A Study of the Acquisition of Florida

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A STUDY OF THE ACQUISITION OF FLORIDA

by

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A Thesis Submitted in Partial Fulfillment of the Requirements for the Degree of Master of Arts in Loyola University

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CHAPTER I

FLORIDA, OBJECT OF DESIRE

During the period from 1797 to 1819 the United States government had endeavored to buy the Floridas. Reasons for our eagerness to purchase were many. Some of our motives for the acquisition of this territory were justifiable, others were not.

The rivers of Georgia, Alabama, and Mississippi emptied into the Gulf of Mexico through Spanish territory. The early nineteenth century was a period when goods moved principally by water and naturally the American settlers desired to float their products to market on these rivers. An early historian wrote as follows:

The territory was of great importance to the Americans, particularly on account of the waters of the Mobile, the principal rivers of Alabama emptying themselves into this bay, which is the natural outlet of an exceedingly fertile country of great extent.1

Because the number of American settlers near these rivers increased from year to year, John Adams was eager, and Thomas Jefferson even more so, to acquire the Floridas during their

1 Theodore Lyman, Jr., The Diplomacy of the United States, Wells and Lilly, Boston, 1828, I, 271.
respective administrations. As for the settlers who used the Mississippi as their principal means of transportation, they could not endure that their wheat, tobacco, and other products should have value only through the tolerance of the Spanish officials at the mouth of the river. Every Westerner and Southerner looked to the military occupation of New Orleans, Mobile, and Pensacola as an economic necessity to be achieved sooner or later.

Then there was the Indian trade.

At all times it [Spanish Florida] was viewed with alarm and covetousness because of the activities and the trade possibilities of its native inhabitants, an offshoot of the Lower Creek Indians called the Seminoles. The Indian trade of both provinces had been in large part controlled by British agents from the Bahamas since the British occupation of the Floridas ending in 1783.2

The continual threat from the Indians and their sinister activities along the border demonstrated beyond a doubt that they really needed to be kept in check by a stronger hand than Spain could supply. Since Spain could not live up to her obligation, incurred in the Pinckney Treaty, of keeping the red man pacified, the intervention on the part of the United States seemed inevitable to settle the disputes between the Indians

and the frontier settlers of Georgia. Against Spaniards and Indians, Western settlers had loose notions of law. Their fixed purpose was to expel both groups.

Further reason for continual dissatisfaction lay in the problem of fugitive slaves who escaped from the southern regions into East Florida to swell the number of lawless groups living there. In 1797 an agreement was reached between Enrique White, the Spanish Governor of Florida, and the officials of the United States by which these fugitives were to be returned. Because this agreement was not regularly enforced, the number of fugitives increased steadily.

Another major issue was involved in the problem of Florida. It had to do with claims of the United States against Spain.3 These claims rested upon:

1. the depredations committed by Spanish cruisers on American neutral shipping in violation of the articles of Pinckney's Treaty of 1795 during the years 1797 to 1801;

2. the depredations by French cruisers and French prize courts within the jurisdiction of Spain for which the United States tried to hold Spain responsible;

3. damage sustained by United States citizens as a result of the suspension of the right of deposit at New Orleans in 1802.

The claims of the United States government against Spain represented about one hundred twenty-five vessels and cargoes,

3 American State Papers, Foreign Relations, IV, 433.
at a valuation from five to eight million dollars; those against France amounted to about the same. Many of these claims had been settled in the Convention of August 11, 1802, which was concluded between His Catholic Majesty and the United States of America for the indemnification of those who have sustained losses, damages or injuries in consequence of the excesses of individuals of either nations during the late war, contrary to the existing treaty, or the laws of nations.

Although this Convention was ratified by the United States, it had never been accepted by Spain. Therefore the claims were still a bone of contention in 1817.

A further reason for our eagerness to acquire Florida lay in our fear of British intrigue or British occupation. James Madison, Secretary of State, voiced this mistrust of England when he wrote to James Monroe on July 29, 1802:

Should Spain be engaged in the war, it cannot be doubted that they [the Floridas] will be quickly occupied by a British force, and held out on some condition or other to the United States. Should Spain be still at peace and wish not to lose her neutrality, she should

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5 A.S.P., F.R., II, 475.
reflect that the facility and policy of seizing the Floridas must strengthen the temptation of Great Britain to force her into the war. In every view it will be better for Spain that the Floridas should be in the hands of the United States than of Great Britain.

More important than all of these reasons, in fact, one of the principal points after 1815 on which all negotiations for the cession of the Floridas hinged, was that of the western boundary between Spanish and American territories. Spain at no time after 1815 would consider settling only the problem concerning the Floridas.

To understand the questions involved in the controversy over Florida, its earlier history and also that of the Purchase of Louisiana must be recalled to mind. During the seventeenth century and up to 1763 in the eighteenth century, France claimed possession of all the land drained by the Mississippi River, while Spain held Florida, together with her other North and South American colonies. In the quarrels between these two mother countries during this period, Spain had to yield to France on the Gulf permitting the latter to colonize the regions around Biloxi, Mobile, and New Orleans. After a petty war in 1718 and 1719, the boundary between their Gulf colonies was tacitly fixed as the Perdido River.

At the close of the Seven Years' War, the Treaty of 1763

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clearly defined English, French, and Spanish territories in America. By this treaty, France surrendered to England: Canada, Cape Breton, and all lands east of the Mississippi from the source of that river to the meeting of the Iberville with it. From that point the boundary line proceeded down the middle line of the Iberville River and of the Lakes Maurepas and Pontchartrain to the Gulf of Mexico. The river and port of Mobile were explicitly mentioned in the treaty.

In order to reestablish peace . . . the Most Christian King cedes . . . the river and port of the Mobile, and everything which he possesses on the left side the river Mississippi . . .

By the same treaty Spain surrendered Florida to England with all territory east and southeast of the Mississippi in exchange for Cuba. A pathetic account regarding this transfer tells us that all the Spaniards in Florida at the time, about 7,000 in number, left the country.

It is said that the only Spaniards left, when the last transports weighed anchor, were three men who were in the woods trying to find the last of their horses.

England was in possession of all Florida east of the Iberville from 1763 to 1783. During this period she organized the

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region into two governments - East and West Florida - with the Apalachicola River forming the boundary line between the two.

... we have thought fit ... to erect... four ... separate governments ...
... called by the names of Quebec, East Florida, West Florida, and Grenada ...
The government of East Florida, bounded to the westward by the Gulph of Mexico and the Apalachicola River; ... The Government of West Florida, bounded to the Southward by the Gulph of Mexico including all Islands within Six Leagues of the Coast, from the River Apalachicola to Lake Pontchartrain ...

Loyalists from Georgia, Carolina, and from farther north flocked to Florida during the American Revolution. There they organized themselves into regiments at St. Augustine, fought on the side of England throughout the war, and resisted successfully the American invasions into that region.

It is interesting to speculate ... what the effect upon Florida history would have been if one of the three invasions by the American Continentals had succeeded in subjugating the province. It might have meant that the development of this territory would have been advanced many years, because it is to be presumed that the American occupation would have been permanent. But the invasions did not succeed, and Florida continued to be a pawn of the European nations until Andrew Jackson’s time.

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9 Documents Relating to the Constitutional History of Canada 1759-1791, edited by Adam Shortt and A. G. Doughty, Ottawa, Ont., S. E. Dawson, Printer to the King’s Most Excellent Majesty, 1907, 120.

10 Barrs, 41.
At the close of the war Florida remained in British possession. The influx of loyalists had augmented the population of East Florida to more than 17,000 people. These surely expected Great Britain to retain the Floridas.

News that the Treaty of Paris provided for the cession of the colonies to Spain was a severe blow to the British Floridians. . . . They pleaded and remonstrated with the British Government in the most piteous terms, but to no avail. Slowly and painfully the transfer was made. Only about 450 whites and 200 negroes remained in Florida under the Spanish flag.11

Several thousand loyalists left for the regions near the Mississippi River, other thousands migrated to the United States, while still others dispersed to various places, such as the Bahamas, Nova Scotia, and Jamaica. For a while citizens of the United States were prohibited from entering Florida as settlers by order of the Spanish Court.

In 1792 Florida was opened to a general emigration without exception of country or creed; and it was rapidly progressing . . . when the report of the Spanish Minister closed the gates against American citizens sometime about 1804 and virtually shut us in from the world.12

The decline of the province was now certain. With immigration from the United States cut off and with a home govern-

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11 Ibid., 40.
ment exposed to the convulsions of Europe because of its proximity to France, Florida was doomed to a precarious existence.

Already in colonial days there had been rivalry between the American settlers and Spain, an antipathy inherited no doubt from Elizabethan England. The settlement of the Carolinas and Georgia by English colonists served only to aggravate this spirit. With the emergence of the new United States, relations between it and Spain were decidedly unpleasant.

From the point of view of the United States this sick man had from earliest colonial times been an uncommonly disagreeable neighbor. With a zeal for its own imperial interests which was entirely natural but was as naturally resented in the United States the Spanish government had withheld the recognition of American Independence until its recognition no longer mattered.

Although the Treaty of San Lorenzo of 1795 settled differences regarding the northern boundary of Florida and the right of deposit in behalf of our western settlers at New Orleans, it did not end friction. Spain retained military posts at Natchez and in other places north of the 31° parallel until 1798 and then withdrew only under pressure. Then, too, Spanish officials in Louisiana intrigued with discontented settlers with the purpose of separating Kentucky and the West from the Union.

Although the admission of Kentucky as a state checked this sinister type of activity, there were individuals, such as General James Wilkinson, who did not cease their treasonable relations with Spain.

The transfer of Louisiana from Spain to France marked for us the beginning of persistent efforts to purchase the Floridas. Talleyrand at the close of the eighteenth century tried to recover Louisiana for France. The idea of its sale was not too displeasing to the Spanish Court for it was not especially eager to keep so troublesome a colony as this. It was inhabited mostly by aliens and was difficult to govern according to Spain's colonial system. Talleyrand's instructions in 1798 to his minister at Madrid read in part as follows:

"Let the Court of Madrid cede these districts [Florida and Louisiana] to France, and from that moment the power of America is bounded by the limit which it may suit the interests and tranquility of France and Spain to assign her."15

An agreement was reached by 1800 but no official notice of the purchase treaty, the Treaty of San Ildefonso, was given to the United States. Spain sold Louisiana to France on condition that the latter would pledge herself not to alienate the

property and usufruct of Louisiana and to return it to Spain in the event that the Duke of Parma, (the new King of Etruria), should lose the whole or a part of his holdings. At this time Napoleon was also eager to buy Florida but the King of Spain expressed himself so strongly against the surrender of any portion whatever of Florida that France had to yield in this respect. Napoleon had offered Parma, Piacenza, and Guastella in exchange, but Manuel de Godoy, the Spanish minister, would not even permit the subject to be reopened.

The bribe of Parma and two other duchies had been held before the new King of Etruria, if in return the King of Spain would but annex Florida to Louisiana.16

Godoy at this time was supported by the British ministry. Not only London, but also Washington, would never have permitted France to have Florida.

