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PUBLIC DOCUMENTS.

OUR RELATIONS WITH SPAIN.

OFFICIAL PAPERS.
To the House of Representatives of the United States:

Conformably with a resolution of the House of Representatives of the 6th of this month, I now lay before the House, a report received from the Secretary of State, with the copy of the correspondence referred to, and requested by that resolution.

JAMES MUNROE.

Washington, Feb. 12, 1818.

The Secretary of State, to whom was referred the Resolution of the House of Representatives, of the 6th of this month, requesting the President to cause to be laid before that House, the correspondence with the government of Spain, to which a letter of the Minister of the United States at the Court of Madrid of the 25th of October, 1816, communicated with a late message of the President to that House, relates, has the honor herewith to submit to the president a copy of the correspondence requested.

JOHN QUINCY ADAMS.

Department of State,
Feb. 12, 1818.

(TRANSLATION.)

The Chevalier Don Luis de Onis to the Secretary of State.

SIR—Under the date of 30th June, I am advised by lieutenant general Don Pablo Morillo, captain general of Caraccas, and commander of the expedition which his majesty has destined to re-establish tranquility at Carthagena, that, with a view to accelerate this important object, he is about to establish the most rigorous blockade of the ports of the vice royalty of Santa Fe, including Carthagena, and that, in consequence, every neutral vessel which shall be found, not only in those ports, but on those coasts, shall be made prize of, in order to prevent those who have revolted from his majesty's authority, receiving succors of any kind.

I have thought it proper to communicate this to you for the information of the President, that the injuries may be avoided which would result to the citizens of this republic, if they continue as heretofore, to trade with the rebels against the authority of my sovereign.

I renew to you, sir, the assurances of my respect, and pray God to preserve you many years.

LUIS DE ONIS.

Philadelphia, Sept. 5, 1815.

(TRANSLATION.)

Don Luis de Onis to the Secretary of State.

SIR—Don Pablo Morillo, commander in chief of the forces destined by the king, my master, for the pacification of the vice-royalty of Santa Fe, says to me, under date of the 19th of December last, that after having compelled Carthagena to surrender at discretion, he had found it expedient, for the complete re-establishment of the tranquility of the vice-royalty, to continue the blockade from Santa Marta to the river Atrato inclusive, and to give orders that if any vessel be met with, further south than the mouths of the Magdalena, or farther north than the parallel of Cape Tiburon on the Mosquito Shore, and between the meridians of these points, she should be declared a good prize, whatever documents or destination she might have. But that he had left open to the commerce of neutrals, the two ports of Santa Marta and Puerto-Bello.

I have the honor to give you this notice, as it may be interesting to the merchants of the United States, and to renew the assurances, &c.

LUIS DE ONIS.

Philadelphia, March 2, 1816.

Mr. Munroe, Secretary of State, to the Chevalier de Onis, Envoy extraordinary, and minister plenipotentiary, &c.

DEPARTMENT OF STATE,
March 20th, 1816.

SIR—I have had the honor to receive your letter of March 2d, announcing the continuance of a blockade of the Spanish coast in South America, from Santa Marta, to the river Atrato, inclusive of the latter, by the commander in chief of his Catholic majesty's forces, and that if any vessel is met south of the mouths of the Magdalena, or north of the parallel of Cape Tiburon, on the Mosquito coast, and between the meridian of those points, she shall be seized and condemned as a prize, whatever may be her documents or destination. You state also, that the ports of Santa Marta and Puerto-Bello, are left open to neutrals.

I have to state that this proclamation of general Morillo, is evidently repugnant to the law of nations, for several reasons, particularly the following: that it declares a coast of several hundred miles to be in a state of blockade, and because it authorises the seizure of

neutral vessels at an unjustifiable distance from the coast. No maxim of the law of nations is better established, than that a blockade shall be confined to particular ports, and that adequate force shall be stationed at each to support it. The force should be stationary, and not a cruising squadron, and placed so near the entrance of the harbor or mouth of the river, as to make it evidently dangerous for a vessel to enter. I have to add, that a vessel entering the port ought not to be seized, except in returning to it, after being warned off by the blockading squadron stationed near it.

