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AMELIA-ISLAND.

DOCUMENTS ACCOMPANYING THE MESSAGE OF THE PRESIDENT TO CONGRESS, ON THE 12TH INSTANT.

DEPARTMENT OF WAR,

January 12, 1818.

SIR have the honor to transmit copies of the orders which have been given by the acting Secretary of War to Major Bankhead, in relation to taking possession of Amelia Island, and copies of the communications which have been made to this Department by that officer, which embrace all the information in my possession.

I have the honor to be, sir, with the highest respect, your most obedient servant.

J.C.CALHOUN.The President of the United States.

U.S. Ship John Adams,

off Amelia, Dec. 22, 1817.

SIRWe have received orders from our government to take possession of Amelia Island and to occupy the Post of Fernandina with a part of our force, which will be moved over as soon as it will be convenient for your troops to evacuate it.

To avoid unnecessary delay, we think proper at this time to inform you, in the event of your acquiescence in this demand, that you will be at liberty to depart with the forces under your command, and such property as belongs unquestionably to them will be held sacred.

You are to leave the public property found by Gen. McGregor at Fernandina, in the same condition it was taken, and the property of the inhabitants of Amelia Island must be restored to them, where they have been forcibly dispossessed of it, and no depredations on private property from this period will be permitted with impunity.

Should you, contrary to the expectations of the President of the United States, refuse to give us peaceable possession of the Island, the consequence of resistance must rest with you.

We have the honor to be, very respectfully, your most obedient servants.

J.D.HENLEY,

Capt. in the Navy and comd. in chief of the naval forces of the U.S.off Amelia.

JAS BANKHEAD,

Maj. 1st battalion Artillery, comd. land forces. Gen. AURY, Commander in Chief of the forces at Fernandina.Headquarters, Fernandina, Island of Amelia, Dec. 22d, 1817, and 8th of the Independence.

GENTLEMEN I have had the honor to receive your official letter[illegible]y. The nature of its contents, requiring ... deliberation, I have submitted the same to the representatives of the republic, and, as soon as I shall have obtained their opinion, it shall be immediately sent to you.

I can, however, state to you, gentlemen, that no opposition will be made to surrender the Island of Amelia, on the part of this government.

I have the honor to remain, with consideration, gentlemen, your obedient and humble servant,  
AURY, Commander in chief

Commodore J.D.Henley, Major Bankhead, c. c. on board the United States' ship John Adams.

Head-Quarters, Fernandina, Island of Amelia, December 22, 1817, and the 8th of the independence.

GENTLEMEN I have received your official letter of this day, by which, in the name of the government

of the United States, you summon us to evacuate this place, with the troops under my command, as possession thereof is to be taken by the forces under certain conditions herein specified.

This republic, that of Mexico, nor any other of South America, being at war with the United States, oblige me to state to you that the contents of your letter have greatly surprised this government, and the people of the State. You have nevertheless intimated that, in case of our acquiescence to your demand, we shall be permitted to evacuate this island, which never was nor ever has been a part of the United States. Allow me, gentlemen, to observe to you, that from the moment we took Fernandina by the force of our arms we entered into the full possession of all the rights, appertaining to our enemy, and that to this day, we have supported these rights, at the risk of our lives and fortunes. The boundaries of the Floridas and the United States having been fairly settled by the treaty of friendship, limits, and navigation, on the twenty-second of October, one thousand seven hundred and ninety-five: leave us at a loss to ascertain your authority to interfere in our internal concerns. Our surprise increases when we reflect that your communication comes as authorised by the government of a people who glory in their respect for the rights of nations, whether great or small, and who no doubt sympathise and wish success to their southern brethren, in the struggle for liberty and independence, in which they are engaged, as were the United States forty years ago.

