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From the National Intelligencer—Extra.

TUESDAY, DEC. 7, 1819.

This day, at 12 o'clock, the PRESIDENT of the United States transmitted to both Houses of Congress, by Mr. J. J. MONROE, the following

MESSAGE:

Fellow-Citizens of the Senate, and of the House of Representatives:

The public buildings being advanced to a stage to afford accommodation for Congress, I offer you my sincere congratulations on the recommencement of your duties in the Capitol.

In bringing to view the incidents most deserving attention, which have occurred since your last session, I regret to have to state, that several of our principal cities have suffered by sickness; that an unusual drought has prevailed in the middle and western states; and that a derangement has been felt in some of our monied institutions, which has proportionably affected their credit. I am happy, however, to have it in my power to assure you that the health of our cities is now completely restored; that the produce of the year, though less abundant than usual, will not only be amply sufficient for home consumption, but afford a large surplus for the supply of the wants of other nations; and that the derangement in the circulating paper medium, by being left to those remedies which its obvious causes suggested, and the good sense and virtue of our fellow-citizens, supplied, has diminished.

Having informed Congress, on the 27th of February last, that a treaty of amity, settlement, and limits, had been concluded, in this city, between the United States and Spain, and ratified by the competent authorities of the former, full confidence was entertained that it would have been ratified by his Catholic Majesty, with equal promptitude, and a like earnest desire to terminate, on the conditions of that treaty, the differences which had so long existed between the two countries. Every view which the subject admitted of, was thought to have justified this conclusion. Great losses had been sustained by citizens of the United States, from Spanish cruizers, more than twenty years before, which had not been redressed. The losses had been acknowledged and provided for by a treaty, as far back as the year 1802, which although concluded at Madrid, was not then ratified by the government of Spain, nor since, until the last year, when it was suspended by the late treaty;—a more satisfactory provision to both parties, as was presumed, having been made to them. Other differences had arisen, in this long interval, affecting their highest interests, which were likewise provided for, by this last treaty. The treaty, itself, was formed on great consideration, and a thorough knowledge of all circumstances, the subject matter of every article having been for years under discussion, and repeated references having been made, by the Minister of Spain, to his government, on the points respecting which the greatest difference of opinion prevailed. It was formed by a Minister duly authorized for the purpose, who had represented his government in the United States, and been employed in this long protracted negotiation, several years, and who, it is not denied, kept strictly within the letter of his instructions. The faith of Spain was therefore pledged, under circumstances of peculiar force and solemnity, for its ratification. On the part of the United States, this treaty was evidently acceded to in a spirit of conciliation and concession. The indemnity for injuries, and losses, so long before sustained, and now again acknowledged and provided for, was to be paid by them, without becoming a charge on the treasury of Spain. For territory ceded by Spain, other territory of great value, to which our claim was believed to be well founded, was ceded by the United States, and in a quarter more interesting to her. This cession was, nevertheless, received as the means of indemnifying our citizens, in a considerable sum, the presumed amount of their losses. Other considerations, of great weight, urged the cession of this territory by Spain. It was surrounded by the territories of the United States,

on every side except on that of the ocean. Spain had lost her authority over it, and, falling into the hands of adventurers connected with the savages, it was made the means of unceasing annoyance and injury to our Union, in many of its most essential interests. By this cession, then, Spain ceded a territory, in reality, of no value to her, and obtained concessions of the highest importance, by the settlement of long standing differences with the United States, affecting their respective claims and limits, and likewise relieved herself from the obligation of a treaty, relating to it, which she had failed to fulfil, and also from the responsibility incident to the most flagrant and pernicious abuses of her rights, where she could not support her authority.

It being known that the treaty was formed under these circumstances, not a doubt was entertained that his Catholic Majesty would have ratified it without delay. I regret to have to state this reasonable expectation has been disappointed; that the treaty was not ratified, within the time stipulated, and has not since been ratified. As it is important that the nature and character of this unexpected occurrence should be distinctly understood, I think it my duty to communicate to you all the facts and circumstances, in my possession, relating to it.

