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OUR RELATIONS WITH SPAIN.

DOCUMENT TRANSMITTED TO CONGRESS

The mass of documents transmitted to Congress concerning our Relations with Spain, have been found too voluminous for publication in extenso. It indeed be vain to attempt to it, without excluding from our columns every thing else, for a week or two.

We shall publish at large, therefore, those only which show the result of the correspondence, contenting ourselves with an abstract of the preceding ones.

The first document, in the order of dates, is a long letter from Don Louis De Onis to the Secretary of State, dated the 23d March, 1818, in reply to Mr. Secretary Adams's letter of the 12th of the same month, which was laid before Congress at the last session. In this paper the arguments of the Secretary of State are reviewed and replied to ; and the letter concludes as follows:

" As the partial Gazettes throughout the Union unfortunately endeavor to scatter the seeds of animosity in the minds of unguarded persons, or such as are unformed on the points embraced by the differences pending ; and as the Congress had requested information of the President on the present state of those differences, who has laid before the House of Representatives the official correspondence on these subjects both here and at Madrid, it would be desirable that his excellency would be pleased also to lay the present note before Congress, as it forms a part, and is the complement of that correspondence, and presents the most unquestionable view of the amicable dispositions of Spain, and of the determination of his Catholic Majesty to omit nothing to meet the just wishes and hopes of the United States. I therefore hope that the President will be pleased to direct this measure, and that you will contribute to its adoption.

" In the mean time, it is my most earnest wish that you may suggest a just mode by which we may be enabled to approach the necessary basis for the settlement of all the differences pending, by removing the principal difficulties which have hitherto obstructed our progress ; as I shall, notwithstanding the deficiency of my powers and instructions, with the greatest pleasure, take it into due consideration, without waiting for new orders from my sovereign. You must be aware, sir, that those I am already furnished with cannot extend to the case presented by the proposals contained in your note of the 16th January, since Spain never imagined that the Rio Colorado, hitherto spoken of by the minister of this republic, could be any other than that of Natchitoches ; and I did not even think you meant to speak of any other in your note, until I was more exactly informed by you, the river which you wished to designate being known by the name of San Marcos, or de las Canas. This circumstance, taken in connexion with the other respecting the cession of the Floridas without any equivalent or retribution whatever, produces an infinite difference in one view to be taken of the first proposals made on the part of your government to that of his Catholic Majesty ; and I am unable to stipulate such sacrifices, on points of such magnitude, until I have previously consulted my court and received orders and instructions adapted to the purpose. Hence I find myself under the necessity of dispatching a messenger to Madrid, with all possible expedition. But, to prevent the loss of time in the meanwhile, this need not prevent our continuing the negotiation, and employing every proper means to bring it to a conclusion, on principles of common justice and reciprocal conveniences, to the satisfaction of both governments. To attain this, I conceive, it will not be difficult, provided we confine ourselves to the essential objects of the dispute, and honorable reject whatever had no important

connexion with it, nor can contribute to the end in view.

" I flatter myself, sir, that both you and your government will proceed under the influence of similar sentiments. Reposing in this hope, I renew to you the assurances of my distinguished esteem and respect. God preserve you many years," c.

The next letter, being of no great length, and presenting the views of the Spanish government in respect to the Indians in Florida, and the obligations of her treaty stipulations respecting them, we publish entire :

[TRANSLATION.]

Don Luis de Onis to the Secrstary of State.

Sir : In the President's message, transmitted to Congress on the 25th instant, on the state of the present war with the Seminole Indians, it is declared by his excellency, that the greater number of those Indians inhabit within the limits of Florida, and that Spain was consequently bound to restrain them and prevent their committing hostilities against the United States ; but that it is painful to observe that she had failed to fulfil this obligation ; that it is yet unknown whether the Spanish government has attempted to fulfil it, agreeably to the stipulation of its treaty with this republic ; that, his Catholic Majesty not having kept up a sufficient force in Florida to restrain those Indians, the United States had a fair right to enter the territory of that Spanish province with an armed force, in order to chastise them ; which will be effected, showing due respect to the Spanish authorities where they may exist, and evacuating the province as soon as the object of the war and the entry into the Spanish territory shall be attained.