On the other side, your promise to hold sacred such of our property as unquestionably belongs to our citizens. Who is to be the judge on this case ? The United States, who can, by no means, claim any kind of jurisdiction from the source of the River St. Mary's, down to the ocean, on this side of the center of the channel ? We entertain to much veneration for your constitution to believe for a single moment that you, supposed already in possession of this Island, which has never been ceded by the King of Spain, or by its inhabitants to the United States, can bring with you a competent tribunal to decide upon his question. The only law you can adduce in your favor, is that of force, which is always repugnant to republican governments and to the principles of a just and impartial nation. The same observation may be applied to your interference with the property of the inhabitants, which we have always respected and considered as sacred.

You order us, also, as if we were subjects of your government, to leave behind, when Fernandina is evacuated, all the public property that was found at its surrender. This demand is directly contrary to the public rights by which all public property captured by the enemy is avowedly that of the captors, when not otherwise stipulated. Are you acting in the name of the King of Spain or his allies ? As we consider the people of the United States to be unquestionably the only free people on the surface of the globe, we cannot admit that you have now become the adherents of a tyrant ; otherwise your demand is inadmissible and unjustifiable in the eyes of the world, and if we must yield to it all the blame rests with you.

Permit me, therefore, gentlemen, to require of you, to lay before the President of the United States these remarks, in order that a matter of so serious a tendency may be reconsidered. We have read his Excellency's Message at the opening of Congress, with the utmost concern ; and have concluded that the political situation of this republic has been greatly misrepresented, in the United States, through the intrigues of our enemies. We have certainly a right to be heard, for which purpose I shall have the honor of forwarding to your government the necessary documents.

If you are not disposed to let things remain in statu quo, until the President's further determination be known, I am authorised to assure you that we respect and esteem too highly the people of the United States to carry matters to extremities.

I have the honor to remain, with the highest consideration, gentlemen, your obedient and humble servant,

AURY. Commander in Chief J.D.Henley, Esq. Captain in the Navy, and commanding the United States Naval forces off Amelia James Bankhead, Esq. Major of the 1st battalion of artillery, U.S. Army, and commanding Military forces U.S. ship John Adams, off Amelia Island Dec. 23d, 1817.

SIR We have had the honor to receive your communication of the 22d inst. and will briefly remark that, as officers in the service of the United States, we are bound to obey the orders emanating from the authorities of our government, without any discussion or animadversion on our part as to the

correctness of them. We have been ordered by the President of the United States to take possession of Amelia Island, and as the President had expressed his solicitude that the effusion of blood may be gratifying to us to be informed by you that no resistance will be made to us.

We will again remark that private property will be sacred, and that our orders extend only to the public property captured by Gen. McGregor, at Fernandina.

We propose to land a force to-day, and to hoist the American flag. Under that flag no oppressive or unjust measure will ever be witnessed ; and we feel assured there will be no difficulties in the arrangements made by us.

The squadron will immediately sail into the harbor, when the commanding officer of the land forces will wait on the commander in chief to make the necessary arrangements for the landing of the troops.

We have the honor to be, very respectfully, your obedient servants, J. D. HENLEY, Captain in the Navy, and commander in chief of the U.S. Naval forces of Amelia

JAMES BANKHEAD, Major 1st batallion artillery, commander land forces, c Gen. Aury, commander in chief of the forces at Fernandina. Headquarters, Fernandina, Island of Amelia, Dec. 23d, 1817. and 8th of the Independence

I have had the honor to receive your letter of this date. I am ready to surrender this place to the forces under your command, whenever you may judge proper to come and take possession thereof.

I have the honor to be, very respectfully, your most obedient servant,

AURY, Commander in chief. J. D. HENLEY, Esq.

Captain in the Navy, c. c.

JAS BANKHEAD, Esq.

Major 1st Bat. c. c Department of War,

17th July, 1817.