"The Prince [Godoy] told me that the British minister had declared to him . . . that His Britanic Majesty being informed of the projects of exchange which existed between France and Spain could never consent that the two Floridas should become an acquisition of the Republic; that the United States of America were in this respect of one mind with the Court of London. . . ."17

Jefferson did not even suspect such a thing as the transfer

17 Henry Adams, I, 402.
of ownership of Louisiana to France when he began his administration, but rumors that Spain had ceded Louisiana, and perhaps the Floridas, took shape in the United States about April 1801. Our new minister to France, Robert R. Livingston, was therefore instructed in September of that year to open negotiations for the purchase of New Orleans and the Floridas from France, or through French influence. Very soon thereafter, Rufus King, United States Minister at London, sent to Washington a copy of Lucien Bonaparte's Treaty of March 21, 1801. The fifth clause of this treaty referred to the Treaty of San Ildefonso, and removed all doubt of the cession of Louisiana to France. Article V reads as follows:

This treaty being in consequence of that already concluded between the First Consul and His Most Catholic Majesty by which the King cedes to France the possession of Louisiana, the contracting parties agree to carry the said treaty into execution, and to arrange it in conformity to their respective rights. 18

There was some delay in the actual transfer of Louisiana to France by Spain due to Napoleon's unwillingness to meet the conditions of the Treaty of 1801 regarding the territory ceded to the Duke of Parma in whose favor this exchange had been made. In the meantime Napoleon prepared an expeditionary

force which should first crush Toussaint L'Ouverture at Santo Domingo and from there it was to go farther and occupy Louisiana. On December 31, 1801, Livingston in Paris wrote to Rufus King: "... the armament destined, in the first instance, for Hispaniola, is to proceed to Louisiana, provided Toussaint makes no opposition."\(^{19}\) The resistance offered by the Negroes at Santo Domingo, however, and the fever contracted there by the French soldiers, practically annihilated the armies sent out from France. This crushing defeat was a great determinant in the destiny of the United States.

At first Jefferson thought that the Floridas were included in the cession of 1800 for we find that he wrote on April 18, 1802 to Livingston, saying: "The cession of Louisiana and the Floridas by Spain to France works most sorely on the United States."\(^{20}\) In the same letter Jefferson told Livingston to take up the matter of buying New Orleans and the Floridas from Napoleon. The intensity of his desire to purchase these can be inferred from the following:

There is on the globe one single spot, the possessor of which is our natural and habitual enemy. It is New Orleans . . . . France placing herself in that door assumes to us the attitude of defiance. Spain might have retained it quietly for years. . . . Not so can

\(^{19}\) A.S.P., F.R., II, 512.
\(^{20}\) The Writings of Thomas Jefferson, collected and edited by Paul Leicester Ford, G.P.Putnam's Sons, New York, N.Y., VIII, 144.
it ever be in the hands of France... The day that France takes possession of N. Orleans fixes the sentence which is to restrain her for ever within her low-water mark. It seals the union of two nations who in conjunction can maintain exclusive possession of the ocean. From that moment we must marry ourselves to the British fleet and nation.21

By July 30, 1802, Livingston felt quite certain that the Floridas were not included in the cession to France for he wrote to Madison that the Spanish ambassador at Paris had assured him of this fact.

While the Administration in Washington watched the outcome of the Santo Domingo affair, a new cause for friction between Spain and the United States arose in the West. The right of deposit, although originally guaranteed for only three years was continued until 1802. Then, suddenly, on October 16, it was suspended by the Spanish Intendant at New Orleans, without his assigning another port, a stipulation made in the treaty for such a contingency. In April 1803 Don Casa Irujo, the Spanish Minister at Philadelphia, came to the Secretary of State to announce the re-establishment of the right of deposit.22 He claimed that the suspension had been an arbitrary act of the Intendant of the Province of Louisiana.

21 Ibid., 145.
By one of the curiosities of Spanish administration the officials of the superior departments were independent of one another, and apparently the governor was in nowise a party of the transaction; there seems little doubt that the Intendant was acting on his own motion, and it is more than likely, that foreseeing the almost certain transfer to France, he was merely desirous of acting as a marplot and of bringing between the United States and her new neighbor a burning question which might easily develop into flame.23

A considerable number of Congressmen wanted to seize New Orleans outright, but the moderate policy of Jefferson prevailed. To appease the opposition and to evade this issue, he named James Monroe as Minister Extraordinary to help Livingston in buying New Orleans and Florida. For this territory the two commissioners could offer any amount up to $10,000,000.

As she may be inclined to dispose of a part or parts . . . it is proper for you to know that the Floridas together are estimated at one fourth the value of the whole island of New Orleans, and East Florida at half that of West Florida.24

At the time of this communication, March 2, 1803, Jefferson apparently believed that the Floridas had been included in the cession of Louisiana to France after all.

While Monroe was still en route to Paris in the spring of 1803, and after the disasters at Santo Domingo, Napoleon decided to sell Louisiana to the United States. This move was

23 Chadwick, 51.
prompted by the fear that Great Britain would seize the territory as soon as the war which everyone knew was imminent between these powers would break out.

On April 30, 1803, after hasty negotiations Livingston and Monroe acquired for the United States a vast unknown region to the west of the Mississippi instead of New Orleans and the Floridas which they had been instructed to buy. The purchase treaty referred to the region defined in the Treaty of 1800, but it spoke of no specific boundaries. The American commissioners insisted at first upon defining them, but their demands met with no success. Napoleon at this time was concealing a boundary which had been defined in his orders to Victor and Laussat. "Victor was to command the forces of Louisiana; Laussat was to be prefect, charged with the civil administration. Both received elaborate instructions; and although Victor could not sail without ships or troops, Laussat was sent on his way." 25

Their instructions fix the boundaries of the territory which Victor was to receive from the Captain General of Cuba. They also quoted from the Treaty of Paris of 1763 by which Spain ceded Florida to Great Britain. Article VII of that treaty, as noted above, made the Iberville the eastern boundary

of Louisiana. Concerning these instructions, the American commissioners knew nothing and were told nothing.

During the negotiations, Livingston

... had tried to insert in the treaty an article pledging the First Consul to use his good offices to obtain the Floridas for the United States; and in his midnight dispatch to Madison, with the prospect of acquiring Louisiana before him, he had urged the advisability of exchanging this province for the more desirable Floridas.26

Scarcely had the treaty been signed when a new possibility occurred to him. By emphasizing the old French boundary, the United States could claim a title to that part of Florida between the Iberville and the Perdido. The President and his Secretary of State were easily brought to the same conclusion through a "curious train of reasoning which a psychologist could describe only as the result of wishful thinking."27

Henry Adams deprecated this claim and wrote disparagingly of its author in his History of the United States of America:

He [Livingston] did not assert that Spain had intended to retrocede Florida to France, or that France had claimed it as included in the retrocession. He

knew the contrary; and tried in vain to find someone willing to say that the country to the Perdido ought to be included in the purchase . . . 28

We can also infer from a communication addressed to Robert Livingston by the Secretary of State how eager the Administration was to establish a state of certainty to their claim.

It is not denied that the Perdido was once the eastern limit of Louisiana. It is not denied that the territory now possessed by Spain extends to the River Perdido. The river Perdido, we say, then, is the limit to the eastern extent of Louisiana ceded to the United States. 29

A reliable historian of our own day points to recent research which would make the claim of the United States much more reasonable than Henry Adams, Isaac J. Cox, and others, concede. American statesmen would have had a strong argument if they could have cited Spanish documents now available to show that West Florida after 1783 actually had been reincorporated into the jurisdiction of Louisiana . . . Spanish colonial authorities from 1783 to 1803 did consider all of West Florida (except that portion north of 31 degrees which had been recognized by Pinckney's Treaty of 1795 within the United States) as a part of the jurisdiction of Louisiana. 30

28 Henry Adams, II, 246.
It is obvious, of course, that documents discovered subsequent to their claim do not justify Livingston and others of that period who without having sufficient proof to substantiate their title insisted that Louisiana extended as far east as the Perdido.

At first Spain was unwilling to recognize the title of the United States to Louisiana. She protested vehemently against the transfer of the province for the reason that Bonaparte had agreed never to alienate it to any other power. Don Casa Irujo then told his government that if it should continue to contest the American title and delay the delivery of Louisiana to Napoleon, the United States would not only take possession of it by force, but would also very likely seize the Floridas by way of compensation for the expenses incurred in the occupation of Louisiana. So in spite of her reluctance Spain eventually delivered the province to France, well knowing that it was to be turned over immediately to the United States.

Jefferson hoped that as soon as Spain was involved in the current European war he could persuade its government to recognize the United States' title to West Florida. James Monroe, Minister at the Court of St. James, was sent to Madrid to assist Charles Pinckney in pressing the whole subject of claims in a diplomatic bargain for the Floridas. However, the passage of the Mobile Act in February 1804 did not help to smooth Monroe's path for him at the Spanish Court. This Act, passed at
the suggestion of the President, directed that the territories ceded to the United States by France in 1803,
and also all the navigable waters, rivers, creeks, bays, and inlets, lying within the United States, which empty into the Gulf of Mexico, east of the river Mississippi, shall be annexed to the Mississippi district, and shall, together with the same, constitute one district, to be called the "District of Mississippi" . . . 31

The Mobile Act furthermore gave the President power to erect there a separate customs district with a port of entry should the need for such a project arise.

A few months later Jefferson established this region as a customs district. He was careful to select Fort Stoddert, located north of 31° in indisputed American territory, as the port of entry. Irujo protested with great indignation against this appropriation of Spanish territory. Though Spain by this time was willing to recognize the title of the United States to Louisiana, she certainly was not willing to relinquish her own title to West Florida.

What aggravated Monroe's problem the more was the fact that Pinckney had been pressing for the ratification of the Convention of 1802 and had even gone so far as to threaten war should Spain not ratify. The Senate had approved of this treaty only after long deliberation. By the time it reached Spain,

the stipulated period had expired. The King was greatly incensed besides by the Mobile Act, and as a result, "refused, as he had a perfect right to refuse, to ratify the Convention."32 It was under these circumstances that James Monroe began his delicate mission. He was charged with the task of persuading Spain to agree to a commission which should arbitrate other claims, to yield West Florida, and to accept $2,000,000 for East Florida and that part of West Florida east of the Perdido.

That the cession of this territory to the United States was necessary for the maintenance of peace was the principal argument.

It is not from the want of territory, because it (Florida) is not known to be fertile, and without it they have enough to satisfy their growing population for ages to come. It is, in truth, suggested more by a desire to remove all cause of a future variance between them and Spain, than of any immediate advantage to be derived from it in other respects. . . . Situated in their interior, and detached from the other dominions of His Catholic Majesty, it is probable, to render it secure, that he would be compelled to put a strong force there. Hence, the United States would be compelled to do the same. . . . It cannot be doubted that other powers would take a pleasure in seeing a rupture between the United States and Spain.33

32 Bemis, 183.
The Administration had quite overlooked the fact that Spain's real master was in Paris and at this time Napoleon was in no mood to make the slightest concessions in any direction. Thus this effort to persuade Spain to part with the Floridas proved just as abortive as previous attempts. Monroe then joined General Armstrong, United States envoy to France. From there they urged the President to seize Texas leaving West Florida alone for the present.

The President . . . lacked the resolution to employ force to take either Texas which he did not want but was entitled to or West Florida which he ardently desired but whose title was in dispute.34

Only in November of the following year (1805) did the President settle on a definite policy. Hearing that he might succeed in his desire if money were judiciously used at Paris, he decided, after consulting his Cabinet, to use Napoleon as an intermediary. He therefore drafted his annual message with the purpose of inspiring Spain with fear. In secret session, however, he asked Congress for an appropriation of $2,000,000 to be used in facilitating the negotiation.

Jefferson had already claimed that West Florida had once been bought in 1803 from France and paid for; if this claim were sound, he was now really proposing to buy

34 Johnson, 96.
it again and pay for it a second time, nominally to Spain, but really to France.  

However, the war party in Congress, under the leadership of John Randolph, angered by the contradictory messages from the President, fought this appropriation bill. By the time this group was outvoted (February 12, 1806), the opportunity for using Napoleon had been lost. 

In the end Jefferson's questionable tactics brought him nowhere. They only weakened his hand with the British who now mistrusted both him and Napoleon, and they evoked the bitter hostility of Spain. Nevertheless Jefferson continued to hope that some day Florida would be incorporated into the Union.

Bemis, 185.

A Compilation of the Messages and Papers of the Presidents, 1789-1897, Government Printing Office, 1896-1900, compiled by James D. Richardson,

December 3, 1805: With Spain, our negotiations for a settlement of difference have not had a satisfactory issue. . . . On the Mobile, our commerce passing through that river continues to be obstructed by arbitrary duties and vexatious searches. . . . Inroads have been recently made into the Territory of Orleans and the Mississippi, our citizens have been seized and their property plundered. . . . and this by the regular officers and soldiers of that Government. . . . Some of these injuries may perhaps admit a peaceable remedy . . . . But some of them are of a nature to be met by force only. I, 384, 385.