It is my duty to state to you, for the information of the President, that the Governor of Florida uniformly observed the most scrupulous neutrality throughout all that province during the late war between the United States and Great Britain, and constantly employed every becoming and practicable means to avoid all manner of hostilities on the part of the Indian alluded to by the President in his message, against the people or citizens of the United States. In proof of which, I have the honor to enclose a letter received by me from the Governor of St. Augustine, with a correspondence, also received from him in relation to this particular subject. I am yet uniformed that any complaint of the authorities or citizens of the United States had been made to that officer of the Seminole Indians ; or that any demand had been made of him to restrain and compel them to make satisfaction to the United States for any injuries they may have committed.

From the Governor's correspondence, a literal copy of which is enclosed, it is evident that he used the utmost attention in recommending them to observe peace and the most perfect harmony with the citizens of this republic, in appeasing all their bickering and jealousies, and in dissuading them from every hostile feeling towards the persons or property of the citizens of the United States. He would also at once have employed forcible means to effect this, in case any complaint had been made to him of these Indians, stating the excesses they may have committed and the grounds there existed of obligating them to make reparation for the injuries sustained, and of punishing them for their outrages. As nothing of this took place, I cannot perceive how a failure in this case can be attributed to the government of Spain.

As to what relates to his Catholic Majesty's not keeping up a more considerable force in Florida, you must be aware, sir, that Spain has reposed full confidence in the peace and good understanding subsisting with the United States, and that, relying thereon, her attention had been continued to keeping up such garrisons as were absolutely necessary to preserve good order and the public tranquility ; of course, she never entertained the idea of putting that province on a war establishment. Its garrisons, being in the neighborhood of a friendly and respectable power, were competent to the purposes they were intended for, and to keeping the Indians dependent on them within their duty, and to enforce that peace and orderly conduct they were bound to observe, as well towards the territories and subjects of his Catholic Majesty as towards those of the United States.

It is therefore to be presumed, that the information or advices communicated to the President are without foundation ; and I therefore hope, that his excellency, on correcting the truth of facts by an examination of the correspondence, copy of which is herewith transmitted, as well as by other suitable means, will be pleased to prevent any violation of the territory of Florida, or any other part of the

dominions of Spain, by the troops of the United States. If that fact should unfortunately be realized, it would be my duty to enter my solemn protest against it, in the name of the King, my master : but, confidently relying on the rectitude and wisdom of your government, I trust that its measures will confirm to the strict principles of justice and that good faith in which his Catholic Majesty places full confidence. Spain has at all times strictly fulfilled her engagement stipulated by the treaty with the United States ; and, while she prides herself on a religious observance of them, in every particular relating to the Indians inhabiting within the territories of the monarchy, she is also desirous of protecting those unfortunates, and of acquitting herself towards them of every duty dictated by humanity. She has never permitted them to be molested by the Spanish authorities, nor a single step to be taken tending to their extermination, the dispossessing them of their properties, or disturbing them in the free enjoyment of their customs and government. The philanthropic sentiments of the American government and people are assuredly in unison with those of his Majesty on this point. I therefore hope that these Indians, on being punished for the violence or injuries they may have committed, will be viewed with that indulgence, by the President, which their ignorance and rusticity seem to claim for them.

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

LUIS DE ONIS. Washington, 27th March, 1818.

The letter from Don Jose Coppinger, Governor of St. Augustine, to Don Luis de Onis, referred to in the preceding letter, comes next in order, with its enclosures. Its contents are epitomised in the last letter of M. de Onis, and it is therefore not thought necessary to copy it. The extracts it encloses from the records of his office, consist of four or five letters from the commandant to Spanish Officers and others, advising strict observance of neutrality during our late war with Great Britain, and as many more, which, just before the commencement of the Seminole war, passed between the Spanish Commandant and Bowleck. The latter complains of the Americans stealing his cattle, and running lines within his territory ; stating further, that he has directed some Americans attempting to settle at Lochoway to be driven off, which he says he has no doubt " they will represent as an act of hostility." The next document is a letter, dated May 7, 1818, from Don Luis de Onis to the Secretary of State, stating facts and asking information of the proceedings of this government respecting " the expedition of French adventures" to Galveztown, c.

The next paper is a letter from Don Luis de Onis to the Secretary of State, respecting certain privateers, which had entered Baltimore " for the purpose of dividing the spoil resulting from their depredation on the Spanish commerce."

The next letter, being the Spanish Minister's Protest against our Army's having passed into Florida, is copied entire :

[TRANSLATION.]

Don Luis de Onis to the Secretary of State.