SIR Circumstances having made it necessary to occupy, without delay, Point Petre, and the St. Mary's river, by a military and naval force, I have to request that you will instruct the officer whom, in pursuance of the order issued through the Adjutant General, you may detail to take command at Point Petre, to co operate with the officer commanding the naval force on that station, in such measures as may be deemed necessary for the preservation of the peace and tranquility of that section of the country, which there is reason to apprehend may be disturbed in consequence of the contest between the Spanish Royalists and Patriots, for the occupation of the adjacent territory. The officer will also be instructed to use due vigilance to prevent the violation of the revenue laws of the United States, and in particular to prevent the illicit introduction of slaves into the United States ; he will prohibit all vessels freighted with slaves from entering the river St. Mary's.

I have the honor to be, c. GEO. GRAHAM

The officer commanding at

Charleston, S. C Extract of a letter from George Graham, acting Secretary of War, to major James Bankhead, Charleston, S. C. dated November 12th, 1817.

" I am instructed by the President to direct you to repair immediately to Point Petre, with the effective force under your command, leaving only an officer and a few men as a guard at forts Moultrie and Johnson. Captain Wilson has been ordered to repair with his company, now at fort Johnson, North Carolina, to Point Petre, and a detachment of new recruits, under the command of captain Hook, who was on his route to join the 4th infantry, has also been ordered to that place. The troops enumerated will constitute a force of more than two hundred men, of which you will take the command until the arrival of general Gaines. A remittance of five thousand dollars has been made to take with you : and you will make requisitions for the necessary supply of provisions, on the contractor's agents. It will be advisable to take from Charleston a supply of salted meat, and a sufficient quantity of flour and hard bread, to serve two hundred and fifty men for thirty days at least. "

Department of War,

Nov. 12th 1817.

SIR It appearing to the satisfaction of the President, that the persons who have lately taken possession of Amelia Island, have done it without the sanction of any of the Spanish colonies, or of any organised

government whatever, and for purposes unfriendly to, and incompatible with, the interests of the United States, he has decided to break up that establishment, and take temporary possession of Amelia Island : for this purpose, the troops ordered to assemble at Point Petre, will co-operate with the naval force which has been ordered to St. Mary's, under the command of captain Henley. It is the anxious wish of the President, that this should be accomplished without the effusion of blood ; and he confidently hopes, that the force destined for the purpose will be of such an imposing character, as to induce those persons who now have the military occupation of the island, to abandon it without the exercise of force ; but, if it should be found to be indispensably necessary, force must be used. You will, therefore, immediately on the arrival of captain Henley at St. Mary's, and, in conjunction with him, despatch an officer to demand the abandonment of the island, by those who now exercise authority there, and take such other measures as may be deemed proper to obtain the peaceable possession of it ; also for the preservation of the property of those persons who were residents of the Island when it was first captured by general M'Gregor. Should your demand for the evacuation of Amelia be complied with, you will then occupy with a part of your force the position of Fernandina, and take care that the cannon and other implements of war which belonged to the port when captured by general M'Gregor, are not taken off.

If peaceable possession of the Island, however, cannot be obtained, and it should be the opinion of captain Henley and yourself, that your joint forces are not competent to the prompt and certain reduction of the naval and military forces which may then occupy the harbor and post of Fernandina, you will, in that event, make a requisition on general Floyd, or such other officer as may command that division of the militia of Georgia in which Point Petre is situated, for a force not exceeding five hundred men, to be held in readiness to march at a moment's warning, and await the arrival of general Gaines, who has been ordered to Point Petre, for ulterior measures.

You will take with you from Charleston the necessary military stores, and such heavy cannon as may be required for the reduction of the fort on Amelia Island, in the event of resistance.

As no answer has been received to the communication addressed to you from this department on the 17th July last, it becomes necessary to request that the receipt of this may be acknowledged, and that you also advise this department regularly of your movements.

I have the honor to be, c. c. GEORGE GRAHAM. Major JAMES BANKHEAD, Commanding at Charleston, S. C.

Fernandina, Amelia Island,

December 24, 1817.