December 6, 1805: Formal war is not necessary - it is not probable it will follow; but the protection of our citizens, the spirit and honor of our country require that force should be interposed to a certain degree. It will probably contribute to advance the object of peace. I, 390.
Then, in 1808, as a result of Napoleon's occupation of Spain, diplomatic relations were suspended between this country and the United States and they were not renewed until after the restoration of Ferdinand VII in 1814. After 1808 the United States was no longer tempted to bargain, for a title to Florida given by Joseph Bonaparte could hardly be held adequate as long as the mastery of Europe was still doubtful.

During this period of relaxation of Spanish authority the Spanish-American colonies began to rebel one after another against the mother country and this fact augmented not a little the strained relations existing between Spain and the United States.
CHAPTER II
FLORIDA, LAND OF DISORDERS

The revolutionary movements of the Spanish-American colonies against the mother country which broke out in 1809 and 1810 spread rapidly and before long most of Spain's vast American empire was in turmoil. Revolutions occurred also in the Floridas but their impetus was different from that of the other Spanish-American revolutions.

Though foreign influence . . . had stimulated a desire for political and economic change, the revolution in the Spanish-American colonies was a native movement, and not subservient to any foreign power. The region bordering the United States was an exception to this rule for there the territorial ambitions of the United States and the hopes of foreign adventurers were to be the dominant factors. In Florida, and to a certain extent in Texas, successive revolutionary movements must be considered as episodes in the expansion movement of the United States which led to the acquisition of Florida, to the extension of the boundary of the United States to the Pacific and which paved the way for the absorption of Texas in the following generation.¹

Jefferson had predicted in 1791 that American immigration into the Floridas would result in the peaceful transfer of

¹ Griffin, 15.
those regions to the United States. In 1810 the American-born inhabitants of West Florida were fulfilling this prophecy. In the section west of the Pearl River which contained five-sixths of the population of the province, nine-tenths of the people were Americans. This section was the Baton Rouge area. The other region was called the Mobile District. Spain had thus divided the administrative work of the territory west of the Perdido.

Vicente Folch, Governor-General of the whole province of West Florida exercised the functions of government at Pensacola, while the immediate civil and military government at Baton Rouge was administered by Carlos Debault de Lassus. Under the vacillating administration of the latter, government was merely a name, laws were not enforced, smuggling was practiced without restraint and trial by jury was unknown.

The overthrow of the Bourbon dynasty in Spain gave the inhabitants of the Baton Rouge area an opportunity to throw off the Spanish authority. With the connivance of the United States government and the assistance of American citizens, they declared themselves an independent state in September 1810.

... it is probable that the rebels had no desire to maintain their independence and that their motives were between a wish

to bring American occupation and hopes of securing titles to lands irregularly obtained.⁴

They then addressed a letter to the Secretary of State asking to be received under the protection of the United States Constitution. Accordingly, orders were sent to Governor William Claiborne to take possession of the Baton Rouge region and this occupation was accomplished without bloodshed. This section for the time being was incorporated with the Orleans Territory.

Meanwhile Governor Folch of West Florida conscious of his inability to hold the entire province under prevailing conditions, had offered to surrender it in case he were not reinforced by January 1, 1811.

I have decided on delivering this province to the United States. . . . The incomprehensible abandonment in which I see myself, and the afflicted situation to which this province sees itself reduced, not only authorize me, but force me to have recourse to this determination, the only one to save it from the ruin which threatens it.⁵

This offer, made before the American occupation, was no doubt intended to forestall an extension of United States control to the rest of the province. It was soon withdrawn and Folch protested vehemently⁶ when on October 27, 1810, just about a month after the Baton Rouge revolt, Madison issued a

⁴ Griffin, 28.
⁶ Griffin, 29.
proclamation ordering the extension of American authority over West Florida to the Perdido River. The United States "actually took over an area only as far east as the Pearl (thus not interfering with Spanish garrisons still left in Mobile and Pensacola.)"  

Madison's proclamation reads in part as follows:

Whereas the territory south of the Mississippi Territory and eastward of the river Mississippi, and extending to the river Perdido, of which possession was not delivered to the United States in pursuance of the treaty concluded at Paris on the 30th of April, 1803, has, at all times, as is well known, been considered and claimed by them, as being within the colony of Louisiana conveyed by the said treaty in the same extent that it had in the hands of Spain, and that it had when France originally possessed it . . . be it known, that I . . . have deemed it right . . . that possession should be taken of the said Territory . . .

Since Madison acted on the theory that the territory west of the Perdido was acquired as part of the Louisiana Purchase, he concluded that no other action was necessary to legitimize the occupation. Madison without doubt had scruples concerning the justice of his claim to the title of West Florida. For what other reason would he say in the proclamation that the situation would "not cease to be a subject of fair and friendly negotiation and adjustment?" There is evidence that high

7 Bemis, 186.
ranking officials including Governor William Claiborne, and even the President himself, "were not only acquainted with the attempt to foment a revolutionary spirit in West Florida but had actually authorized and assisted in the execution of such a design. . ."9 Madison even went so far as to falsify the dates of certain documents in October 1810 in order to make the part he played seem in keeping with the demands of justice.10

By the 3rd of January the President was prepared to take another step in the direction of the acquisition of Florida. He recommended to Congress that he be given the power to take possession of all or any part of Florida east of the Perdido should an emergency arise or with the consent of the Spanish authorities there. Congress thereupon in executive session gave the President this power. Armed with this authority he appointed two commissioners to treat with Governor Folch regarding the remaining portion of West Florida and all or any part of East Florida. These commissioners were Colonel McKee, an Indian agent, and General Matthews of Georgia, a Revolutionary veteran and an enthusiastic annexationist. By the time the commissioners reached their destination, Folch had recanted his offer. This proposal on the part of the Spanish Governor caused his recall to Spain but not before most of the province

10 Ibid., 184.
had been permanently lost.

The strip in West Florida extending from the Mississippi to the Pearl River was added to Louisiana Territory on April 14, 1812, and on April 30 of the same year that state entered the Union. A year later, on May 14, 1813, the rest of the strip, from the Pearl River to the Perdido, was added to Mississippi Territory, thus bringing Mobile within American control. Governor Holmes of Mississippi Territory did not attempt to enforce his jurisdiction in Mobile itself.

The Spanish clung tenaciously to the fort and town of Mobile and no attempt was made to dislodge them. Their occupancy, however, had no legal recognition of the United States.11

The Spaniards on their part made no further pretense of collecting duties. Their presence however within American territory was a menace after the opening of the War of 1812. England used the Mobile Bay district as a military base and therefore the United States took Mobile by force in April 1813.

All the while Spain made vehement, but fruitless, protests to the United States against its action in West Florida. In England also Lord Liverpool, an important member of the British Cabinet, asserted that the Florida business should be

11 Pratt, 75.
characterized as "one of the most immoral acts recorded in the history of any country." This remark can be understood when one considers the impotence of the various powers in Spain, who, struggling for supremacy at home, were unable to prevent this appropriation. American historians too decry the manner in which the United States acquired this section. We read, for instance

The occupation of St. Francisville and of Baton Rouge established American jurisdiction to the Pearl River. Later Claiborne extended our control to the Pascagoula,


13 Note: The Spain of 1812 was in a most unusual position. Nomically, Napoleon was in control of both Spain and Portugal, but the United States did not recognize this occupation government. Charles IV had abdicated as King of Spain; his son, Ferdinand VII, was recognized as King by all the American colonies. He was considered a limited, rather than an absolute, monarch by the Spanish Cortes. This group, meeting as an underground government, announced a Constitution in 1812 and would not admit representatives from the colonies, thereby excluding delegates from the Cuba-Florida area. At this the colonists in the Americas declared themselves against the Cortes, and in favor of Ferdinand VII. Hence, legally, there were two unrecognized governments in Spain, Napoleon's and that of the Cortes. When we appropriated West Florida, we apparently took it from either or both of these, the latter supposition being absurd, or, we were taking it from Ferdinand VII, who was then practically Napoleon's prisoner. In 1814 when Ferdinand VII was again recognized as the legitimate sovereign, according to European and British procedure, all his powers and lands were restored. He had claim then to all of East Florida and he had equal right with the United States in the dispute over West Florida.
and Wilkinson, by the military occupation of Mobile, to the Perdido. In this ruthless but expedient fashion our officials made good their plausible claim to this portion of West Florida which was later divided and annexed to three states of the American Union.\textsuperscript{14}

Regarding East Florida also there were intrigues of which the United States was cognizant, whose object it was to stir up insurrection. A rebellion in East Florida could give the President reason to intervene under the authority given him by the Act passed in January 1811.

One such affair in 1812 was directed by the same General George Matthews who was to have been the agent for the transfer of Spanish Florida to the United States. When the realization of his hope was frustrated by the unwillingness of the Spanish Commander to relinquish his authority, Matthews devised other plans for the acquisition of that territory.

By various ways he won a certain portion of the population to his side. The most important of his associates was J. H. McIntosh who became one of the most conspicuous of the East Florida "patriots." With the permission of the government, General Matthews also succeeded in securing the presence of American military and naval forces. Although he disclosed his

maneuvers to the officials in Washington, he received no orders to continue or to desist. Matthews therefore thought, and justly so, that he had Monroe's tacit approval.

His first pretentious plans to take St. Augustine and to overthrow the Spanish government there failed because one American officer, Major Laval, discovered that his soldiers were not to be employed as soldiers, but "were to go as volunteers, leaving behind their characters as soldiers . . . but not their government muskets." Matthews then had to content himself with a less spectacular campaign which began with an attack on Fernandina.

East Florida had two important ports of entry. Fernandina on Amelia Island at the mouth of the St. Mary's River and Pensacola on the Gulf of Mexico. Amelia Island was known to be a notorious haunt for smugglers. Only ten Spaniards made up the garrison which was to preserve order on the island. In March 1812, Matthews ordered the revolutionaries to take possession of Amelia Island. These, then, according to plan, invited him to occupy Fernandina, which he did on March 18, 1812. From Fernandina the "patriots" set out in the direction of St. Augustine. As they advanced, the United States troops followed, immediately occupying the territory, always at the request of the revolutionaries just ahead of them. The success of his

15 Pratt, 88.
mission seemed assured, but to the general's dismay came a dispatch disavowing his acts and revoking his commission. A publication contemporary with the period records the incident as follows:

His taking possession of Amelia Island and other parts of East Florida was officially blamed, and his commission revoked in April, 1812, and the governor of Georgia was commissioned in his place, in consequence, as the official letter states, of General Matthews having employed the troops of the United States to dispossess the Spanish authorities by force.\textsuperscript{16}

Apparently the government was willing to countenance secret machinations to bring about the occupation, but it was not eager to be accused of using its army against a friendly power in such a flagrant violation of international law.

Furthermore, the publication just at this time of the Henry correspondence and the accompanying denunciation of Great Britain's supposed attempt to intrigue with citizens of the United States made it particularly inconvenient for the President and the Secretary of State to be caught supporting an intrigue of similar nature in the Spanish possessions.\textsuperscript{17}

Senator Crawford of Georgia later declared that it was quite a general opinion in his section of the country that the Henry exposure was the sole reason for the failure of the United States government to support Matthews. From that time on, the

\textsuperscript{16} Vignoles, 19.
\textsuperscript{17} Pratt, 109.
General having been made the scapegoat of the affair, bore the administration a deep and ever-increasing resentment.

This was not the time however to withdraw troops from such a strategic place as East Florida. Their continuance there was justified on the ground of protecting the "patriots" against the vengeance of Spain. The Chevalier Don Luis de Onis, the Spanish minister to the United States (not yet recognized as such in Washington) was instructed to inform Monroe that all residents of East Florida who had co-operated with the insurrection movement would be pardoned if they conducted themselves thereafter as loyal Spanish subjects. This announcement made the presence of American troops there unnecessary. At this moment came the news of war with Great Britain. The occupation of the Spanish territory in Florida seemed again to be a necessary measure, so the President sought authorization from Congress. This body, however, though it was prepared to approve the military occupation of West Florida to the Perdido River, would not consent to the occupation of any territory east of that river.