Sir : It is now some time since information has been circulated through the medium of the newspapers and through private channels, of different incursions and acts of hostility committed within the territory of the crown of Spain, by divisions of the army under the command of General Jackson, destined, as it appeared, to pursue and chastise the Seminole Indians ; but, I believed, until now, that the information, although constantly repeated and augmented, doubtless proceeded from vague and unfounded rumors, as I could not persuade myself that such acts of violence and hostility could be committed by the United States, against a friendly power, and in the midst of the most profound peace. How was it possible to believe, that, at the very moment of a negotiation for settling and terminating amicably all the pending differences between the two nations, and while Spain was exhibiting the most eminent and generous proofs of a good understanding, and the most faithful observance of all the duties of good neighborhood, the troops of the United States should invade the Spanish provinces, insult the commanders and officers of their garrisons, and forcibly seize on the military posts and places in those provinces ? Notwithstanding this, the official advices I have just received from the Governor of West Florida, confirm what I had conceived to be impossible.

General Jackson and his officers have made demands on the Governor of that Spanish province, in the most unbecoming and insulting tone : they have, in different places, violated the Spanish territory

and its waters : they have committed enormous vexation, unexampled in history. With a considerable force they fell upon the Fort of St. Mark, and compelled the Spanish garrison to surrender as prisoners of war ; they took possession of that fortress, with all the artillery, warlike stores and effects, without drawing up an inventory of the same, and have extended their military possession over the bay of Indian, and the adjacent country. In speaking of the conduct of the American General and his officers, I continue myself to what relates to the acts of hostility and violence committed within the territory of the crown of Spain, to the violation of Peace, and the forcible occupation of the aforesaid country and fort.

Under the pretext of making war against the Indians, on complaints or motives which have neither been communicated to the Governor of those provinces, nor to the Captain-General of the Island of Cuba, who is also Governor of them, nor to any other Spanish officer nor public functionary, the dominions of East Florida have likewise been invaded, and the Spanish territory entered as if it was an enemy's country in fine, General Jackson has omitted nothing that characterizes a haughty conqueror, but the circumstance of adding to these monstrous sets of hostility the contradictory expression of peace and friendship with Spain.

I therefore find myself under the necessity of protesting strongly and solemnly, as I now do, in the name of the king, my master, against the invasion of the Floridas, and against the taking possession of the fort and bay of Indian, by the troops of this republic ; and I request you, sir, to lay before the President this my protest, in full confidence that H. E. will cause things in both the Floridas to be reinstated and placed in statu quo ; the fort of St. Mark to be delivered up to the Spanish commandant, together with all the ordnance, warlike stores and effects, found in that fortress, and all damages and injuries caused in the Floridas by the officers and troops of this union to be fully indemnified and compensated. In the mean time, I repeat this most solemn protest in the name of my sovereign, all which I duly communicate to His Majesty, in the discharge of my duty.

I trust, sir, that you will be pleased to acknowledge the receipt of this note, and inform me of the resolution taken by the President thereon. In the mean time I renew the expressions of my particular respect, and pray God to preserve you many years. LUIS DE ONIS. Bristol, 17th June, 1818.

The next letter is from Don Luis de Onis to the Seceretary of State, of the 24th June, enquiring into the facts respecting the occupation of Pensacola, which he has seen announced in the National Intelligencer.

The next letter is from the same to the same, dated at Washington on the 8th of July, after the news of the occupation of Pensacola by our troops was confirmed, protesting against the same, and concluding as follows :

" All these circumstances impress me with the belief that General Jackson has acted contrary to the orders of the President, tarnished the American name, and committed the reputation of his government in the face of the universe. It is, therefore, my duty to protest, and I do hereby solemnly protest, in the name of the King, my master, against these public acts of hostility and invasion, and I demand, through you, of the President, in the name of my sovereign, the prompt restitution of the fort and bay of Indian, also of Pensacola, and Barrancas, and other places in Florida, violently attacked and wrested from the crown of Spain, by the forces under General Jackson, in the midst of peace, and the most positive assurances of friendship and harmony. In like manner, I demand the faithful delivery of all the artillery, warlike stores and property, both public and private, taken at Pensacola, and other forts and places taken possession of by the American commander ; indemnity for all the injuries and losses sustained by the crown of Spain and subjects of his Catholic Majesty, in consequence of this act of invasion, and a satisfaction proportioned to the enormity of these offences, together with the lawful punishment of the General and the officers of this republic, by whom they were committed.