SIR I have the honor to lay before you the correspondence held with Gen. Aury, the late commander of this place, and to inform you, that the American flag was raised here yesterday.

Several days will elapse before Gen. Aury can withdraw his followers, but I have taken every measure to ensure tranquility, by ordering all his black soldiers to be embarked on board one of the ships lying in the port, and by not suffering any person to appear in the town with arms, but his officers ; and the moment their vessels are prepared to receive that whole of them, they shall depart.

Most of the inhabitants of this place, at this time, are followers of Aury, and those persons who have been drawn here from motives of speculation, who are, I suspect, of that profligate character generally engaged in the violation, or evasion, of our revenue laws. I shall therefore, consult commodore Henley, and will enforce such regulations as may be most likely to preserve order, until I receive instruction from the government.

Until this place is completely evacuated by this band of negroes and privateersmen, I have deemed it prudent to keep the whole of my force here. On their departure I shall move all but one company to Point Petre.

I have the honor to be, very respectfully,

Your most obed't servant,

JAS. BANKHEAD,

Major 1st battalion artillery, S. D.

commanding detachment U. S. troops.

GEORGE GRAHAM, Esq. Acting Secretary of War Fernandina, Amelia Island,

Dec. 27, 1817.

SIR I had the honor to forward to the War Department, on the 24th inst, a copy of the correspondence with Gen. Aury, previous to the landing of the troops under my command ; and I herewith send a duplicate of the same.

Some difficulty has arisen from a want of competent authority, to settle the disputed claims of the residents of this place against the late government and the followers of Aury, who do not seem disposed to comply with their engagements.

One or two vessels have arrived here with cargoes, which the owners are desirous to land, and it might be improper to permit it without obtaining security for the duties which the laws of the United States require ; and other vessels loaded in this port have met with some delay in clearing for their destination ; but the counsel of Gen. Gaines, who arrived here last night, will regulate my conduct, and will, in a great measure, relieve my anxiety.

I have been obliged to exercise my authority, as commanding officer at this place, to preserve order ; and I am happy to say, that nothing unpleasant has occurred. I cannot say when Gen. Aury and his party will sail. Their vessels are much out of order, and their arrangements to that effect progress but slowly. The morning after I landed, I ordered all the black and French troops to be embarked on board some of their vessels ; but the crews of their privateers, and many others of all nations, whom it is difficult to restrain from violence and excess, are still here.

Until I am honored with your instructions, I hope that the course I may pursue may meet the approbation of the President.

Gen. Gaines leaves this for the western frontier of Georgia the day after to-morrow.

I have the honor to be, with high respect, your most obedient servant,  
JAMES BANKHEAD, Major 1st battalion artillery, and  
commanding this post

To the hon. the Secretary of War NAVY DEPARTMENT,  
Jan. 13, 1818.

SIR I have the honor to enclose herewith, copies of orders to Capt. John H. Elton, and Com. John D. Henley, in relation to Amelia Island : also a letter from the latter officer, communicating information of the surrender of that place to the military and naval force of the United States, together with the correspondence which took place on that occasion.

I have the honor to be with the highest respect, sir, your most obedient svt. B. W. CROWNINSHIELD  
To the President of the United States Navy Department, July 16, 1817.

SIR Proceed immediately with the United States' brig Saranac under your command to the river St. Mary's in Georgia, and inform the military commander of your arrival, and of the objects specially designated to you in these orders.

The recent occupation of Amelia Island by an officer in the service of the Spanish revolutionists, occasions just apprehensions, that from the vicinity to the coast of Georgia, attempts will be made to introduce slaves into the U. States. contrary to the existing laws: and further attempts at illicit trade in smuggling goods in violation of our revenue laws.

You are hereby directed to detain and search every vessel, under whatever flag, which may enter the river St. Mary's, or be found hovering upon the coast under suspicious circumstances, and seize every vessel freighted with slaves, or whose doubtful character and situation shall indicate an intention of smuggling.