I am instructed by the President, to state to you these objections to the blockade, which has been announced in your letter, that you may communicate them to your government, and in confidence that you will, in the meantime, interpose your good offices, and prevail on general Morillo to alter his proclamation, and practise under it in such a manner, as to conform in both respects to the law of nations.

In stating to you these well founded objections to the blockade of general Morillo, I have the honor to observe, that your motive for communicating it, is duly appreciated.

I have the honor to be, &c.

JAMES MUNROE.

(TRANSLATION.)

The Chevalier Don Luis de Onis to the Secretary of State.

SIR—I have received your official letter of the 20th of this month, in which you state that the proclamation of general Morillo is repugnant to the laws of nations, as well because it declares a coast of several hundred miles in a state of blockade, authorizing the capture of every neutral vessel at an unlimited distance from the coast, as that it is an established maxim among nations that a blockade should be limited to the ports where there may be a stationary and not a cruising force sufficient to make the entrance of the harbor or river where it may be placed, dangerous, and finally, even in this case, a vessel ought not to be captured when she is about to enter a port, save only, when, after having received notice of the blockade, she attempts to infringe it. You are pleased to state to me, that the President desires that I will communicate these observations to my government, and that I would use my good offices, confidentially with general Morillo, so to modify his blockade, as to make it conform to the laws of nations.

I will communicate to his majesty, in compliance with the wishes of the President, what you have stated to me in your note, and I will with pleasure avail myself of the departure of Mr. Hughes, to write to general Morillo, inviting him, in the execution of his blockade, to avoid injurious effects resulting therefrom, to the citizens of this republic, so far as may be compatible with the security and tranquility of his majesty's dominions under his command.

I must however, observe to you, sir, that general Morillo has a naval force respectable and competent, as I conceive, to the object in view. That on the 3d of February there sailed from Cadiz, a squadron of a ship of the line, two frigates, and several smaller vessels as a reinforcement: that on the coast intended to be blockaded by the said general, there are no other ports of entry for merchant vessels than those of Carthagena, Santa Marta, and Porto Bello; and finally, that the measure taken by him not being directed against an enemy's country, is not, as stated in your esteemed note, contrary to the laws of public rights. The object of the general's proclamation is to notify the traders of foreign nations, that he will maintain the laws for the regulation of the Indies, in their full force; the observance of which had been relaxed in the latter times, by the effect of circumstances, though modified, however, in favor of neutrals, by leaving two ports open to their commerce. You are aware that, agreeably to those laws, no foreign vessel was allowed to trade with the dominions of his majesty, on that continent, without a special license, and that vessels found near, or evidently shaping a course towards, them, were liable to confiscation as interlopers. Not only that part of the coast lying between Santa Marta and the river Atrato, but the whole coast eastward and southward of those points, from the Orinoco to the territory of this republic, belongs to the Spanish monarchy, and consequently, any vessel whatever, found near it or standing towards it, can have no other object than to carry on smuggling, or stir up a civil war in the king's dominions; in either case, the laws of nations recommend the seizure of the vessels so employed. Actuated by a constant desire to prevent the misfortunes which such injuries might occasion to the citizens of this republic, I have, on other occasions, suggested a very simple mode of putting an end to them, namely, that the President would be pleased to issue orders that no vessel should be cleared at the custom-houses, save for a specified port according to the general practice of nations: the practice of clearing many vessels, for the West Indies generally, carries with it a suspicion of a design to carry on a contraband trade, or to disturb the public tranquility in the dominions of the king, my master, and therefore the owner who clears out his vessel in this way, and without the certificates of the Spanish consuls, cannot complain if it be detained as suspicious. In fact, what difficulty can a merchant, acting fairly, have to specify the port of Havana, Kingston, Santa Marta, Guayra, Porto Bello, Rio Janeiro, or any other of an independent nation? None, unquestionably; since, in case of not finding a good