" I therefore hope that the President, penetrated with indignation by acts of such enormity, will immediately comply with my demand, founded on such strict justice ; and I impatiently await your answer to this note, which will communicate the resolution of the President for my information, in order that I may transmit the same to my government with all requisite despatch."

The next paper is a letter from the same to the same, dated at Bristol, July 21, requesting a prompt;

and categorical answer to his former demands and protests.

The next letter, being the answer of our government to the Spanish Minister respecting the occupation of the Spanish posts in Florida by our Army, it is thought proper to publish entire :

The Secretary of State to Don Luis de Onis.

DEPARTMENT OF STATE. WASHINGTON, 23D JULY, 1818 Sir : I have had the honor of receiving your letters of the 24th June, and 18th inst. complaining of the conduct of Major General Jackson, in entering West Florida with the forces under his command, taking the Spanish posts of St. Mark and Pensacola, c.

Without recurring to the long standing and heavy causes of complaint which the United States have had against Spain, to the forbearance with which they have been borne, without despairing of obtaining justice from her by amicable means ; to the efforts equally unceasing and unavailing which they have made to obtain that justice, or to the extraordinary delays by which it has been protracted and is still withheld, it is thought proper, on this occasion to call our attention, to a series of events, which necessitated and justified the entrance of the troops of the United States upon the Spanish boundary of Florida, and gave occasion to those transactions of the commander of the American forces against which you complain.

It cannot be unknown to you that the for a considerable time before the government of the United States issued the orders for military operations in that quarter, the inhabitants of their frontier had been exposed to the depredations, murders and massacre of a tribe of savages, a small part of which lived within the limits of the United States, far the greater number of them dwelling within the borders of Florida. The barbarous, unrelenting, and exterminating character of Indian hostilities, is also well known to you ; and, from the peculiar local position of these tribes, it was obvious that there could be no possible security for the lives of the white inhabitants of those borders, unless the United States and Spain should be reciprocally bound to restrain the portion of the Indians respectively within their territories from committing robbery and butchery upon the citizens and subjects of the other party. So forcibly was this necessity felt by both, that in the 5th article of the treaty of 27th October, 1795, the following remarkable stipulation is contained" The two high contracting parties shall by all the means in their power maintain peace and harmony among the several Indian nations who inhabit the country adjacent to the lines and rivers which by the preceding articles form the boundaries of the two Floridas ; and the better to obtain this effect, both parties oblige themselves expressly to restrain by force all hostilities on the part of the Indian nations living within their boundaries : so that Spain will not suffer her Indians to attack the citizens of the United States, nor the Indians inhabiting their territory : nor will the United States permit those last mentioned Indians to commence hostilities against the subjects of His Catholic Majesty or his Indians in any manner whatever."

Notwithstanding this precise, express and solemn compact of Spain, numbers, painful to recollect, of the citizens of the United States inhabiting the frontier ; numbers not merely of persons in active manhood, but of the tender sex, of defenceless age, and helpless infancy, had at various times been butchered with all the aggravations and horrors of savage cruelty, by Seminole Indians, and by a banditti of negroes, sallying from within the Spanish border, and retreating to it again with the horrid fruits of their crimes.

At a former period the governor of Pensacola had been called upon, by letter from Major General Jackson, conformably to the stipulated engagement of Spain, and to the duties of good neighborhood, to interpose by force and break up a strong hold, of which this horde of savages and fugitive slaves had possessed themselves, on the territory of Florida. The answer acknowledged the obligation, but pleaded an incompetency of force for its fulfillment. Copies of these important documents are herewith transmitted to you ; and it may be within your knowledge and recollection that the orders and the competent force which governor Zuniga stated in his letter that he had solicited from his governor general, and without which he declared himself unable to destroy this fort, erected upon Spanish territory, for purposes of united, civilized, savage, and servile war against the United States was never furnished, and that the United States were finally compelled to accomplish its destruction by their own force.

The permanent and unvarying policy of the United States with regard to all the Indian tribes within

their borders, is that of peace, friendship, and liberality, and, so successful has this policy been, that for many years no instance has occurred of their being in hostility with any Indian tribe, unless stimulated by the influence of foreign incendiaries. Even after the repeated commission of these depredations and massacres by the Seminole Indians, at the very moment when the government of the United States was reluctantly compelled to employ their own military force for the protection of their people, offers of peace were tendered to them and rejected.