In the execution of these orders, you will take special care not to interrupt or detain any vessels with regular papers, and of a national character, upon lawful voyages to or from a port or ports of the United States.

The traffic in slaves is intended to be restrained, and, in the performance of this duty, you will exercise your sound judgment in regard to all vessels you may visit.

Communicate frequently to this Department, every event connected with this service, and, if it shall be found necessary, a further naval force will be sent, either to strengthen your command, or to relieve you so as to pursue your original destination. If you find it necessary upon your arrival at St. Mary's to employ a good pilot, well acquainted with the coast, rivers, and inlets, you are authorised to do so.

I am, very respectfully, your obedient servant,

B. W. CROWNINSHIELD Captain John H. Elton, Commanding United States'

brig Saranac, New York Navy Department, Nov. 14, 1817,

SIR Having been appointed to the command of the United States' ship John Adams, you are hereby ordered, in conformity to the wishes of the President of the United States, to proceed forthwith to the port of St. Mary's, in Georgia, taking with you the United States' brigs Enterprize and Prometheus, and the schooner Lynx, if the two latter have arrived in New York, and are in a state of readiness to accompany you ; but you will not procrastinate the departure of the ship John Adams on account of these vessels, as any of them not fully prepared to proceed with you shall be ordered to join you as soon as practicable at St. Mary's, at which place you will find the United States' brig Saranac, Captain John H. Elton, and gun-boat No. 168, lieutenant commandant R. M'Call, both of which vessels will act under your orders.

The object of the President of the United States in ordering this naval force to St. Mary's, is to remove from Amelia Island the persons who have lately taken possession thereof, and, as it is understood and believed, without authority from the colonies, or any organized government whatever, and to the great annoyance to the United States. It has therefore been determined that these persons shall be removed from that island, and that possession shall be taken for the present, by the land and naval forces of the United States.

On your arrival at St. Mary's, you will consult with the officer commanding the military force, who is instructed to co-operate with you in the performance of this service.

It is hoped that these persons will withdraw without bloodshed ; and you will, for this purpose, should your relative rank be superior to that of the commanding officer of the land forces, make known to the chief commanding in Amelia, the determination of the government of the United States to take possession of the island, and if the said chief, and the armed forces under his command, will peaceably quit the island, you will permit them so do, taking special care that no depredations be committed on the inhabitants, whom it will be your duty to protect from violation or injury, either in their persons or property.

Should the force, however, now in command of the island, contrary to all expectations, resist and refuse absolutely to give up and abandon the same, you are to co-operate with the military force of the United States, to proceed and take possession of the island, in the name and by the authority of the United States

Should you fall in with, on your way to St. Mary's, or find in Amelia, any vessels from the United States, armed and equipped by American citizens, acting as privateers, contrary to the laws of the United States, you will capture such, and send them to Savannah, in Georgia, to be dealt with according to law.

You will detain all prizes, or other vessels, having slaves on board, as the presumption is strong that they are intended to be smuggled into the United States. You will report, from time to time, to this Department, the operations of the force under your command.

I am, very respectfully, c.

B. W. CROWNINSHIELD Com. J. D. Henley. P. S. These orders are not to be delivered to any person.

U.S. Ship John Adams

Off Amelia, Dec. 24, 1817.

SIR I have the honor to transmit a copy of the correspondence, with general Aury, late commander of this place, and to inform you that the American flag was yesterday hoisted at Fernandina, and the Island of Amelia taken possession of by the land forces under major Bankhead, of the United States artillery.

The black troops of General Aury have been embarked on board one of their ships lying in the port, and the remainder of his followers will be sent off the island, as soon as the necessary arrangements can be made for the purpose. They are now engaged in watering their ships, and in the course of a week I hope to see all of them over the bar.