From 1808 to 1815 Florida was an issue not only in Spanish-American relations, but also an Anglo-American problem. The settlers in the South and Southwest looked to the annexation of Florida as a political necessity. The northern states were
indifferent, although the West and Northwest looked with covetous eyes on Canada. These designs on Florida and Canada helped to precipitate the war with England in 1812.

The declaration of war at once brought to the United States government the fear of invasion from the Floridas.

An English fleet, destined for Savannah, lay off Amelia Island for weeks, provisioned from East Florida. Pensacola, the best harbor of them all, was selected as the base of British operations in the Gulf. Despite the protests of the Spaniards, a British force under Colonel Edward Nicholls possessed itself of the forts in July 1813.¹⁸

The War Department called for volunteers and in February 1813 three bodies of troops led by Andrew Jackson were ready to march into the Floridas if the need arose. The Senate however on February 12 authorized the seizure of only that region west of the Perdido, meaning simply Mobile, since at this time only that section was still in Spanish possession. Jackson's recall was to him a great disappointment. He and his men then awaited the next opportunity to renew the attack on Florida and that occasion was furnished them by the behavior of the Creek Indians in the Mississippi Territory. These had been stirred up by English and Spanish agents from Florida, and also by Tecumseh, their great chieftain. In August 1813, the Creeks fell on Fort Mims, a fort inside the limits of the United States where

several hundred pioneers had gathered for protection.

A horrid massacre ensued lasting from noon until sunset. The main buildings of the fort were laid in ashes. Out of 500 persons surprised in this slaughter, 400 were slain or roasted to death. Neither woman nor child was spared.19

Governor Blount of Tennessee sent Andrew Jackson to oppose this double peril. Against great odds, Jackson made his way into the enemy territory and in September 1813 won the opening skirmish by defeating an attack on Mobile. When winter came upon them, he could not get supplies and many of his men mutinied. With only a handful of followers he held what he had won until reinforcements came. On March 27, 1814, he defeated the Indians decisively at Horseshoe Bend.

By the Treaty of Fort Jackson of August 1814, the Creeks were forced to surrender two-thirds of their lands. Several million acres selected in a way so as to separate the Indian settlements of Alabama and Georgia were given over to Americans. Unfortunately, many Creeks refused to recognize the treaty, fled south to Florida, where they awaited the restoration of their lands as promised by Great Britain.

The victorious Jackson then marched his men, on his own responsibility, to Pensacola in East Florida. He took this port on November 7, 1814, twenty-four hours after his arrival. With-

in eight days he was back in Mobile, only to find awaiting him there instructions cautioning him against attacking Pensacola.

Monroe had written October 21, 1814, warning Jackson against "measures which would involve this government in a contest with Spain." This was not received by Jackson until his expedition had been accomplished, but had it been otherwise, it is very sure that such an impetuous and headstrong character, whose only government was his own judgment, would have given such instructions no heed. And in this case he was entirely in the right.20

Jackson justified his conduct on the ground that the Spanish officials had refused to surrender or to punish the Creeks who had fled from his vengeance across the frontier. He claimed too that Nicholls organized Indian resistance to the United States and supplied the red man with weapons besides.21

Popular support for his strong measures were not lacking and twentieth-century historians still uphold him regarding this Pensacola affair. We read that

... his capture of Pensacola was the best justified of all the series of aggressions upon Spanish territory ... In the absence of any authority to do so, his expedition was in reality what it purported to be - an effort to enforce neutrality upon a station which was being openly used by the British.22

In this manner the occupation of West Florida by the

20 Chadwick, 117.
21 Brevard, I, 32.
22 Pratt, 248.
United States was made permanent as far east as the Perdido River. Madison had hoped to carry the nation's claims before the negotiators at Ghent. Instructions were issued to Albert Gallatin on the eve of his departure for Europe to participate in the negotiations to bring this issue before the commissioners assembled there. These instructions reminded him of the Act of January 1811 by which the President was given power to take possession of East Florida in the event that any attempt should be made by a foreign power to occupy it. He was to reiterate that West Florida as far east as the Perdido was ours by cession and occupation and that we now had a just claim on East Florida as indemnity for spoliations.

... but in Gallatin Monroe found a man who not only shared the general northern dislike for the Florida scheme, but who was earnestly fearful of the disruptive effect its prosecution might have upon country and party, and who saw, furthermore, that a policy of unscrupulous aggression against Spain might conceivably cost the United States the good offices of the Czar, upon which the success of the mission was thought to turn.23

Both East and West Florida had been battlegrounds during the War of 1812. The people of our southern states had looked forward to the annexation of the eastern province, but when the war actually ended, East Florida was still in Spain's

23 Ibid., 236.
possession.

Immediately after the war there were frequent rumors of the cession of the province by Spain to Great Britain. Periodicals carried such notices from time to time. One of them which appeared in *Niles' Weekly Register* reads as follows:

It seems a matter of certainty that the Floridas have been ceded to Great Britain and we are sorry for it; for we can see in the possession of them by that power nothing else than a preparation for a new quarrel with the United States. . . . 24

In London, too, items of a like nature appeared in their publications. On September 24, 1815, the following article appeared in the *London Morning Chronicle*:

The question of indemnity which England demands for the efforts which she made in the war with Spain, has terminated, after long discussions, by the cession of the two Floridas, east and west. But this tongue of land has no real value at the moment; it offers only sandy deserts and unhealthy coasts. 25

It was even reported that there was an expedition in preparation to be sent out from Great Britain to take possession of it. The intimations along these lines were seemingly so authoritative that John Quincy Adams who at the time was United States Minister at the Court of St. James was finally told to bring the matter to the attention of the British government. Castlereagh

24 *Niles' Weekly Register*, Baltimore, Md., IX, 214, (November 18, 1815).
assured him in February 1816 that there was no foundation for the reports.

Military positions may have been taken by us during the war of places which you had previously taken from Spain, but we never intended to keep them. Do you observe the same moderation. If we shall find you hereafter pursuing a system of encroachment upon your neighbors, what we might do defensively is another consideration.26

CHAPTER III

FLORIDA, A WEAPON IN THE HANDS OF SPAIN

John Quincy Adams, writing to his father on August 1, 1816, remarked:

All the restored governments of Europe are deeply hostile to us. . . . Wherever British influence extends it is busy to blacken us in every possible manner. In Spain the popular feeling is almost as keen against us as in England.1

Of all the European powers it was particularly Spain that continued to remain in strained relations with the United States and this tension emanated from two main sources: the Florida problem with all its complications, and the revolutions in the Spanish-American colonies.

Although the spirit of revolt which afflicted the other colonies of Spain in America from 1810 to 1820 did not reach East Florida, the attitude of the United States to the rebelling provinces was offensive to Spain and in the end proved a serious obstacle to the acquisition of Florida.2

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The possession of Florida was an excellent weapon in the hands of Spain against our open recognition of the Spanish-American colonies. If during the American Revolution Florida had been the bait held out by France to entice Spanish aid to the American cause, the indications now were that Florida was again being used, this time by Spain, to prevent the United States from sympathizing with or buying from these colonies.

While the representative of Spain talked of an impossible alliance and sought vainly to obtain some form of restraining declaration or promise by the United States in regard to her future attitude toward the Spanish possessions . . . no such promise could possibly be made by this government which was already considering recognition of the rule at Buenos Aires where independence had been declared on July 9, 1816.3

During the months that followed Spain's chances were by no means hopeless and therefore the administration in Washington, supported by many of the most influential newspapers of the East, fought against the recognition resolution then before the House. The principal proponent for this measure was Henry Clay.

To the typically American mind of Henry Clay now untrammeled by any sense of responsibility, for he was a free lance in the House of Representatives once more, the emancipation of South America was a thrilling and sublime spectacle - "the

glorious spectacle of eighteen millions of people struggling to burst their chains and to be free." 

He maintained that recognition was not a breach of neutrality for it did not involve material aid given to the revolutionists, but only our moral sympathy. His enthusiasm at this time was quite inopportune since the Department of State was at the same time negotiating for the cession of Florida. Henry Clay nevertheless continued to urge the cause of independence for the insurgents. The issue became so acute that when the matter came up for a vote, sick members were carried into the House of Representatives to cast their ballot. The resolution was defeated on March 30, 1818 with a count of 115 to 45.

John Quincy Adams, who directed the attitude of the government to a considerable extent during Monroe's administration would not have the United States deviate in the least from the path of strict neutrality until orderly governments there were achieved and fundamental civil rights were respected. The United States looked upon Spain and her revolting colonies as belligerents in a civil war. Besides the proclamation of neutrality issued in 1815, a Neutrality Act of March 3, 1817 prohibited the fitting out of expeditions in the United States to fight powers with which this country was at peace, and an Act of April 20, 1818 prohibited all American citizens from accept-

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4 Johnson, 287.
ing or exercising any commission within their country to serve any group against a country with which the United States was at peace.

It was all too true though that in spite of the passage of these laws, they were difficult to enforce. In his Memoirs John Quincy Adams complained bitterly of conditions in Baltimore:

They are all fanatics of the South American cause. Skinner, the postmaster, has been indicted for being concerned in the piratical privateers. Glenn, the district attorney, besides being a weak incompetent man, has a son said to be concerned in the privateers. The district judge, Houston, and the circuit judge, Duval, are both feeble, inefficient men over whom William Pinckney, employed by all the pirates as their counsel, domineers like a slave driver over his negroes.5

Even President Monroe went so far as to express sentiments of sympathy for the revolutionists in every message to Congress, at the same time declaring United States neutrality. As for John Quincy Adams' personal convictions, we find that in spite of his public utterances of neutrality, he felt that the South American cause was just. On August 24, 1818 he wrote as follows to the President:

There is a stage in such contests when the party struggling for independence have, as I conceive, a right to demand

its acknowledgment by neutral parties, and when the acknowledgment may be granted without departure from the obligations of neutrality. It is the stage when the independence is established as a matter of fact, so as to leave the chance of the opposite party to recover their dominion utterly desperate. 6

Great Britain was anxiously hoping for the success of the revolutions since she coveted the raw produce of these colonies and was in a position to offer a wide variety of manufactured goods in return. Restoration of Spanish authority would mean at least a partial revival of economic monopolies. Accordingly, England's position was difficult. She was an ally of Spain, and therefore could not be too open in aiding these revolutions.

England also feared American expansion southward.

To retard American ambitions in the south was . . . one of England's objectives, which she attempted to promote by sustaining Spain in her efforts to retain Florida and by organizing Indian alliances along the frontier. 7

She did not realize at that time that our ambitions lay westward once we had possessed ourselves of the Floridas. She did not know either that Americans had little inclination to take a hand in Pan-American events beyond reducing European imperialistic exploitation there.

As for Spain, every soldier she could spare to send across the Atlantic was needed in the attempt to hold her colonies.

6 Writings of John Quincy Adams, IV, 442.
7 Abbey, 123.
Florida was one of the few that did not rebel, so troops were withdrawn which left the Spanish officials there quite helpless. By this time the hold of the Spaniards on Florida was so weakened that they occupied only three important points: Pensacola, St. Marks, and St. Augustine. The rest of the territory was a No Man's Land and an ideal resort for desperate adventurers of every race and description. As a result the situation on the frontier between Georgia and Florida became more and more difficult.

About 1816 Colonel Edward Nicholls proclaimed an "alliance" between England and Spain, demanding at the same time the evacuation of the Creek lands. He built a fort on the Apalachicola River and gathered around him Seminole and Creek allies. On his return to England his conduct was there disavowed.