Nor had the respect manifested by this government, for the territorial rights of Spain, been less signal and conspicuous. Even after the full and formal notice by the governor of Pensacola of the incompetency of his force, either to perform the duties of neutrality, or to fulfil the obligations of the treaty, when it became necessary to employ the military force of the United States for the protection of their frontier, on the 30th October last, the commanding officer in that quarter, while directed to take other measures for suppressing the hostilities of the Indians, was expressly instructed, not on that account, to pass the line, and make an attack upon them within the limits of Florida, without further orders. On the 2d of December instructions to the same effect were repeated. On the 9th of December they were again renewed with the modification, suggested by the continuation of Indian outrages, that should the Indians assemble in force on the Spanish side of the line, and persevere in committing hostilities within the limits of the United States, the American officer was authorized in that event to exercise a sound discretion, as to the propriety of crossing the line, for the purpose of attacking them, and breaking up their towns. On the 16th of December, upon information that an officer of the United States with a detachment of forty men had been attacked, and all destroyed with the exception of six, who made their escape, four of whom were wounded, the instruction of which the following is a copy, was issued from the Department of War to the American general then in command. " On receipt of this letter, should the Seminole Indians still refuse to make reparation for the outrages and depredations on the citizens of the United States, it is the wish of the President that you consider yourself at liberty to march across the Florida line, and to attack them within its limits, should it be found necessary, unless they should shelter themselves under a Spanish fort. In the last event, you will immediately notify this Department."

These, with a subsequent instruction of the 26th December, to the commander in chief, referring to them, and directing him, with a view to them, to adopt the necessary measures to terminate a conflict which it had ever been the desire of the President, from consideration of humanity, to avoid, but which was made necessary by the settled hostilities of the Indians, are all the instructions given in relations to Florida.

By the ordinary laws and usages of nations, the right of pursuing an enemy who seeks refuge from actual conflict, within a neutral territory, is incontestable. But in this case the territory of Florida was not even neutral : it was itself, so far as Indian savages possess territorial right, the territory of Indians, with whom the United States were at war : it was their place of abode, and Spain was bound by treaty to restrain them by force from committing hostilities against the United States ; an engagement which the commanding officer of Spain, in Florida, had acknowledged himself unable to fulfil. Of the necessity there was for crossing the line, what stronger proofs could be adduced, than that it was within that line that the American General met the principal resistance from the Indians, which he encountered in the whole campaign ; that, within that line, at their towns, which he destroyed, he found displayed, as barbarous trophies, the mutilated remnants of our wretched fellow-citizens, the murdered women and children, the accumulated barbarities of many years ?

You have seen that no instruction or authority, inconsistent with the declaration in the message of the President of the United States, of the 25th of March last, to Congress, was ever issued to the commander of the American forces. The possession, which he took of the Fort of Indians, and subsequently of Pensacola, was upon motives, which he himself had explained, and upon his own responsibility. For his justification of the adoption of both these measures, he states them to have been necessary upon the immutable principles of self-defence ; that, at an early period of his operations, he had given full notice of their object to the Governor of Pensacola, by communication, dated the 25th of March last, warning him that every attempt on his part to succour the Indians, or prevent the passage of provisions for the American troops, in the Escambia, would be viewed as acts

of hostility ; that, in defiance of this admonition, the Governor of Pensacola did both give succour to the Indians, and delay the passage of the provision to the American army, and thereby subjected them to the greatest privations ; that the Governor of Pensacola had caused it to be directly reported to the American Gen. that Fort Indians had been threatened by the Indians and negroes, and expressed serious apprehensions, from the weakness of the garrison, and defenceless state of the work, for as safety ; that this information was confirmed to the American General from other sources, upon which he could rely, and completely warranted the amicable occupation, by him, of that Fort ; that, upon his entering the Fort, evidence, clear, unequivocal, and manifold, was evinced, of the duplicity and unfriendly feeling of the commandant ; evidence demonstrating, beyond the power of denial, that, far from acting in the Spirit of that sacred engagement of his sovereign, to restrain by force his Indians from hostilities against the United States, he had made himself, by every act in his power, a partner and accomplice of the hostile Indians, and of their foreign instigators ; that the same spirit of hostility to the United States, was discovered by the Governor of Pensacola himself, by his refusal to permit, unless by the payment of exorbitant duties, the passage of provisions to the American army by the reception and succour given to the Indians at various times and, finally, by a letter which he sent to the Americans General, denouncing his entry into Florida as an aggression against Spain, and threatening, unless he should immediately withdraw from it, and should he continue what he thus styled aggressions, that he would repel force by force. This was so open an indication of hostile feeling on the part of Gov. Mazot, after he had been early and well advised of the object of General Jackson's operations, that this officer no longer hesitant on the measures to be adopted the occupation of Pensacola and of the Fort of Barrancas.