market at one place, he proceeds to another, with a declaration made at the port he touches at, of the motives which obliged him to alter his destination. The wisdom and humanity which eminently distinguished the President and the administration, cannot fail to perceive the solidity of these observations, nor to approve the policy of his majesty in taking the most suitable and effectual measures to secure his subjects from the civil war which a number of adventurers are endeavoring to kindle in his dominions; and I therefore flatter myself that he will be pleased to take into consideration, the expediency of adopting the measure I have had the honor to suggest to you, by preventing the collectors of the customs from clearing out vessels except for specified ports, and notifying merchants trading with the possessions of the king to conform to the established rules and orders, regulating, not only neutrals, but Spanish vessels also, that they may avoid the consequences of their non-observance, notwithstanding his majesty's desire to afford them within his dominions, all the benefits and advantages compatible with the public safety and his royal interests.

I hope that the explanation which I have thus taken the liberty to make until I have received the answer of the king my master, will quiet the anxiety of the President as to the proclamation of Gen. Morillo, and that it will be viewed by him as a continuation of my earnest desire to reinstate the commerce of the two nations reciprocally on the most liberal and favorable footing.

I renew my respects to you, sir, and pray God to preserve you many years.

LUIS DE ONIS.

Philadelphia March 25, 1816.

Extract of a letter from the Secretary of State to Mr. Erving dated.

DEPARTMENT OF STATE,
JULY 20th, 1816.

"You have been apprised already of a similar measure, which was taken in regard to the vessels which had been seized at Carthagena, and the citizens of the United States who, under various pretexts had been arrested and imprisoned there. I have the pleasure to state that the application succeeded, as to our citizens, though it failed as to the vessels. You will interpose directly with the Spanish government in favor of the latter, documents respecting which shall be forwarded to you either by the present or some other early opportunity."

Mr. Erving to his Excellency Don Pedro Cevallos first Minister of State &c.

Madrid 26th September 1816.

SIR—I am ordered by my government to apply to his majesty through your excellency, for the restitution of sundry American vessels and cargoes which have been seized and brought into Carthagena, or other places within that command or vice royalty under pretext of a pretended blockade issued by Don Pablo Morillo, in December, 1815.

When that blockade was communicated to the American government Mr. Monroe, Secretary of State in a note of March 20th, 1816, addressed to his majesty's minister at Washington, formally protested against it; and it was hoped that on proper representations being made by that minister to Gen. Morillo he would retract his measure or if not, that his majesty, being made acquainted with the remonstrance of the American government would immediately send out orders which might produce the same effect, and assure for the future due liberty to the American commerce in those seas.

But it now appears, that as late as the month of June, no alteration had taken place in the measures of Morillo, no attention had been paid to the interference of Don Luis de Onis and finally the commissioner, Mr. Hughes who was sent by the government of the United States to Carthagena, for the purpose among others of reclaiming the property seized, was obliged to return to the United States, on that point altogether unsatisfied. Indeed the vice roy of Santa Fe, Don Francisco de Montalvo gives this commissioner to understand by a letter of June 9th whereof the enclosed is a translated copy that he the vice roy does not pretend to be acquainted with the law of nations and at the same time that he goes on executing the arbitrary and illegal decrees of general Morillo devastating the commerce of the United States, he refers the American government to his majesty for redress.

It is therefore that I now find it necessary to write to your excellency upon this disagreeable subject.

It is vain, sir, to hope that the United States will ever consent to blockades upon the principles of general Morillo; they will acknowledge none to be valid, which are not strictly conformable to the well known principles of public law, principles most clearly defined and quite indisputable, to which the United States have always adhered in their own practice, and to the infringement of which, in any form, in any degree, or under whatever pretext, they have always opposed themselves.

The blockade of general Morillo is repugnant to the law, because it extends over several hundred miles of coast, and to an indefinite distance from the shores, of course cannot be enforced as a blockade, but remains a bare pretext for spoliation. A blockade by sea, to be acknowledged as valid by the United States, must be confined to particular ports, each having a force stationed before it, sufficient to intercept the entry of vessels, and no vessel shall be seized even in attempting to enter a port so

blockaded, till she has been previously warned away from that port.

I may be excused from dilating on rules so perfectly established, so consonant to justice and to reason, in writing to a person of your excellency's knowledge and experience.

