

MARYLAND GAZETTE.

T H U R S D A Y , O C T O B E R 26 , 1797.

Letter from Mr. Pickers, secretary of state, to the chevalier de Yrujo, his extraordinary and minister plenipotentiary of his catholic majesty to the United States of America.

(Continued from our last.)

DEPARTMENT OF STATE.

Philadelphia, August 8th, 1797.

UT (you say) you never could have imagined that I would have given to the British minister a piece of advice, which might enable him to alter his plan, by letting him know that the former one was discovered. And what, Sir, was the plan of the British to defeat which you desired the American government to interfere? Why, according to your suspicions, it was to march an army through the territory of the United States against Upper Louisiana. If then the communications of your suspicions to Mr. Liston would induce him "to alter his plan," it would by a word or a letter, instead of an army, defeat the expedition; for it was not possible it should go forward except through the territory of the United States; and consequently the communication, instead of disappointing, would have perfectly accomplished what you requested.

In your 5th paragraph you are pleased to mention what you consider as another omission of duty. That although on the 2d of March you wrote your suspicions, and three days before you mentioned them verbally, yet on the 9th, I had not laid the matter before the president. I will take the trouble to shew with how little reason you have made this remark. The 2d of March was the day next preceding the dissolution of congress; and at the close of a session the president is overwhelmed with business that cannot be postponed. On the 3d, the then president's term of office expired. On the 4th, the inauguration of the succeeding president was celebrated. The 5th of March was Sunday. The five following days were not unoccupied; and on the 11th March the answer to your letter of the 2d was given. And although you attach so much importance to your suspicions, the details that I have given prove that they were then destitute of probability—that they were in fact unfounded, and consequently of no importance; that as such I then justly considered them; and therefore needed no "very powerful" motive to remain silent five days.

I cannot but regret that my reasoning is so often not understood. When reciting my inquiry whether the posts occupied by the troops of Spain within the territory of the United States had been evacuated; and your answer, that not having for some months heard from the baron Carondelet, you "were deprived of any information touching the steps taken for the execution of the treaty"—I put these last words between inverted commas, not as you say, "in order to draw attention"—but because they were an exact quotation from the translation of your letter. And when I added, in my report, "nevertheless he (the minister of his Catholic majesty) had previously informed the baron de Carondelet of his suspicions of a projected expedition from Canada," it was not to prove either that the baron had received your letters, or that you had received his: but as that very information was assigned by the baron as a reason for still retaining and reinforcing the posts, the obvious conclusion was that you wrote and transmitted to him the information with that view: and hence, that instead of disclaiming all knowledge on the subject, candour should have induced you to answer me, that although you had not received any late letters from the baron, and therefore you could not say what steps had actually been taken for the evacuation of the posts; yet that on account of the suspected expedition from the lakes, of which you had informed the baron, you presumed (or you advised, and probably you did advise) that he would still hold possession of them "to recover Louisiana." This "logic," Sir, I hope is intelligible; and at any rate, not "extremely false."

I cannot omit noticing your observations on the 5th paragraph of my report. If, as you were obliging enough to promise, you had favoured me with copies of the baron de Carondelet's two letters (of which you undertook to give me an oral, but literal translation) instead of their "substance," I might have been more correct in reciting his assertion—that Mr. Ellicott had not given him notice of his arrival at the Natchez, as the commissioner of the United States for running the boundary line. Whether this was a complaint, or an "observation," as you choose to call it, every reader of your letter will see to be of no consequence. But whether the assertion was founded or unfounded was material: seeing in the same letter, Mr. Ellicott is charged with having "carried his zeal so far as to attempt to get possession of the Natchez by surprise; and an assertion follows, that "governor Gayoso says he has in his power documents which prove evidently the intention of this attempt." This accusation against Mr. Ellicott I considered as injurious, not to him only but the government; for which,

in the character of commissioner, he was appointed to act. In other circumstances induced me to doubt its correctness; the other complaint or "observation," which I knew to be unfounded, could not but increase my doubts. It was important, therefore, and my duty, to present them together to the president's notice. I have not "entirely mistaken" this matter. In my report to the president, I did not undertake to recite what you "mentioned," but what you translated from the baron de Carondelet's letters: you repeated the charge in question; and it was not till then I handed you the copies of the baron's and Mr. Ellicott's correspondence, shewing the repugnance of fact to assertion; and it was then that you blushed; as I had before been astonished. And your remark, afterwards, was what I have stated in my report, "that you supposed the baron did not consider Mr. Ellicott's letter as official." You then made no distinction between a complaint and an "observation," nor used the phrase "in the rigour," nor any other qualifying words; except those which are stated in my report.