Nicholls' abandoned fort became a place of rendezvous for runaway Negroes who were evidently allies of the Indians. These raided the countryside, plundered where they could, and attacked the boats going up and down the river. The Spanish governor did nothing to check this brigandry, but the United States could not allow these depredations to continue. On July 27, 1816, when the outlaws of Negro Fort, as it was then called, attacked an American boat crew, the Americans opened fire. They burnt the

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fort by firing a red hot cannon ball into its midst. Explosion of the magazine created a burning inferno and all within were trapped. Nearly three hundred victims perished in this attack. And for a while all was quiet on the Apalachicola front.

In 1817 Amelia Island and Galveston, Texas, were nominally in the hands of revolutionists, but really in the control of lawless adventurers like Gregor MacGregor who smuggled slaves into the United States and carried on other freebooting enterprises.

This pirate was soon succeeded by General Aury, who had enjoyed a wild career among the buccaneers of Galveston Bay, where he had posed as military governor under the Republic of Mexico. East Florida in the hands of such desperadoes was a menace to the American border.9

Acting under the resolution of January 1811 which empowered the President to act in such a contingency, President Monroe ordered that these irregular establishments be suppressed at once, a step to which the Secretary of State gave hearty support. Naval vessels sailed at once to execute these orders; early in the year of 1818 Monroe was able to announce that Amelia Island and Galveston had been yielded up without bloodshed. In his message of January 13, 1818 to Congress the President said in part:

By the suppression of this establishment and that at Galveztown... there is good cause to believe that the consummation of

9 Johnson, 274.
a project fraught with injury to the
United States has been prevented. . . .
In expelling these adventurers from these
posts it was not intended to make any con­quest from Spain . . . .10

In the same message he proclaimed his intention to hold
East Florida for the time being.

While the United States suppressed the establishment at
Amelia Island, Andrew Jackson was ordered to check a serious
peril in another part of Florida. The Seminoles were a Creek
tribe living here. To them, as was noted before, in 1814 fled
many of the Creek Indians who protested against the legality of
the Treaty of Fort Jackson. Hostilities began when savages
raided the homes of white settlers on the disputed lands. In
November 1817 Americans, under orders from General Gaines, com­mander of the United States Army in the district, retaliated by
burning Fowltown, killing a few Indians and dispersing the rest.
The Indians then ambushed a boatload of Americans on the Apala­
chicola River and massacred men, women, and children with great
 cruelty. Out of these circumstances grew the Seminole War, a
war "not important in itself, but in the controversies which it
provoked."11

The Secretary of War ordered General Andrew Jackson to the
scene to bring the war to an end, giving him the authority he

10 Messages and Papers of the Presidents, II, 23.
11 James Schouler, Historical Briefs, Dodd, Mead and Company,
New York, N.Y., 1896, 97.
had previously given Gaines, to follow the Indians, if necessary, into Spanish territory.

General Jackson construed these instructions into a mandate to seize and hold East Florida. On receiving them he wrote to Monroe the so-called Rhea letter. "Let it be signified to me through any channel (say Mr. Rhea) that the possession of Florida would be desirable to the United States and in sixty days it shall be accomplished."

Within a few days of receipt of orders from the War Department, Jackson was on his way and by February 13 he encamped near Hartford, Georgia. There a packet of mail overtook him in which, as he always maintained, was a letter from Represent-

12 Dexter Perkins, "John Quincy Adams," The American Secretaries of State and Their Diplomacy, IV, 16.
13 Marquis James, Andrew Jackson, Garden City Publishing Company, New York, N.Y., 1933, 308. This biographer says this concerning the Rhea affair: "In later years, when the incident became the core of a muddy controversy, Monroe denied that he had empowered Rhea to convey any such assurances. In my opinion the evidence favors Monroe's contention on this specific point. On the other hand - and this is far more important - the evidence is clear that the Administration understood General Jackson's intentions toward Florida, and by the absence of any restraining sign or syllable, gave its consent to them."

James Schouler, in his Historical Briefs, holds that "only one of two theories appears tenable: 1) that Rhea imposed upon Jackson in the Florida business a pretended authority which the President never gave him - a situation which might well explain his anxiety in 1819 that his letter to Jackson should be destroyed; 2) that the whole story was fabricated, in or about 1831 by Rhea and others in Jackson's confidence, for some political purpose, in connection with the Calhoun disclosures which they did not see fit to press. The latter hypothesis, I regret for Jackson's sake, appears altogether more probable, and that hypothesis Wirt and John Quincy Adams accepted, men most competent to judge and not more disposed to favor Calhoun than Jackson."
ative Rhea, which transmitted to Jackson the President's "approval" of the General's suggestion "to effect an unofficially authorized seizure of Florida . . . ."

He followed the Indians across the border into East Florida, captured the Spanish forts of St. Marks and Pensacola, and executed, after court martial, two Englishmen, Ambrister and Arbuthnot, who were accused of assisting the Indians. The inability of the Spanish government to police its own province and maintain order therein was to be the justification for his course of action.\textsuperscript{14} Jackson believed that the Indians were receiving aid and encouragement from St. Marks and Pensacola. He also was under the impression that Great Britain kept paid emissaries in Florida hostile to the United States. This latter presumption seems to have been groundless. England had without doubt made some connection with the Indians during the war and had encouraged them to believe that with the treaty of peace they would be reimbursed for their losses, but there is no evidence that, after the termination of the war, she did not act in good faith in this matter.\textsuperscript{15}

Jackson gave his reasons for this drastic procedure in a letter dated May 23, addressed to Don Jose Mazot, Governor of Pensacola:

\textsuperscript{14} Hubert B. Fuller, \textit{The Purchase of Florida: Its History and Diplomacy}, Burrows Brothers Company, Cleveland, 0., 1906, 246.
\textsuperscript{15} Ibid.
On entering St. Marks, evidence of the duplicity and unfriendly feelings of the Commandant evinced itself. I found that the gates of the fort had been thrown open to the avowed savage enemies of the United States; that councils of war had been permitted to be held within his own quarters by the chiefs and warriors; that the Spanish storehouses had been appropriated to the use and were then filled with goods belonging to the hostile party; that cattle knowingly plundered from the citizens of the United States had been contracted for and purchased by the officers of the garrison from the Spanish thieves; that foreign agents had free access within the walls of St. Marks.

By the 29th he had seized the royal archives and appointed one of his colonels military and civil governor. His proclamation of May 29, 1818 declared in force the revenue laws of the United States.

And thus Jackson had again become the hero of the nation.

CHAPTER IV

FLORIDA, OBJECT OF NEGOTIATIONS

From the withdrawal of James Monroe and Charles Pinckney in 1805 to the arrival of George Erving as Minister to Spain in 1814, scarcely anything of a diplomatic character between the two countries had been accomplished. The civil and foreign wars in which Spain was drawn had made it impossible to achieve anything in the affairs entrusted to our representatives there.

The United States recognized neither Joseph Bonaparte nor the Central Junta which was presumably acting in the name of Ferdinand VII during his imprisonment, and for that reason, George Erving, charge d'affaires till 1810, and Anthony Morris, his successor till 1814, had only informal relations with the Central Junta. For the same reason, Chevalier Luis de Onis, although appointed as Minister to the United States by the Junta in 1809 waited nearly seven years before he received official recognition from Washington. It is said that his non-recognition was due also to the pro-French policy of Madison. His appointment after all emanated from a Spanish patriot assembly.¹

Though cut off from his regular duties, Onis did not remain inactive. He did

¹ Brooks, 9.
what he could to organize shipments of necessary supplies to the Spanish patriots and to combat Bonapartist propaganda and not many months passed before his duties became infinitely more overwhelming with the outbreak of revolt in many widely separated provinces of Spain's American possessions.2

He contrived to voice his grievances in spite of the lack of formal position in the diplomatic world. And he had reason to complain on many points. There was, for instance, his own status, unrecognized and isolated. There was also a steady stream of propaganda emanating from France and the United States encouraging the revolutions in the Spanish colonies. He knew furthermore that privateers and other vessels intended for the cause of the insurgent American provinces were fitted out in United States ports. On the occasion of the occupation and assimilation of West Florida and the invasion of East Florida he protested vehemently.

Finally, on December 19, 1815, Onis' credentials were received by the United States government. As soon as the Spanish government learned that its representative had been accepted at Washington, it yielded on the recognition of George Erving who had been re-appointed in 1814, this time as Minister of the United States to Spain. Erving at once presented the views of the administration to the authorities there, but before he could accomplish anything, the negotiations shifted to Washing-

2 Brevard, I, 27.
ton at the request of Spain. It is thought that Erving's manner was not such as to promote satisfactory negotiations. Instructions were now sent to Onis on September 10, 1816, but they gave him no further powers than he already had. Even before these orders reached Washington, Cevallos, Foreign Minister for Spain, was removed from office. The King now appointed as the new Spanish Secretary for Foreign Affairs, Jose' Garcia de Leon y Pizarro. The latter's reputation for integrity and ability gave new hope in the United States for successful negotiations.

In the meantime, Onis formulated the complaints and territorial claims of Spain and asked that West Florida be returned to Spain pending the settlement of its title. In the name of Spain he protested most vigorously against the aid which he alleged agents of Mexico and other revolting colonies were receiving in the United States.

In behalf of the United States the Secretary of State, James Monroe, submitted his counterclaims. These included the cession of Florida east of the Perdido River, the execution of the Claims Convention of 1802, and a western boundary for Louisiana at the Colorado River (of Texas). If these terms were accepted, other claims against Spain would be dropped. That part of Florida west of the Perdido we claimed as ours by the cession of 1803 and our claims to the rest of Florida were grounded on the arguments of natural boundaries, need to control
the Gulf, adequate outlet for the inland states, Spain's inability to take care of the province, the incursions of Florida Indians into the United States, and the use the British had made of Florida for military purposes in the recent war.

Onis . . . sparred, temporized, and was at last forced to admit that he did not know whether a cession of territory would be considered by the Spanish court or not . . . On the territorial question he argued that Florida was worth more than Louisiana, but that if the United States should propose to exchange those provinces he would be glad to forward such an offer to Madrid.3

Although many conferences and much correspondence took place on these matters between the principals concerned, both at Madrid and in Washington, by January 1817 no tangible results had as yet been achieved. Monroe's final effort as Secretary of State was made when he tried to persuade Onis to accept the Colorado River of Texas as the western boundary of the United States. This proposal implied the exchange of the land between the Rio Grande and the Colorado River with the Floridas.

Onis replied that he had understood that the negotiations concerned only the cession of the disputed part of Florida and that he doubted if the King would consent to the loss of East Florida especially on account of the important harbor of Pensacola. In regard to Texas he claimed Monroe's plan would be no exchange since all of Texas belonged to Spain in any event.4

3 Griffin, 82.
On this subject of the ownership of Texas we read that France held that the western limits of Louisiana extended to the Rio Grande, and American statesmen of the day were practically unanimous in claiming Texas as part of the Louisiana Purchase. This claim was denied by Spain.5

Following his failure to negotiate along this line, Monroe reduced his proposition so as to involve only the claims. He wrote to Luis de Onis on January 14, 1817 as follows:

Having understood in our late conference that you would not agree to an arrangement by which Spain should cede her claims to territory eastward of the Mississippi unless the United States ceded their claims to all the territory westward of that river, and that even then your agreement would be restricted to a recommendation to your government to adopt an arrangement to that effect, it is deemed unnecessary to make you any further proposition, or to prolong the negotiation on the subject of limits.