Anxious to prevent all future disagreement with Spain, by giving the most prompt effect to the treaty, which had been thus concluded, and, particularly, by the establishment of a government in Florida, which should preserve order there, the minister of the United States, who had been recently appointed to his Catholic Majesty, and to whom the ratification, by his government, had been committed, to be exchanged for that of Spain, was instructed to transmit the latter to the Department of State, as soon as obtained, by a public ship; subjected to his order for the purpose. Unexpected delay occurring, in the ratification, by Spain, he requested to be informed of the cause: It was stated, in reply, that the great importance of the subject, and a desire to obtain explanations on certain points, which were not specified, had produced the delay, and that an Envoy would be despatched to the United States, to obtain such explanations of this government. The minister of the United States offered to give full explanation on any point, on which it might be desired; which proposal was declined. Having communicated this result to the Department of State, in August last, he was instructed, notwithstanding the disappointment and surprise, which it produced, to inform the government of Spain, that, if the treaty should be ratified, and transmitted here, at any time before the meeting of Congress, it would be received, and have the same effect, as if it had been ratified in due time. This order was executed; the authorized communication was made to the government of Spain, and by its answer, which has just been received, we are officially made acquainted, for the first time, with the causes which have prevented the ratification of the treaty, by his Catholic Majesty. It is alleged by the Minister of Spain, that this government had attempted to alter one of the principal articles of the treaty, by a declaration, which the Minister of the U. States had been ordered to present, when he should deliver the ratification by his government, in exchange for that of Spain, and of which he gave notice, explanatory of the sense in which that article was understood. It is further alleged that this government had recently tolerated, or protected, an expedition from the United States, against the province of Texas. These two imputed acts, are stated as the reasons which have induced his Catholic Majesty to withhold his ratification from the treaty, to obtain explanations, respecting which, it is repeated, that an envoy would be forthwith despatched to the United States. How far these allegations will justify the conduct of the government of Spain, will appear, on a view of the following facts, and the evidence which supports them.

It will be seen, by the documents transmitted herewith, that the declaration mentioned relates to a clause in the 8th article, concerning certain grants of land, recently made by his Catholic Majesty, in Florida, which, it was understood, had conveyed all the lands, which, till then, had been ungranted. It was the intention of the parties to annul these latter grants, and that clause was drawn for that express purpose and for none other. The date of these grants was unknown, but it was understood to be posterior to that inserted in the article: indeed, it must be obvious to all, that, if that provision in the treaty had not the effect of annulling these grants, it would be altogether nugatory. Immediately after the

treaty was concluded, and ratified by this government, an intimation was received that these grants were of anterior date to that fixed on by the treaty; and that they would not, of course, be affected by it. The mere possibility of such a case, so inconsistent with the intention of the parties, and the meaning of the article, induced this government to demand an explanation on the subject, which was immediately granted, and which corresponds with this statement. With respect to the other act alleged, that this government had tolerated, or protected an expedition against Texas, it is utterly without foundation. Every discountenance has invariably been given to every such attempt from within the limits of the United States, as is fully evinced by the acts of the government, and the proceedings of the courts. There being cause, however, to apprehend, in the course of last summer, that some adventurers entertained views of the kind suggested, the attention of the constituted authorities in that quarter was immediately drawn to them, and it is known that the project, whatever it might be, has utterly failed.

These facts will, it is presumed, satisfy every impartial mind, that the government of Spain had no justifiable cause for declining to ratify the treaty. A treaty concluded in conformity with instructions, is obligatory, in good faith, in all its stipulations, according to the true intent and meaning of the parties. Each party is bound to ratify it. If either could set it aside, without the consent of the other, there would be, no longer, any rules applicable to such transactions between nations. By this proceeding, the government of Spain has rendered to the United States a new and very serious injury. It has been stated, that a Minister would be sent, to ask certain explanations of this government. But, if such were desired, why were they not asked, within the time limited for the ratification? Is it contemplated to open a new negotiation respecting any of the articles or conditions of the treaty? If that were done, to what consequences might it not lead? At what time and in what manner would a new negotiation terminate? By this proceeding, Spain has formed a relation between the two countries which will justify any measures on the part of the United States, which a strong sense of injury, and a proper regard for the rights and interests of the nation may dictate. In the course to be pursued, these objects should be constantly held in view, and have their due weight. Our national honor must be maintained, and a new and a distinguished proof be afforded of that regard for justice and moderation, which has invariably governed the councils of this free people. It must be obvious to all, that, if the United States had been desirous of making conquests, or had been even willing to aggrandize themselves in that way, they could have had no inducement to form this treaty. They would have much cause for gratulation, at the course which has been pursued by Spain. An ample field for ambition is open before them. But such a career is not consistent with the principles of their government, nor the interests of the nation.