The charges alleged by Gen. Jackson against the commandant of Indians, are not known even to have been denied. The Governor of Pensacola had partly, but partly, contradicted those which applied to himself. He assured Gen. Jackson that the information received by him of the numbers of Indians who had been received and harbored at Pensacola, was erroneous. It is possible that the numbers may have been somewhat exaggerated in the reports which General Jackson had received ; but, within ten days after the time stated in his letter to the Governor of Pensacola, of this assemblage of Indians at that place, a large body of them were overtaken, surprized, and defeated by the forces of the United States, within one mile of Pensacola ; nor was it until after that event that the Governor issued his proclamation for refusing them supplies, and gave them the advice under which 87 of them surrendered themselves to the American officer. But the measures of Gen. Jackson were not found upon one solitary fact : a combination of circumstances, all tending to convince him of the hostile spirit of the Governor, remains yet uncontradicted ; and the General has furnished proofs that Governor Mazot's assertion, that there had been, since the surrender of those 87 Indians to Captain Young, only two in Pensacola, and those in jail, was itself very incorrect ; besides the Alabama chief included in the capitulation, one wounded Indian was found in the Fort of Barrancas ; Holmes, a noted Red Stick chief, left Pensacola but the day before the American troops took possession, and a number of other Indians were seen about the same time within a few miles of Pensacola, and succeeded, with the aid of Spanish officers, including the pursuit of the American troops.

A conduct not only so contrary to the express engagements of Spain, but so unequivocally hostile to the United States, justly authorizes them to call upon his Catholic Majesty for the punishment of those officers, who the President is persuaded have therein acted contrary to the express orders of their sovereign. In the full confidence that your government will render to the United States ample justice in this regard, the President has directed all the proofs relating thereto to be embodied, as the ground of an application to that effect to your government.

In the mean time, I am instructed by the President to inform you, that Pensacola will be restored to the possession of any person duly authorized, on the part of Spain, to receive it ; that the Fort of Indians, being in the heart of the Indian country, and remote from any Spanish settlement, can be surrounded only to a force sufficiently strong to hold it against the attack of the hostile Indians ; upon the appearance of which force, it will also be restored.

In communicating to you this decision, I am also directed to assure you, that it has been made under the fullest conviction, which he trusts will be felt by your government, that the preservation of peace

between the two nations indispensably requires that henceforth the stipulations by Spain, to restrain, by force, her Indians from all hostilities against the United States, should be faithfully and effectually fulfilled.

I pray you to accept the assurance of my high consideration. JOHN QUINCY ADAMS. The papers enclosed in the above, are a letter from Major Gen. Jackson to the Governor of Pensacola, dated Washington, M. T. 23d of April, 1816 respecting the negro fort on the Chatahouche ; and the answer of Gov. Zuniga thereto, dated 24th to the following month, already published among the documents respecting the Seminole war.

The next document is a letter from Don Luis de Onis to the Secretary of State, calling on the government to put a stop to the building, in the port of New-York, of two frigates intended to cruize, with a crew of American citizens, against the commerce of Spain. In this letter are enclosed four several depositions to the fact of building and shipping crews on board these vessels.

The next document is another letter from Don Luis de Onis, dated the 28th July, on the same subject, enclosing three other depositions confirming those previously sent.

The next document is a long letter of the Spanish Minister, dated August 5th, to the Secretary of State, in reply to his of the 23d of July, and contesting the grounds therein assumed ; requesting the re-delivery of the Spanish posts to be expedited, and concluding with the following paragraph:

" In concluding this note, I forbear to repeat to you assurances of the sincere and strong desire of His Catholic Majesty to see all pending differences speedily brought to an amicable conclusion. You are aware that, in April last, I despatched a courier to my government, with full information on the state of the negotiation ; submitting, agreeably to what you stated to me, and with a view of expediting the proceedings, its final arrangement by the Ministry of the King, my master, and the Minister of the United States at Madrid. On the first official notice of the result of that proposition, although it has not yet had the desired effect, I have no doubt that we shall be able to come to an understanding, by means of my new instructions, and agree on the basis of a treaty mutually satisfactory."