Most of the respectable inhabitants of this place retired on its capture by McGregor, and those now here are principally adventures who have been attracted by motives of speculation, and, as I suspect

and have every reason to believe, been engaged in the violation of our revenue laws to prevent which in future, such precautions will be taken as are within my power, and which I presume be adequate to the purpose.

This will be sent by an express to Darien, the mail leaving this place but once a week.

I have the honor to be, very respectfully, your most obedient servant, JOHN D.HENLEY. The Hon. B.W.Crowninshield, Secretary of the Navy.

U.S. Ship John Adams, off Amelia,  
Dec. 30, 1817.

SIR Since my arrival here I have been so much engaged that I have not had one moment to write to my friends. You no doubt, however, have some idea of my situation ; and from my official reports know that the American flag is now flying on Amelia Island. As there are many novel cases which must present themselves, I should have been better pleased had my instructions been full ; but we are now left to act as circumstances may require ; and I fear that Aury and his followers will give us much trouble before they quit the island. I am sorry to add that the Americas appear to be much worse than any others. Should we be able to get through this business so as to meet the approbation of the department, I shall feel much gratified ; but I trust that should I err in any steps that I may take, it will be considered by the President as an error of judgment ; for I do assure you that nothing would be so pleasing to me as to have my conduct here approved by the executive. I have endeavored to keep as close to the letter of my instructions as possible, and have avoided every difficulty that I possibly could. I regret very much the difficulty of communicating with the government. We have only mail per week, and that does not remain in St. Mary's long enough to enable us to answer letters that we may receive by it.

The situation of my ship you are no doubt acquainted with, as I have written several times to the Secretary on that subject. I, however, do not wish to leave this place until every thing is settled, and the government have established some kind of police for the better government of this place, which I am in hopes will take place ere long. I am fearful that Aury expects that the American government will relinquish Amelia ; which impression will retard his departure.

I have the honor to be, Sir,

Your most obedient servant, J.D.HENLEY.

Hon. B. W. CROWNINSHIELD,

Secretary of the Navy, Washington. "Extract from the capitulation of the island of Amelia" dated at Fernandina, 29th June, 1817, and signed by "Francisco Morales and Joseph de Yribarren," attested by "Bernardo Segin" put "appeared" by "Gregor MacGregor."

" Brigadier General MacGregor, commander in chief of all the forces, both naval and military, destined to effect the independence of the Floridas, and authorised by the constituted authorities of the Republics of Mexico, Buenos Ayres, New-Grenada, and Venezuela, offers to Don Francisco Morales, Capitan del regimento de Cuba, and commandant, civil and military, of the Island of Amelia, the following term, c. c."

Extract from a proclamation of Gregor MacGregor, dated at Head Quarters, Amelia Island, June 30, 1817, and signed "Gregor MacGregor," attested by "Jos. Yribarren, Secretary."

" PROCLAMATION

" Gregor MacGregor, Brigadier General of the armies of the United Provinces of New-Grenada and Venezuela, and general in chief of the armies of the two Floridas, commissioned by the Supreme Directors of Mexico, South America," c. c.

" In the name of the independent governments of South America, which I have the honor to represent, I thank you for this first proof of your ardor and devotion to her cause, and I trust that, impelled by the same noble principles, you will soon be able to free the whole of the Floridas from tyranny and oppression."

Extract of a letter from Gen. Aury to Capt. J.D.Henley, commanding the United States naval forces off Amelia Island and to major James Bankhead, commanding United States military forces off the same place, dated at "Head-quarters, Fernandina, Island Amelia, December 2d 1817."

" Allow me, gentlemen, to observe to you, that from the moment we took Fernandina by the force of

our arms, we entered in to full possession of all the rights appertaining to our enemy, and that to this day we have supported these rights at the risk of our lives and fortunes. The boundaries of the Floridas and the United States, having been fairly settled by the treaty of friendship, limits, navigation, on the twenty-seventh of October, one thousand seven hundred and ninety-five, leave us at a loss to ascertain your authority to interfere in our internal concerns."