From a full view of all circumstances it is submitted to the consideration of Congress, whether it will not be proper for the United States to carry the conditions of the treaty into effect, in the same manner as if it had been ratified by Spain; claiming, on their part, all its advantages, and yielding to Spain those secured to her. By pursuing this course, we shall rest on the sacred ground of right, sanctioned, in the most solemn manner, by Spain herself, by a treaty which she was bound to ratify, for refusing to do which she must incur the censure of other nations even those the most friendly to her; while, by confining ourselves within that limit, we cannot fail to obtain their well merited approbation. We must have peace on a frontier where we have been so long disturbed, our citizens must be indemnified for losses so long since sustained, and for which indemnity has been so long unjustly withheld from them. Accomplishing these great objects we obtain all that is desirable.

But his Catholic Majesty has twice declared his determination to send a Minister to the United States, to ask explanations on certain points, and to give them respecting his delay to ratify the Treaty. Shall we act, by taking the ceded territory, and proceeding to execute the other conditions of the Treaty, before this minister arrives and is heard? This is a case which forms a strong appeal to the candor, the magnanimity and honor of this people. Much is due to courtesy between nations. By a short delay, we shall lose nothing; for, resting on the ground of immutable truth and justice, we

cannot be diverted from our purpose. It ought to be presumed that the explanations which may be given to the Minister of Spain, will be satisfactory, and produce the desired result. In any event the delay for the purpose mentioned, being a further manifestation of the sincere desire to terminate in the most friendly manner all differences with Spain, cannot fail to be duly appreciated by his Catholic Majesty, as well as by other powers. It is submitted, therefore, whether it will not be proper to make the law proposed for carrying the conditions of the treaty into effect, should it be adopted, contingent; to suspend its operation upon the responsibility of the Executive, in such manner as to afford an opportunity for such friendly explanations as may be desired during the present session of Congress.

I communicate to Congress a copy of the treaty, and of the instructions to the Minister of the United States at Madrid respecting it; of his correspondence with the Minister of Spain, and of such other documents as may be necessary to give a full view of the subject.

In the course which the Spanish government have, on this occasion, thought proper to pursue, it is satisfactory to know that they have not been countenanced by any other European power. On the contrary, the opinion and wishes, both of France and Great Britain, have not been withheld, either from the United States or from Spain; and have been unequivocal in favor of the ratification. There is also, reason to believe, that the sentiments of the imperial government of Russia have been the same, and that they have also been made known to the cabinet of Madrid.

In the civil war existing between Spain and the Spanish provinces in this hemisphere, the greatest care has been taken to enforce the laws intended to preserve an impartial neutrality. Our ports have continued to be equally open to both parties, and on the same conditions; and our citizens have been equally restrained from interfering in favor of either, to the prejudice of the other. The progress of the war, however, has operated manifestly in favor of the colonies. Buenos Ayres still maintains unshaken the independence which it declared in 1816, and has enjoyed since 1810. Like success has also lately attended Chili, and the provinces north of the La Plata, bordering on it, and likewise Venezuela.

This contest has, from its commencement, been very interesting to other powers, and to none more so than to the U. States. A virtuous people may, and will, confine themselves within the limit of a strict neutrality; but it is not in their power to behold a conflict so vitally important to their neighbors, without the sensibility and sympathy which naturally belongs to such a case. It has been the steady purpose of this government, to prevent that feeling leading to excess, and it is very gratifying to have it in my power to state, that so strong has been the sense throughout the whole community, of what was due to the character and obligations of the nation, that few examples of a contrary kind have occurred.