The documents next in order are the following :

The Secretary of State to Don Luis de Onis. DEPARTMENT OF STATE,
Washington, 24th August, 1818.

Sir : I have received your letter of the 27th ultimo and 5th instant, with their respective enclosures, all of which have been laid before the President.

With regard to the two vessels alleged to have been equipped at New York, for the purpose of cruising under the flag of Buenos Ayres, against Spanish subjects, the result of the examination which had taken place before a judge of the Supreme Court of the United States, has doubtless convinced you, that no prosecutions commenced by the government of the United States against the persons charged with a violation of their laws, and their neutrality, could have been necessary or useful to you ; no transgression of the laws having been proved against them.

It would be equally superfluous and unreasonable to pursue the discussion with you, relative to the proceedings of the American commander in chief, in entering Florida, and his conduct there ; and to the misconduct of the governor of Pensacola, and of the commandant of Indians, in aiding and abetting the savage enemies of the United States, whom Spain had by solemn treaty bound herself to restrain, by force, from committing hostilities against them. But you will permit me to observe, that the obligation of Spain was positive and unqualified ; and that Spain could not carry it into effect, until she knew what hostilities they had committed, and the possible cause of, or provocations to them, would be equally unwarranted by the express terms of the article, and by the intentions of the contracting parties to the treaty. The stipulation of Spain was not to punish her Indians for murders committed upon the aged and the infirm, the women and children of the United States ; but to restrain them by force from committing them : and the insinuation that the Indians themselves had been provoked to such atrocious acts, would be as disingenuous, on the part of Spain, to escape from the sacred duties of her compact, as it would be unfounded in point of fact.

The letter of General Jackson of the governor of Pensacola, a copy of which was transmitted to you in mine of the 23d ult. and with its answer, were written, not as you allege, at the turbulent period of the late war between the United States and Great Britain, but as their dates will shew, more than a year

after the conclusion of the peace. The fort had been built, upon Spanish territory, under the sufferance of Spanish authorities, by British officers, during the war, for annoyance against the United States. After the peace, it remained, the strong hold of fugitive negro and Indian robbers, and murderers, which the governor of Pensacola, when summoned by General Jackson to destroy, alleged his inability to do it, without reinforcement and further orders ; which as the event proved, were never received.

I have the honor to inform you, that orders have already been forwarded to the commanding officers at Pensacola and Indians, to deliver up those places, conformably to the notice in my letter to you of the 23d ultimo, to the former governor of Pensacola, and commandant of Indians, respectively, or to any person duly authorised from you, or from the governor of the Havana to receive them.

I am further instructed by the President, to assure you of the satisfaction with which he has seen, in the last paragraph of your letter, your expectation of being speedily enabled to make proposals containing the basis of a treaty, which may adjust, to mutual satisfaction, all the existing differences between our two nations, and his earnest hope that this expectation, in the fulfilment of which this government have confided, and adopted measures corresponding with it, may be realized at an early day.

I have the honor to be, with high consideration, sir, your very humble and obedient servant, JOHN QUINCY ADAMS [TRANSLATION.]

Don Luis de Onis to the Secretary of State.

Sir : I have received your official note of the 24th of August last, in reply to mine of the 5th of that month, and 27th of July preceding, and I coincide with you in the opinion, that it is superfluous to continue the discussion on the conduct of the American general in the invasion of Florida, since the simple knowledge of acts of this description and notoriety sufficiently indicates that justice, which I am persuaded cannot be dissembled in the view of unprejudiced reason.

I shall therefore not dwell further on the well founded arguments and documents I have produced in my notes on this subject : but merely referring to them, I have to insist on, and demand of the government of the United States, that most just satisfaction which I have already required of them, in the name of my sovereign, and is imperiously claimed by the integrity of his monarchy, and the honor of his crown.

I immediately communicated to my government the determination, which you did me the honor to state to me, that orders had been given to the American commanding officers to deliver up the posts of Pensacola and Indians, to such Spanish authorities as might be duly authorised to receive them, that it may, on a knowledge of that fact, adopt the measures requisite in the case.

