*War with Spain inevitable.*—The following communication is received by a merchant of this city from a source upon which perfect reliance may be placed:

"*Madrid, July 16, 1804.*

"The application of the American minister on the subject of the convention, has at length drawn from this court the following propositions, upon the acceptance of which only will that instrument be ratified:

"1st. That time be allowed to give notice to their subjects of the convention, which has not yet been done, as they considered the business totally abandoned by the American government.

"2d. That the article relating to prizes carried into Spanish ports by French cruizers, be totally expunged, and all claims upon the Spanish government on that account be forever relinquished.

"3d. That the act of the United States, authorizing the President to establish one or more ports on the river Mobile, be immediately repealed.

"After a proper remonstrance by the American minister on this subject he demanded his passports, and will actually depart from hence in the course of the ensuing week.

"It is expected too that all the Americans will be obliged to leave this place in a few days.

"Nothing of course but war is spoken of. Nevertheless, Mr. Yrujo is entrusted with full powers, and it may happen that what could not be obtained here, will be granted at Washington.

"The people of this country affect to treat with contempt any opposition on the part of the United States, as they have (from your side) such information as leads them to believe, that America is only a great merchant, who calculates upon the probable loss or gain by a war or a peace, and will determine as the balance or interest may preponderate, without regard to national honour."

The three last paragraphs of this article we look upon as a *blind*. The whole article is easily understood. The source from whence it comes cannot be mistaken, and the *sapient* Major Jackson is made the instrument of this piece of *diplomatic skill*. His malice towards the executive has caused him to be used, and the object is to obtain, as far as practicable, a *diversion* of party in favour of the measures which the Spanish court may have directed her agents to pursue.

There can be no doubt of the good wishes of the Spanish ambassador towards our government; but at the same time it is very well understood, (and it is to his honor) that his most ardent feelings are embarked in the duties of his function.

So far then as there can arise advantage to a negotiation, from the intelligence and uprightness of the Spanish minister here, every thing stands as it should do.

We shall therefore take the article to be authentic, as it appears in the Register; we shall consider it as if communicated "from a source upon which perfect reliance may be placed."

It appears then that the aspersions cast out by Major Jackson and others on our Minister at the court of Madrid, are unfounded; for it appears, that he has not neglected the interests of his country, nor have his efforts been limited to "a single effort; an abortive convention." It appears, that (beside other matters which are withheld) he has pressed the concerns of his country with zeal, and presented the wrong with dignity. He has pressed a reparation for wrongs and when equivocation has been substituted for the usual magnanimity of Spain, he has delivered his ultimatum. These we apprehend are the facts.

We suspect that the propositions have been the cause of his ultimatum.

From the terms of the 3d article of the convention, of which we gave an abstract in a preceding number, it appears to us that the first proposition is in the extreme of absurdity—for the article says that "the Commissioners shall meet at Madrid, where, within the term of 18 months (to be reckoned from the day on which they assemble) they shall receive all claims, &c."

Now 18 months alone, would be sufficient to convey and receive information from any part of the Spanish colonies; and before the meeting, six months would expire at least in addition thereto, so that if the propositions are authentic, as we are willing to believe, the government of Spain must be intent not only to deny us justice for the past, but to commit wanton and aggravated aggression.

The second proposition partakes of the same character; it has reference to the 6th article of the convention.

This article is of the declaratory character, by which it is provided, that neither the demand of compensation on the one hand nor the omission to demand on the other, shall be considered as invalidating nor recognizing claims which may thereafter be made and discussed.

Here was a liberal suspension of claim, which Spain might postpone to a period more favorable to her views of justice; when she might obtain from France a compensation for the loss to which she was exposed by the abuse of French cruizers and agents. But to this liberality it seems the court of Spain is not disposed to listen; and the only reason for such gross conduct, we are informed, is that "our relations are changed with Spain since the acquisition of Louisiana."

How are our relations changed? The territory did not belong to Spain! How are our relations changed? Justice and reparation have not been done for the insults committed by the Spanish intendant! How are our relations changed? Spain has not made reparation for the aggressions committed by her cruizers! It is because her agents or subjects have done us wrong, and we have relied upon Spanish magnanimity. According to a federal member of the senate—"Spain has ranked high for good faith; and in my own opinion, higher than any nation in Europe. Slow to promise, she always fulfilled her engagements with honor, according to the spirit, without cavilling about the word of treaty." But it seems Spain has departed from this high character, and she has become a *caviller* about words; she has called upon us to relinquish totally, a right of which we have voluntarily suspended the litigation; and she has denied us a restitution of property, and a reparation for wrong, under this disgraceful cavil.

But the third proposition contains perhaps the point of the Epigram—and in the same spirit it demands that to be undone which is not done at all.

The act alluded to was passed on the 24th of February last, and forms the XIII. chapter of the Laws of last session, page 26. It is the act for laying duties on imports and tonnage in the territory ceded by France.

To repeal this act would be to abandon the whole of the revenue law of the United States now established in that territory; a circumstance that proves the proposition to be very *improperly translated*, or that the writer did not understand the force of the proposition.

(To be continued.)

WASHINGTON CITY, October 5.  
The Marquis Yrujo arrived in this city on Monday last from Monticello.