The distance of the colonies from the parent country, and the great extent of their population and resources, gave them advantages which it was anticipated at a very early period, it would be difficult for Spain to surmount. The steadiness, consistency, and success, with which they have pursued their object, as evinced more particularly by the undisturbed sovereignty which Buenos Ayres has so long enjoyed, evidently give them a strong claim to the favorable consideration of other nations. These sentiments on the part of the United States, have not been withheld from other powers, with whom it is desirable to act in concert. Should it become manifest to the world that the efforts of Spain to subdue these provinces will be fruitless, it may be presumed that the Spanish government itself will give up the contest. In producing such a determination, it cannot be doubted that the opinion of friendly powers, who have taken no part in the controversy, will have their merited influence.

It is of the highest importance to our national character, and indispensable to the morality of our citizens, that all violations of our neutrality should be prevented. No door should be left open for the evasion of our laws; no opportunity afforded to any who may be disposed to take advantage of it, to compromise the interest or honor of the nation. It is submitted, therefore, to the consideration of Congress, whether it may not be advisable to revise the laws, with a view to this desirable result.

It is submitted, also, whether it may not be proper to designate, by law, the several ports or places along the coast, at which, only, foreign ships of war and

privateers may be admitted. The difficulty of sustaining the regulations of our commerce, and of other important interests from abuse, without such designation, furnishes a strong motive for this measure.

At the time of the negotiation for the renewal of the commercial convention, between the United States and Great Britain, a hope had been entertained that an article might have been agreed upon, mutually satisfactory to both countries, regulating, upon principles of justice and reciprocity, the commercial intercourse between the United States and the British possessions, as well in the West Indies, as upon the continent of North America. The plenipotentiaries of the two governments, not having been able to come to an agreement on this important interest, those of the United States reserved for the consideration of this government the proposals which had been presented to them, as the ultimate offer on the part of the British government, and which they were not authorized to accept. On their transmission here, they were examined with due deliberation, the result of which was a new effort to meet the views of the British government. The Minister of the United States was instructed to make a further proposal, which had not been accepted. It was, however, declined in an amicable manner, I recommend to the consideration of Congress, whether further prohibitory provisions in the laws relating to this intercourse, may not be expedient. It is seen with interest, that, although it has not been practicable, as yet, to agree in any arrangement of this important branch of their commerce, such is the disposition of the parties, that each will view any regulations, which the other may make respecting it, in the most friendly light.

By the fifth article of the convention, concluded on the 20th of October, 1818, it was stipulated that the differences which had arisen between the two governments, with regard to the true intent and meaning of the fifth article of the treaty of Ghent, in relation to the carrying away, by British officers, of slaves from the United States, after the exchange of the ratifications of the treaty of peace, should be referred to the decision of some friendly sovereign or state, to be named for that purpose. The Minister of the United States has been instructed to name to the British government, a foreign sovereign, the common friend to both parties, for the decision of this question. The answer of that government to the proposal, when received, will indicate the further measures to be pursued on the part of the United States.

Although the pecuniary embarrassments which affected various parts of the Union, during the latter part of the preceding year, have, during the present, been considerably augmented, and still continue to exist, the receipts into the Treasury, to the 30th of September last, have amounted to \$19,000,000. After defraying the current expenses of the government, including the interest & reimbursement of the public debt, payable to that period, amounting to \$18,000,000, there remained in the Treasury, on that day, more than \$2,500,000, which, with the sums receivable during the remainder of the year, will exceed the current demands upon the Treasury for the same period.

The cases which have tended to diminish the public receipts, could not fail to have a corresponding effect upon the revenue, which has accrued upon imports and tonnage, during the three first quarters of the present year; it is, however, ascertained, that the duties, which have been secured during that period, exceed \$18,000,000, and those of the whole year will probably amount to \$23,000,000.

For the probable receipts of the next year, I refer you to the statements which will be transmitted from the Treasury, which will enable you to judge whether further provision be necessary.

The great reduction in the price of the principal articles of domestic growth, which has occurred during the present year, and the consequent fall in the price of labor, apparently so favorable to the success of domestic manufactures, have not shielded them against other causes adverse to their prosperity. The pecuniary embarrassments which have so deeply affected the commercial interests of the nation, have been no less adverse to our manufacturing establishments in several sections of the Union. The great reduction of the currency, which the banks have been constrained to make, in order to continue specie payments, and the vitiated character of it where such reductions have not been attempted, instead of placing within the reach of these establishments the pecuniary aid necessary to avail themselves of the advantages result-