Anxiously desirous to see the basis of a treaty established, to the satisfaction of both governments, I await the result of the negotiation pending (as you know) at Madrid, information of which must soon be received here, that we may proceed in conformity to it : and it being fully evinced, that the king, my master, had the most earnest wish to do what may be most agreeable to this republic, even to the diminution of his own interests, as far as is compatible with his honor and dignity, I doubt not, that in one shape or another, we may attain the most equitable mode of effecting a settlement, on terms mutually satisfactory.

I reiterate the assurance of my distinguished consideration, and pray God to preserve you many years. LUIS DE ONIS Bristol, 11th September, 1818.

[TRANSLATION.]

Don Luis de Onis to the Secretary of State.

Sir : Whilst I make known to you that I have received new orders and instructions from my court, to resume the negotiation pending between the government of the United States and that of Spain, and to agree with you as to every thing that may be convenient and proper, to give effect, in as short a time as possible, to the desired general and definitive arrangement of all the differences which exist between the two governments, I ought also to inform you, that his catholic majesty ratified, on the 9th of July last, the convention signed on the 11th of August, 1802, and ratified a year and a half afterwards, by the President and Senate of the United States. I have received the ratification by his majesty, and am ready to proceed, with you, to the corresponding exchange, if the President deems it

proper ; but I think I ought, before it is done, to make to you some observations on this point. The king my master agreed to ratify, at the time he did, the convention of 1802, as well in compliance with the verbal intimations given to his secretary of state by Mr. Erving, minister plenipotentiary of this republic, as from a desire not to omit, on his part, any thing which might be agreeable to your government. It also occurred to his majesty, that there might be some obstacle or delay in the desired arrangement and definitive agreement, respecting the pending differences between the two governments ; and the aforesaid ratification of that convention, being represented to him as a conciliatory measure, and very agreeable to the United States, he did not delay an instant in acceding to it. But you know very well, that all the points comprehended in that convention form part of the pending negotiation ; and that the general and definitive arrangements, which I hope soon to conclude with you, being intended to embrace all the claims to which either power has a right, against the other, and all the differences which exist, or have heretofore existed, between them that that convention will necessarily be abrogated, the points to which it is limited being included in the said arrangement and definitive treaty. For these reasons, which are obvious, and entirely convincing, I leave it to your consideration whether we should proceed to the exchange of the ratifications of the said convention, or wait until, the first basis being settled and agreed upon, by means of propositions I will instantly make to you, we may be able to judge, whether the general and definitive treaty, which must put an end, in a solid and permanent manner, to all these discussions, in a solid and permanent manner, to all these discussions, will be concluded as quickly as we desire.

I await your answer ; and, in the mean time, I renew to you the assurance of my constant desire to serve you. God preserve you many years. LUIS DE ONIS. Washington, 18th October, 1818.
The Secretary of State to Don Luis de Onis. DEPARTMENT OF STATE,
Washington, 23d October, 1818

Sir : I have had the honor of receiving your letter of the 18th instant, and am directed by the President to assure you of the great satisfaction with which he has learned that you are prepared to exchange the ratifications of the convention of 1802.

Anxiously desirous as he is of seeing brought to a termination mutually satisfactory all the subjects which have been so long in discussion satisfactory between the two governments, the President receives this ratification as an earnest, on the part of his Catholic Majesty, of that conciliatory disposition which, he flatters himself, cannot fail to extend to it more general and satisfactory adjustment of all the other objects in controversy between us. He directs me, therefore, to accede to your proposal of postponing the exchange of the ratifications, and to assure you that I shall be ready to receive, whenever it may be agreeable to you, the propositions which you inform me you are prepared to make ; and which will be considered with the most earnest desire of establishing, by a prompt and honorable agreement, the most perfect good understanding and harmony between our countries.

I tender you, sir, the renewed assurance of my very distinguished consideration.

We have now gone through all the documents, which precede the recent negotiation at Washington, which shall be given at length in our next, and includes the following documents :

A letter from Don Luis de Onis to the Secretary of State, dated October 24.

A letter from the Secretary of State to Don Luis de Onis, dated October 31.

A letter from Don Luis de Onis to the Secretary of State, dated November 16.

And a letter from the Secretary of State to Don Luis de Onis, dated November 30.

The episode, consisting of the correspondence between our Minister at Madrid and the government of Spain, shall be separately noticed, when we have concluded that now in hand.