I have now to request that you will have the goodness to inform me whether you are willing to enter into a convention to provide compensation for spoliations, and for the injuries resulting to the United States from the suppression of the deposits at New Orleans. ...6

On July 16, 1817, Pizarro wrote to Erving offering to continue the negotiations at Madrid. Erving however felt he could not encourage a further procrastination and therefore asked the Foreign Minister to submit Spain's terms of settlement. By

August 17, 1817, these had been presented. Pizarro no doubt realized that the United States would probably not accept the Mississippi as a western boundary. This idea was incorporated in his proposal. He therefore offered an alternate, namely, to submit the whole affair to the mediation of one or more Powers friendly to both nations. Erving thought that England and Russia were the Powers on which Spain depended chiefly and that Pizarro had intentionally offered an unacceptable plan in order to have the dispute brought before other Powers for arbitration. Like all the other efforts at a settlement, this too ended in failure. Onis was then instructed to make the same proposals at Washington. He was to leave nothing undone on the other hand to prevent a breach of relations between the two countries. Onis received these new instructions on October 21, 1817. Within a few weeks there came to the office of Secretary of State, an American who by ability and experience could not have been better fitted for his work, John Quincy Adams. The new Secretary studied the problem thoroughly and early in 1818 he proposed terms which did not materially differ from those offered to Spain in 1805. Recognizing the importance of defining the western limits of the United States, he drew up a detailed proposal including boundaries, claims, and the cession of the Floridas in one sweeping treaty.

About the same time Spain invited Great Britain to act as mediator. That government however intimated that it would act
in this capacity only if the request came from both Spain and the United States. John Quincy Adams' attitude regarding this proposal anticipated the position of the United States in world affairs as expressed in the Monroe Doctrine. On March 18, 1818 he wrote:

The United States, in justice to themselves, in justice to that harmony which they earnestly desire to cultivate with all the Powers of Europe, in justice to the fundamental system of policy which forbids them from entering the labyrinth of European politics, must decline soliciting or acceding to the interference of any Government of Europe for the settlement of their differences with Spain.7

Spain suffered another disappointment when the British government declined to give her military or even diplomatic support. England wanted peace more than anything else at this moment.

Furthermore, Adams' and Onis' efforts to arrive at an understanding were seriously handicapped by the disturbing developments at Galveston and on Amelia Island, affairs referred to above. Reports of the McGregor-Aury enterprises in East Florida and of the plot to revolutionize Texas were coming in. Onis protested vigorously when the United States troops occupied Galveston and Amelia Island. Adams replied that if Spain could have protected her own lands, the United States would not have to do it for her. Amelia Island proved to be a source of

7 A.S.P., F.R., III, 16.
irritation throughout the negotiations, but nevertheless, United States troops stayed there till after the signing of the treaty. Regarding Galveston, we based our right to occupy that island on the claim that it lay within the United States.

The attitude of the United States toward the Spanish-American republics continued to be a retarding factor in the negotiations also. The American government had already given a definite status to the insurgent colonies by its neutrality legislation. After the passage of the 1815 law, the privateering business at Baltimore and New Orleans continued to grow, and as a result, Onis' notes on the subject became more frequent and more bitter. The Department of State assured Onis that adequate measures had been taken to prosecute persons found guilty of unneutral acts, but it was only too true that the authorities often lacked sufficient legal evidence to bring about conviction of the guilty. To appease the Spanish minister, more stringent neutrality laws were passed in 1817 and 1818. Violations of these laws by individuals continued nevertheless.

The negotiations dragged on and on.

In May 1818, John Quincy Adams wrote to Albert Gallatin:

The correspondence between Mr. Onis and this government has been little more than a repetition on both sides of that which
had taken place at Aranjuez, at the period of the extraordinary mission to Spain in 1805, and it has terminated in a note from Mr. Onis stating that he is under the necessity of sending again a messenger to Spain for new instructions and for a further enlargement of his powers. . . .

Meanwhile the Spanish Foreign Office on April 15, 1818 instructed Spain's representative here "to cede positively and without limitations the Floridas in return for some reasonable equivalent west of the Mississippi and to obtain from the United States a promise not to assist the revolt of the Spanish colonies in South America or to recognize their independence." 9

It was obviously sound policy to dispose of the territory gracefully and for a consideration while this could yet be done, rather than lose it after a bloody, expensive, and probably humiliating war. Spain's distress again prepared the way for another American diplomatic success. 10

Now it was only a matter of time to bring about an agreement about the exchange of the Floridas for all the financial obligations for which the United States held Spain responsible. The difficulties still to be overcome hinged mostly on the western boundary problem. Onis was prepared through instructions from Pizarro to drop back to one compromise line after the other, the most western to be the eastern boundary of

8 Writings of John Quincy Adams, VI, 313.
9 Bemis, 190.
10 Bailey, 171.
Texas. Adams contended that it should be the Rio Grande.

By June 1818 news of Jackson's military activities began to filter in and threatened to jeopardize the success of the negotiation. When Onis first heard rumors concerning Jackson's expedition, he discounted them and made no protest. A few days later, however, he had received information from the governor of West Florida. Immediately he addressed a protest to Adams, dated June 17, on the taking of St. Marks; on the 24th, Adams received a new note relative to the seizure of Pensacola; and on July 7, Adams was aroused from bed by a messenger who informed him that Onis wanted an interview immediately upon subjects of the highest importance to both countries. Onis thereupon demanded the surrender of the posts, indemnity for losses suffered, and a satisfaction proportioned to the enormity of the offences, together with the lawful punishment of the general and the officers of this government who were in collusion with Jackson.

"How is it possible," he exclaimed, "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 generous proofs of a good understanding . . . the troops of the United States should invade the Spanish provinces, insult the commanders and officers of their military garrisons and
forcibly seize the military posts and places in these provinces?"

It was a serious situation in that it endangered not only the negotiations for Florida, but might involve the country in war. The Spanish-American revolutions, the determination of the American government to possess the Floridas, and the deadlock over the western boundary all combined to constitute sufficient cause for war. It was left to Monroe and his advisers to find a way out of the situation in which the fiery Jackson had involved them. For several days the Cabinet discussed the matter.

They wanted to buy Florida, not conquer it. They had entertained no thought of authorizing the things that Jackson had done. They recognized that the Tennessean's crude notions of international law could not be upheld in dealings with proud European States. Yet it was borne in upon them from every side that the nation approved what had been done; and the politically ambitious might well think twice before casting any slur upon the acts of the people's hero.12

Adams was the only member of the Cabinet who justified Jackson's activities as being compatible with the dictates of international law. He advised that the blame be placed on Spain for her lax administration.


My principle is that everything he [Andrew Jackson] did was defensive; that as such it was neither war against Spain nor violation of the Constitution... the defense of it against the objections of the President, and of all the other members of the Cabinet present, engaged us again till five o'clock... I at first contended that we should keep Pensacola... till Spain should give us a guarantee that she would fulfill her engagement by restraining the Indians from hostilities. But I see difficulties in holding Pensacola without an act of Congress...13

The note that was finally sent to the Spanish minister on July 23, 1818, contained no disavowal of General Jackson although it did provide for the return of Pensacola to Spain and for similar action with regard to St. Marks if a force large enough for its protection against hostile Indians were sent to receive it.

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 St. Marks, being in the heart of the Indian country, and remote from any Spanish settlement, can be surrendered only to a force sufficiently strong to hold it against the attack of hostile Indians...14

The offer to surrender Pensacola was a shrewd middle course taken both for the sake of protecting Jackson and soothing the irritated feelings of Spain.

Resolutions in both Houses of Congress were introduced to

13 Memoirs of John Quincy Adams, IV, 111.
investigate the violation of our neutrality obligations. In the House Jackson was acquitted and in the Senate the matter was dropped because of the growing popularity of the military hero.

Our Minister at the Court of St. James, Richard Rush, quoted Castlereagh as saying that English feeling was so aroused that war could have resulted "if the ministry had but held up a finger." The newspapers of London were bitter in their denunciation of the United States. "We can hardly believe that anything so offensive to public decorum could be admitted even in America," was the comment of one London journal. The British government however did not register a formal protest. One authority maintains that we may well believe that considering the traditional jealousy with which Great Britain has ever protected the interests and the lives of her citizens that there was an ulterior motive at work which determined Lord Castlereagh and his compeers in their decision.

That is probable in view of the fact that England could look only to the United States for support against the reactionary

16 Fuller, 253.
17 Ibid., 253.
doctrines of the Holy Alliance.\textsuperscript{18}

In Madrid the wrath of Pizarro had been aroused to such a degree that negotiations were suspended for a time. He wrote on August 29, 1818 to Erving, saying

\[\ldots\] that His Majesty was convinced that it was incompatible with the honor of the crown to pursue further negotiations until proper amends were made for Jackson's action and that the incident was of primary importance capable of producing an essential and thorough change in the political relations of the two countries.\textsuperscript{19}

\begin{flushleft}
\textsuperscript{18} The following is a copy of an abstract of a speech delivered by Lord Liverpool as it appeared on July 26, 1819 in The Niles' Weekly Register, (XVI, 314).

In the House of Lords, the 11th of May, Lord Lansdowne moved for copies of all communications which had passed between the English government and the government of the United States, respecting the Floridas, and more particularly respecting the trial and execution of two British subjects, by order of the American General Jackson. Lord Liverpool in reply said that the cession of the Floridas by Spain was a subject which the English government had nothing to do with; Spain having a right to cede any part of her possessions she pleased without the interference of any foreign government. With respect to the affair of Arbuthtnot and Ambrister, although he censured the conduct of General Jackson, those persons had no right to the protection of their government, if they voluntarily embarked in war against any state with which their government was at peace.

\textsuperscript{19} A.S.P., F.R., IV, 523.
\end{flushleft}
The whole episode of Jackson's invasion, however, was from the standpoint of the Florida negotiations a help rather than a hindrance to their successful termination, for it demonstrated to the Spanish government that it was in the physical power of the United States to seize the Floridas, and that if occasion arose, she also would do so.

In November Adams despatched to George Erving his famous defense of Jackson. Adams' powerful note reads in part as follows:

... it must carry demonstration irresistible to the Spanish government, that the right of the United States can as little compound with impotence as with perfidy, and that Spain must immediately make her election, either to place a force in Florida adequate at once to the protection of her territory, and to the fulfillment of her engagements, or cede to the United States a province, of which she retains nothing but the nominal possession, but which is, in fact, a derelict, open to the occupancy of every enemy, civilized or savage, of the United States, and serving no other earthly purpose than as a post of annoyance to them.20

The President's Message to Congress late in 1818 gave expression also to the principal motive that the United States had at this time for desiring the Floridas.

Throughout the whole of those provinces to which the Spanish title extends, the government of Spain has scarcely been felt. Its authority has been confined

20 Ibid., IV, 542.
almost exclusively to the wall of Pensacola and St. Augustine, within which only small garrisons have been maintained. Adventurers from every country, fugitives from justice, and absconding slaves have found an asylum there. Several tribes of Indians, strong in the number of their warriors, remarkable for their ferocity ... have violated our laws prohibiting the introduction of slaves, and practiced frauds on our revenue, and committed every kind of outrage on our peaceable citizens, which their proximity to us enable them to perpetrate ... 21

Spain's indignation subsided quickly for already on October 18, 1818, Luis de Onis wrote informing the Secretary of State that he had received new instructions to resume negotiations and also that the King on July 9, 1818 had at last ratified the Convention of August 11, 1802.

The French minister to the United States during this entire period was Baron Hyde de Neuville. He has been characterized as a thorough reactionary in French politics but he was not without sympathy for our country. It was he who spoke of Jackson as the "Napoleon of the woods." It is quite commonly understood that without his services the Treaty of 1819 could not have been secured. 22 He had never been asked formally to act as mediator, but his informal services were accepted graciously by both Onis and Adams. He had instructions to use his

influence to preserve peace and he realized that his strategy should be to persuade Spain to cede the Floridas for whatever she could get in the settlement of the Louisiana boundary.

His first opportunity to prevent war came in the fall of 1817 when he supported Adams in his opposition to Monroe's desire to recognize Buenos Ayres. ... Jackson's seizure of Pensacola gave him an opportunity of direct intervention. Adams refused to disavow Jackson's act and desired the French minister to secure a proposal from Spain; this he did, and then, acting as mediator, continued the negotiation until a compromise had been effected.23

At times his intervention seemed fruitless for neither Adams nor Onis was willing to budge from his position, but British passivity and Jackson's military movements convinced Spain's rulers at last of the impossibility of physically holding the province, and this fact greatly strengthened Adams' hand in dealing with Onis. In the subsequent discussions the services of Hyde de Neuville fully justified themselves. Adams finally gave up Texas and accepted the Sabine River to the thirty-second degree and from there a line due north to the Red River.