His majesty, who does not fail, through his minister, Mr. Onis, to assure the United States of his constant disposition to cultivate relations of friendship with them, and to that end to satisfy all their just reclamations, will certainly be sensible to the violent proceedings of which my government now complains, and I persuade myself will not hesitate in ordering that the proclamation of embargo issued by general Morillo, be declared null, and that the American property which may have been taken under it, immediately restored to its owners.

In this confidence I annex hereto a list of the vessels already known to have been captured.

Renewing to your excellency assurances of my very distinguished consideration.

GEORGE W. ERVING.

Schooner Adeline, of Baltimore, at Carthagena.

Friend's Hope, of Baltimore, at Carthagena.

Schooner Count, of Baltimore, at Carthagena.

Charles Stewart, of New-Orleans, at Santa Martha.

Edward Graham, at Santa Margarita.

Ghent, of Norfolk, at Puerto Cavello.

N. B. It is believed that the cargoes of several of these vessels have been confiscated without even the form of trial.

(TRANSLATION.)

Don Pedro Cevallos to George W. Erving, Minister Plenipotentiary of the United States.

SIR—Having communicated to the king your note of the 26th ultimo, on the subject of the seizure of several American vessels in the port of Carthagena, (S. A.) in consequence of the blockade established on those coasts by general Morillo, and your demand of their restitution, his majesty has been pleased to determine that information shall be requested (se pida informe) of the court of admiralty on this business.

I renew to you the assurances, &c.

PEDRO CEVALLOS.

October 17, 1816.

Extracts of a letter from Mr. Erving to the Secretary of State, dated,

MADRID, DEC. 15, 1816.

"I had the honor, by my letter, No. 23, (of October 27) to communicate to you the continuation of my correspondence with Mr. Cevallos on various subjects, and by that of October 31st (No. 24) to inform you, that he had been dismissed from his employments, and succeeded in them by Don Jose Pizarro.

I herewith submit to you copies of my correspondence with this new minister.

He has not replied to my note of 26th October respecting Morillo's blockade proclamation."

(TRANSLATION.)

The Chevalier Don Luis de Onis to the Secretary of State.

SIR—His excellency the viceroy of the kingdom of New Grenada, communicates to me, under date of the 2d of September last, that tranquility being restored throughout the whole kingdom of Santa Fe, and all its provinces having submitted to his majesty's government, the commander in chief, Don Pablo Morillo, has thought fit to raise the blockade which he had established on those coasts, the causes having ceased which obliged him to impose it; and that in consequence of this determination, the before mentioned viceroy has been pleased to open the provinces of that kingdom, and particularly the port of Carthagena, to the commerce of the powers in amity with his majesty, under the regulations specified in the printed papers, which I have the honor to transmit herewith.

I hope, sir, that you will be pleased to bring this to the knowledge of the President, that he may see the disposition of his majesty to favor the commerce of this republic in every thing that may be compatible with the security of his dominions, and that comports with his interests.

I renew my respects, &c. and pray God to preserve you many years.

LUIS DE ONIS.

Philadelphia, Oct. 26, 1817.

Extract of a letter from Mr. Erving to the Secretary of State, dated,

MADRID, MARCH 10, 1817.

PROCLAMATION OF MORILLO.

"On this affair I wrote on the 26th September, 1816, and was answered October 17th, that an 'informe' should be taken of the admiralazgo; I wrote again on the 25th October, and remain without any answer."

NEUSE RIVER NAVIGATION.—The

president and directors of the Neuse River Navigation company, at the request of the stockholders, have opened their books for receiving subscriptions for an increase of the capital stock of said company and will keep them open for the space of twenty-one days from the date hereof, at the book store of Joseph Gales in the city of Raleigh, under the care of Calvin Jones, Wm. Scott, Joseph Gales and H. Potter—and they will be opened in Newbern the 5th of March next, under the care of John Stanly, Wm. Shepherd and Wm. Hollister, and remain open for twenty days.

By order of the Board, JOSEPH GALES, Secy.
Raleigh Feb. 26th 1818

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