Adams had consistently championed the claim to all of Texas and it is quite likely that he could have secured at least that part of Texas east of the Colorado River, but he felt himself overruled by the President and Cabinet.24

23 Ibid.
24 Chadwick, 139.
Adams would not however agree to the balance of the plan laid down by Pizarro. He insisted that the boundary line follow the Red River west to 100 degrees west longitude, then to the Arkansas and westward up that stream to its source. From there he insisted on going northward to the forty-second parallel and then westward to the Pacific Ocean. The success of this proposal manifested genuine diplomatic genius on the part of John Quincy Adams. When the adversaries reached the stage of projets, Adams found that Onis had described the Floridas according to the Treaty of 1763 and with the limits assigned by the Treaty of 1795.

Such a definition would comprise the disputed territory already in American possession and involved the total surrender of the American contention.25

Adams' suggestion that His Catholic Majesty cede to the United States "all the territories which belong to him, situated eastward of the Mississippi, known by the names of East and West Florida," was recommended by De Neuville, for he maintained this wording covered the honor of both countries and paved the way for an understanding of the cession that could not in the future be misconstrued. This phrasing of the cession of Florida now left undetermined the question as to whether Spain owned any or all of West Florida. One American

historian says:

If this is to be interpreted as an unequivocal cession it means that John Quincy Adams by implication in the treaty of 1819 finally recognized the justice of Spain's title to the two Floridas up to February 22, 1819, and by inference branded Jefferson's claim to and occupation of West Florida as high-handed and outrageous. This was balm to Spain to have the United States accept a cession. But the wording of the cession is subtle indeed.26

In concluding the negotiations, Onis prudently took upon himself the responsibility of eliminating two of the Spanish demands. One had to do with a neutral ground along the border which Onis believed would provide another paradise for pirates and smugglers and the other was the demand that the United States promise not to recognize the insurgent colonies as independent, a request which he knew would be useless in any case.

It is quite likely that Spain decided to surrender Florida at this time, at least partly because her hopes of an intervention by the powers assembled at Aix la Chapelle had been crushed. Henry Adams contends that the European situation did help to precipitate Spain into a decision to complete the negotiations.

This (October 1818) was the period when Spain's American colonies were in revolt, and it was of the highest importance to the United States that Europe should

26 Bemis, 191.
intervene in no way in the quarrel. Mr. Gallatin's business was to obtain early information of whatever concerned this subject, and to prepare the European powers for the recognition by the United States of the South American republics. So far as the policy of the United States was concerned, the result of this congress at Aix la Chapelle was very favorable, for Spain, finding herself abandoned by Europe, was driven into a treaty for the sale of Florida.27

A recent historian claims that "the new head of the Spanish government, Irujo, hastened the conclusion of the negotiations with the United States in order to give Spain a free hand for the reconquest of its American colonies by means of the great expeditionary force which it was assembling at Cadiz at this time."28

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28 Whitaker, 266.
CHAPTER V

FLORIDA, OUR OWN

The last differences were finally settled and on the day appointed, February 22, 1819, John Quincy Adams and Luis de Onis signed a treaty which conceded most of the points contended for by the United States. The document was called Treaty of Friendship, Cession of the Floridas, and Boundaries, and the essential points are given here in abbreviated form:

I. There was to be a firm and inviolable peace between the parties.

II. East and West Florida were ceded to the United States.

III. The western boundary of the United States was to begin "in the sea" at the mouth of the Sabine River, up that river along west bank to 32\(\circ\) parallel, then due north to Red River up that river to 100\(\circ\) meridian, then due north to the Arkansas River, up that river along its southern bank to its source, then due north to 42\(\circ\) along that parallel to the South Sea.

IV. Provision for a survey of western boundary was made.

V. The inhabitants were to enjoy free exercise of religion and the right to emigrate.

VI. The inhabitants of these ceded territories were to be incorporated in the Union of the United States as soon as the Constitution permitted.
VII. Ceded territories were to be handed over to the United States and troops of Spain withdrawn within six months after exchange of ratification.

VIII. All grants of land in ceded territory made by Spain before January 24, 1818, were to be recognized by the United States.

IX. The United States and Spain renounced their claims in the Convention of 1802.

X. The Convention of 1802 was annulled.

XI. The United States assumed claims of its own citizens against Spain to the extent of $5,000,000. A special commission to hear these claims was created.

XII. Modification of the Treaty of 1795 was negotiated.

XIII. Deserters from merchant vessels should be mutually arrested and delivered.

XIV. The United States certified that it had not received compensation from France for seizures made by French privateers and condemnations by the French tribunals on the coasts and in the ports of Spain.¹

XV. For a term of twelve years the ports of Pensacola and St. Augustine were to remain open to Spanish vessels laden with goods of Spanish production without paying other or higher duties ... than were to be paid by the vessels of the United States.

XVI. Ratifications were to be exchanged within six months.²

By the delineation of the international boundary line from the Gulf to the Pacific, the United States acquired all of Spain's rights north of 42°, and at the same time, was assured for the first time of a transcontinental domain.

¹ France agreed to pay these claims in 1831.
We read in the Diary of the Secretary of State for the day of the signing this entry:

The acquisition of the Floridas has long been an object of earnest desire to this country. The acknowledgment of a definite line of boundary to the South Sea forms a great epoch in our history. The first proposal of it in this negotiation was my own, and I trust it is now secured beyond the reach of revocation.3

Luis de Onis had proven himself to be an able minister handicapped as he was with a weak government continually distracted by internal disorders and foreign wars. He prevented the United States from taking Texas and by a settlement for claims, he freed his country from a financial obligation which would have been wellnigh impossible to meet in any case.

The ratification process, like the negotiations, was attended by strained conditions. New ministers replaced the old. The President had commissioned John Forsyth as Minister to Spain in March 1819. The new Spanish Foreign Minister, Marques de Casa Irujo, was the same who had been recalled to Spain at our government's request because of activities here objectionable to our administration.

Our ministry in Spain had discovered, in February 1819, that His Catholic Majesty had made huge grants in Florida to three Court favorites. Adams had failed to read carefully

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the correspondence dated February 6, 1819, and therefore was not cognizant of this deal until after the treaty was signed.

... it was evident that the grants had been sought in anticipation of a probable treaty of cession, that they had been made to favorites of the Spanish Court and that they were made on no other consideration.4

This neglect on Adams' part necessitated a demand that Spain expressly cancel those grants when ratifying the treaty. On March 10, 1819, therefore, the Secretary of State wrote to Luis de Onis:

As these grants, however, are known to the Government of the United States only from rumor, without the knowledge of their dates, it is proper that, on exchanging the ratifications, your Government should know that whatever the date of those grants may have been, it was fully understood by us that they are all annulled by the treaty, as much as if they had been specifically named, and that they will be so held by the United States. To avoid any possible misconception, your answer to this statement is requested; and the exchange of the ratifications will be made, under the explicit declaration and understanding that all the above mentioned grants, and all others, derived from them, are null and void.5

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5 A.S.P., F.R., IV, 651.

Two years later, John Quincy Adams still manifested a bitterness about this incident. On February 22, 1821, he confided to his Diary: "Under the petals of this garland of roses ... Onis had hidden a viper. His mock sickness, his use of De Neuville as a tool to perpetrate a fraud which he did not dare attempt to carry through himself, his double dealing before and
John Forsyth was instructed to obtain an express renunciation of the grants to these three favorites and to preserve the right of the United States to be named first in one of the certificates of ratification and also the right of the representative of the United States to sign first one of these certificates.6

Forsyth presented himself at Madrid on May 18, 1819, and informed the Spanish officials of his readiness to exchange the ratifications of the treaty. Dilatory tactics were the order of the day at the Spanish end however.

after the signature . . . his shuffling equivocations here and in Spain, to acquire the reputation of having duped the President and me, were but materials in the hands of my enemies to dose me with poison extracted from the laurels of the treaty itself. An ambiguity of date, which I had suffered to escape my notice at the signature of the treaty, amply guarded against by the phraseology of the article . . . was the handle upon which the King of Spain, his rapacious favorites, and American swindling landjobbers in conjunction with them, withheld the ratification of the treaty, while Clay and his admirers were snickering at the simplicity with which I had been bamboozled by the crafty Spaniard." The Diary of John Quincy Adams, 265.

Philip C. Brooks, however, after research, says: "I do not believe, as Adams charged, that Onis intended to defraud the United States in the notorious matter of the land grants although King Ferdinand was quite culpable." Brooks, vi.

The treaty had become disliked in official circles in Spain; the influence of the three grantees was one feature against it; and the Spanish Government still vainly hoped for some modification of the American attitude toward independence in South America.7

On June 13, 1819 Irujo was dismissed from office since he was considered responsible for the treaty. By August 22, 1819, the period for ratification had expired without any action having been taken.

Forsyth was perhaps not the best statesman the United States could have had at that trying post.8 He was harsh and arrogant in his dealings with the Spanish Foreign Office, and as a result, the Spanish government decided to transfer the negotiations to Washington again. It sent as its envoy General Don Francisco Dionisio Vives. In his first message Vives revealed the cause for Spanish delay. He protested against the "scandalous system of piracies" that were being carried on from the ports of the United States against the Spanish dominions and on the general spirit of hostility toward Spain prevalent everywhere in the country. In his communication of April 14, 1820 to the Secretary of State he asked the United States to promise

that they will form no relations with the pretended Governments of the revolted

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7 Miller, III, 47.
8 Eugene I. McCormac, "John Forsyth," American Secretaries of State and Their Diplomacy, IV, 303.
provinces of Spain situate beyond sea, and will conform to the course of proceeding adopted, in this respect, by other Powers in amity with Spain.\(^9\)

Adams in reply asserted that nothing could release a sovereign from the obligation to ratify a treaty unless his representative empowered to carry on such a negotiation had been disloyal to his trust and had transcended his instructions.\(^{10}\)

At this point there was a change in government in Spain which provided for the adoption of a constitution. As a result the sovereign was prohibited from alienating any part whatever of the Spanish realm without the consent of the Cortes. Vives then informed Adams that the King would lay the treaty before this body in July. Forsyth too bent every effort toward final adjustment of the negotiations and his efforts were rewarded by the Spanish Cortes who after annulling the three land grants advised the King to ratify the treaty. This the King did on October 24, 1820.

The document of ratification was on its way from Madrid to Washington nearly four months. Monroe felt himself obliged to submit it once more to the Senate for its ratification and consent since the time limit for ratification by Spain had expired long before.

Up to this time public sentiment had been in favor of the

\(^{10}\) Ibid., 682.
treaty. There was however some opposition when it came up again in Congress. In the House Clay denounced the surrender of Texas, and four members of the Senate, all from western states, voted against the treaty, implying the same criticism. In the main, however, there was widespread approval. The inclusion of Texas within the boundaries of the United States would certainly have kindled the flames of a sectional controversy over slavery. It was necessary, after all, for Onis to have some material satisfaction to show up for his concessions to us, for it would never have been possible for the Spanish government to agree to the cession of Texas also.

With the certificate of ratification of the treaty, an order was issued to General Vives for the evacuation and delivery of the Floridas. Andrew Jackson was appointed commissioner to receive the province from Spain, and also its first governor. He no doubt accepted the appointment in the spirit in which it was given, that is, in vindication of his campaign in the late Seminole War.

The change of flags in East Florida took place at St. Augustine, 10th of July, 1821, under Governor Coppinger on the part of Spain, and Colonel Robert Butler on the part of the United States; in West Florida, at Pensacola, on the 21st of July, 1821, Governor Callava represented the Spanish Government and General Jackson that of the United States.\(^\text{11}^\)

On this occasion, the government officers, the Spanish garrison, and some of the inhabitants boarded a ship destined for Cuba, but the greater number of the colonists remained to become citizens of the United States.\textsuperscript{12}

According to Article XI of the treaty three commissioners were appointed to carry out its provision in reference to the claims of American citizens against Spain. The three commissioners were: Hugh Lawson White of Tennessee, William King of Maine, and Littleton Waller Tazewell of Virginia. It is said that Monroe could not have made a more judicious choice of men to execute this arduous trust. Claims to the extent of $5,454,545.13\textsuperscript{13}$ were allowed by this commission, and these claims were paid \textit{pro rata}. On June 8, 1824, this board adjourned \textit{sine die}, after having been in session for the full treaty period of three years.

Now that Florida was in the possession of the United States, there was no further reason for delaying recognition of the new republics in South America. Accordingly, in March 1822, Congress appropriated the necessary funds for missions to the new governments.\textsuperscript{14} Other historians adduce reasons quite different from that mentioned above. They say that the delay in recognition did not hinge on the Florida settlement.

\textsuperscript{12} Brevard, I, 63. This authority says that the exchange of flags at Pensacola took place on July 7, 1821.
\textsuperscript{13} Moore, V, 4518.
\textsuperscript{14} Abbey, 141.
One of this group writes;

... there appears to be no foundation for the assertion ... that the American government postponed recognition of Spanish-American independence until the treaty had been safely negotiated and ratified. ... The postponement of recognition was mainly due to two other factors: first, to the situation in Spanish America where there was no government that was clearly entitled to recognition, and second, to the attitude of Europe, which, the administration believed, made it dangerous to recognize any Spanish-American government no matter how meritorious its case might be.15

15 Whitaker, 273.
CHAPTER VI

FLORIDA TRANSACTIONS APPRAISED

John Quincy Adams considered that the transactions connected with the Treaty of 1819 ranked first in importance of all the negotiations which were conducted during his tenure as United States Secretary of State. That he is right no one can gainsay, for this treaty marks one of the principal milestones in the history of the United States in its rise to world power.

Appraisals on the part of others concerning this whole matter differ widely. Editorial comments in the Niles' Weekly Register concurrent with the events show unequivocal approoval of the acquisition of this territory. We read, for instance,

The fact has long been evident, that a sovereignty over these countries was needful to our peace and quietness, and that we would possess them by fair or foul means - by treaty or force.¹

A few months later the same editor had this to say:

They [the British] give us great credit for the ingenuity with which we managed the negotiations and many of their newspapers pretty plainly insinuate that we

¹ Niles' Weekly Register, XVI, 13. (February 27, 1819).
cheated Spain into the treaty; the im-
pudence of such articles are equalled
only by their want of candor, nay of
plain truth. Spain owes much money to
our merchants for ... spoliations on
our commerce. The United States agrees
to pay five millions ... and retire
from a demand of further indemnities,
if Spain will cede a country worse than
useless to her and which having for-
feited its character as a neutral,
ought to have been taken possession of
by us long ago, upon every principle
of right, reason, and law. The omis-
sion to do it was among the greatest
political sins of the last administra-
tion.2

It is quite safe to say that these editorials reflect the
convictions of the West and the South of that period.

History has not stigmatized John Quincy Adams for his
share in the acquisition of Florida, but regarding some phases
of the transaction, there are steps which cannot bear up under
scrutiny from the standpoint of ethics. Concerning these,
recent historians sound a unmistakable note of disapproval of
the methods employed by those to whose hands was entrusted the
government of the nation. It may be of interest to quote a
few of their indictments and these may well serve as a conclu-
sion to this essay.

Jefferson turned to France for aid to
consummate his purpose, to Napoleon and
Talleyrand - to two of the most unscrip-
ulous and far-seeing men who ever lived
... Imperialism and militarism were
far afield from Jefferson's political

2 Ibid., XVI, 225, (May 29, 1819).
and social theories; but the necessity of French aid and consent in the gaining of any part of the Floridas unconsciously tinged his every move and powerfully affected those of his successor.  

These Florida incidents furnish the first instances of the enunciation of certain peculiar arguments to justify the United States in possessing itself of choice bits of territory here and there, arguments which have been used with great and continued effect in relation to Texas, Hawaii, Mexico and Cuba.  

In the question of the ownership of West Florida it is impossible not to think the United States greatly in the wrong and that our action redounds to the credit of no one of the American administration connected with it.  

There is no American today who is not ashamed of our wholly unwarranted method of despoiling Mexico; can we feel any prouder of our Florida acquisition?  

In diplomacy the Adams-Onis Treaty revealed the growing influence of the United States. The country was still taking advantage of Europe's distress, as has been done in Jay's and Pinckney's treaties; this time the distress was Spain's almost alone.  

3 Channing, IV, 348.  
4 Babcock, 26.  
5 Chadwick, 68.  
6 Fuller, 330.  
7 Brooks, 195.
The problems involved in the acquisition of Florida are interwoven with every major issue of the late 18th and the early 19th centuries. This fact necessitated a wide reading of general works so as to see the narrowed field of study in its proper setting. For this general overview of the period, these histories proved serviceable and reliable:

**A Short History of the United States**
John S. Bassett

**American Political and Social History**
Harold U. Faulkner

**The Federal Union**
John D. Hicks

**A History of the United States**
Edward Channing

Volumes IV and V

**History of the United States of America**
James Schouler

Volumes II and III

**History of the United States of America**
Henry Adams

Volumes II, III, and V

**The American Nation Series**
Frederic J. Turner

Rise of the New West
Kendric C. Babcock

Rise of American Nationality

**The Chronicles of America Series**
Allen Johnson

The Age of Jefferson and Marshall
Frederic A. Ogg

The Frontier in Politics
The prominence of diplomatic relations throughout this entire study made necessary considerable reading on the secondary source level and for this purpose the following authorities were consulted:

The American Secretaries of State and Their Diplomacy
James Madison
Robert Smith
John Quincy Adams

A Diplomatic History of the United States

Leading American Treaties

History and Digest of the International Arbitrations to Which the United States Has Been a Party

The Principles of American Diplomacy

A History of American Foreign Policy

A Diplomatic History of the American People

The Diplomacy of the United States

There have been specialized studies of the history of Florida. Practically all the worthwhile works to be found in the Newberry Library of Chicago on that peninsula were reviewed in the course of this study. Those which were actually utilized in the production of this paper are the following:

Diplomacy and the Borderlands: The Adams-Onís Treaty of 1819

Philip C. Brooks
**A History of Florida From the Treaty of 1763 to Our Own Times**  
Carolyn Mays Brevard  

**Florida, Land of Change**  
Kathryn T. Abbey  

**East Florida in the American Revolution**  
Burton Barrs  

**Observations upon the Floridas**  
Charles Vignoles  

**The Purchase of Florida: Its History and Diplomacy**  
Hubert B. Fuller  

**History of Florida, 1512 to 1842**  
George R. Fairbanks  

Besides these, there are a number of authorities who have done outstanding work either on a phase of this topic or on related subjects, and their books proved to be of valuable assistance to the writer. They are listed here:

**The Relations of the United States and Spain: Diplomacy**  
French E. Chadwick  

**The United States and the Disruption of the Spanish Empire, 1810-1822**  
Charles C. Griffin  

**Hispanic American Relations with the United States**  
W. S. Robertson  

**Expansionists of 1812**  
Julius W. Pratt  

**Pan-Americanism: Its Beginnings**  
Joseph B. Lockey  

**The United States and the Independence of Latin America 1800-1830**  
A. P. Whitaker  

**The West Florida Controversy 1798-1813**  
Isaac J. Cox  

Among the periodicals, several articles on the subject were evaluated and utilized accordingly. The periodicals
concerned were these:

Niles' Weekly Register
The American Historical Review
Mississippi Valley Historical Association Proceedings
American History Leaflets

As for biographical works, the American Dictionary of Biography, John S. Bassett's Life of Andrew Jackson, and Henry Adams' Life of Albert Gallatin supplied details for a few gaps in the narrative.

The source material used is listed below. Each of those mentioned contributed something to the evolution of this historical essay:

Memoirs of John Quincy Adams, edited by Charles F. Adams
Writings of John Quincy Adams, edited by W. C. Ford
Diary of John Quincy Adams, 1794-1845, edited by Allan Nevins
Memoirs upon the Negotiations between Spain and the United States of America Which Led to the Treaty of 1819, by Don Luis de Onis
Writings of Thomas Jefferson, collected and edited by Paul Leicester Ford
Laws of the United States, edited by R. C. Weightman
American State Papers, Foreign Relations Volumes II, III, and IV
A Compilation of the Messages and Papers of the Presidents 1789-1897, Volumes I and II, compiled by James D. Richardson

Treaties, Conventions, International Acts, Protocols, and Agreements between the United States and Other Powers 1776-1909, compiled by William M. Malloy

Treaties and Other International Acts of the United States of America, Volume III, edited by D. Hunter Miller

Documents Relating to the Constitutional History of Canada 1759-1791, edited by Adam Shortt and A. G. Doughty

Some of the books mentioned in the above bibliography deserve special comment.

Philip Coolidge Brooks did research in foreign countries preparatory to the writing of his valuable work, Diplomacy and the Borderlands: The Adams-Onis Treaty of 1819, especially in the archives of Madrid. He says in his Preface that "the role played by Spain has been the phase most neglected by historians and it forms the core of this narrative. Accordingly, the central theme is the career of Don Luis de Onis as Spanish minister to this country from 1809 to 1819."¹ He decided on this sub-title to give credit to the two diplomats who negotiated it. Brooks had access to a manuscript biography of Luis de Onis, which he procured from a descendant of Onis who is now Professor Federico de Onis of Columbia University.

Kathryn Trimmer Abbey's Florida, Land of Change has been evaluated by critics as "the first really scholarly

¹ Brooks, ii.
attempt at a complete history of the area and the state of Florida." The author is professor of history at the Florida State College for Women. She drew heavily on articles written for various historical periodicals and her bibliography leads one to think that she drew mainly from secondary works. However, its worth is undeniable.

Hubert Bruce Fuller's *The Purchase of Florida: Its History and Diplomacy* will not rate as high among scholars as Brooks' production. This is to be expected since he had not the opportunity to study European documents. Hubert Bruce Fuller however leaves nothing unsaid by way of condemnation of the ethical standards on the part of our government in this transaction.

Caroline Mays Brevard, *A History of Florida from the Treaty of 1763 to Our Own Times*, is a survey as the title indicates. It also contains valuable appendices with statistics and data on officials that functioned in that region during that early period, a feature not entered into in this thesis.

In regard to the *Memoirs of Luis de Onis*, these were written in Madrid in 1820 and then translated from the Spanish and supplemented with notes by Tobias Watkins. A copy

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3 *Memoirs upon the Negotiations between Spain and the United States of America Which Led to the Treaty of 1819*, by Don Luis de Onis.
of these Memoirs is preserved in the Ayer Collection of the Newberry Library. The book has little to offer to the historian if what the translator says in his Preface is true.

This work contains a singular mixture of the veriest slander, and the most extraordinary eulogy, upon our country and countrymen, that was ever heaped upon them by foe or friend. Onis had been accused of sullying the dignity of Ferdinand VII by a disgraceful treaty and that he had been influenced in his negotiations either by fear or partiality for the Americans. In combatting this twofold accusation it was important that he should show the political and physical strength of the United States, that he should demonstrate the impossibility of defending the Spanish provinces in America, and that he should draw such a picture of the people as might lead to the inference that contempt, rather than admiration or dread, supplied him with the coloring. It will be seen from the ingenuity with which he has managed his arguments, that Don Luis de Onis was a wily politician, and a master of the diplomatic art . . . .
The thesis submitted by Sister Mary Theodora Stromberg, S.S.N.D. has been read and approved by three members of the Department of History.

The final copies have been examined by the director of the thesis and the signature which appears below verifies the fact that any necessary changes have been incorporated, and that the thesis is now given final approval with reference to content, form, and mechanical accuracy.

The thesis is therefore accepted in partial fulfillment of the requirements for the Degree of Master of Arts.

[Signature]

Date: January 30, 1947