Besides, the baron had no right to expect any other evidence of Mr. Ellicott's appointment than his letter, until they should meet for the purpose of commencing the business of their appointments; when, of course, they would mutually exhibit their commissions, and from the baron's answer of the first of March, it is plain that he expected no other notice; for he therein recognizes Mr. Ellicott as the commissioner of the United States.

In the last sentence of your paragraph on this subject, you say, "That when, after a mixed and desultory conversation upon various subjects, you had collected and methodized your ideas and committed them to writing, my answer and observations ought to have been confined to the written communication."—This observation, Sir, is inaccurate.

It may, however, be applied to a former part of your letter. You say that in our conference on the 27th of February, you mentioned to me the raising of 350 men at Montreal—that your informer saw them pass through Johnstown—and that you knew the British agents had treated with some of the Indian nations, concerning an expedition preparing on the lakes. But in your letter of the 2d of March, in which you were "to collect and methodize your ideas" on the subject of your suspicions, you do not introduce one of those suspicions; of course, on your own principles, I ought, if they ever they had been mentioned, to have considered them as nullities.

In the 3th paragraph of your letter, you observe that my proof obtained from Mr. Ellicott's messengers, that he did not attempt to get possession of the Natchez fort by surprise, is merely negative. I offered it only as such. But the negative testimony of two men of good characters against a fact which they were likely to be acquainted with, if it existed, and whose existence other circumstances rendered improbable, and the assertion of which is mingled with assertions, by the same person, of other facts, of which some, or even one, is known to be unfounded, merits consideration. There is, however, further evidence applicable to this case. In the letter dated at the Natchez the 5th of May, from lieutenant Pope to governor Gayoso, you will see that the governor had made the like accusation against the lieutenant. "A gentleman had informed him (the governor) that the lieutenant intended to attack the garrison at that place." Lieutenant Pope, justly hurt by the groundless assertion, desires the informer may be named, and required to acquit himself of his assertion, or be punished as a false accuser. The governor answers the next day,—speaks of the information as communicated to lieutenant Pope in family conversation; and adds, that the informer was to be despised. Yet, from the pointed manner in which lieutenant Pope made the demand, it is evident that the information was presented to him as a serious accusation. After this detail, will it not be conjectured, that the governor's "documents" respecting Mr. Ellicott's "attempt" are of a piece with his "familiar conversation" with lieutenant Pope concerning his "intended attack?"

In the 9th paragraph of your letter, you say, that "after having discussed the history of these transactions, with all the force and accuracy which result from these observations, I assure, with a very ill grounded confidence, that upon a view of the whole it appears, that his majesty's governors on the Mississippi have on various pretences, postponed the running of the boundary line and the evacuation of the posts." I must here also complain of misrepresentation. I did not in my report draw my conclusions from the history of these transactions—that is, of the transactions which you have previously mentioned in your letter, and which I have already noticed in this answer; but "upon a view of the whole correspondence then and before submitted to the president." This correspondence I will now examine, to see whether the causes assigned by the Spanish governor, for postponing the running of the boundary line and evacuating the posts, merit the name of reasons, or of pretences.

Governor Gayoso being informed of Mr. Ellicott's descending the Mississippi, wrote to him on the 27th of February, desiring him to leave his escort at Bayou Pierre, 60 miles from the Natchez. Yet the treaty prescribed a military escort on each side to attend the commissioners in running the boundary line; and the Natchez as the place of their first meeting. The chief reason offered for this request was, that if the troops of the two nations were brought together, "misunderstandings" might arise between them. Yet the treaty required their coming together to attend the commissioners when they were jointly running the boundary line. And the only reason the governor assigned for not evacuating the posts, was "the want of vessels," but which he expected would soon arrive.

On the 25th of February, governor Gayoso and Mr. Ellicott fixed on the 19th of March to proceed down the river to Clarksville, near which it was supposed the boundary line would commence.

On the 9th of March governor Gayoso informed Mr. Ellicott that the baron de Carondelet could not attend the running of the line in person, and that the whole business had devolved on him, the governor; but he feared he should not be ready on the 19th. And then he endeavoured to draw Mr. Ellicott from his proper station at the Natchez, by proposing a visit to the baron at New-Orleans.

March 12th, the governor again endeavoured to draw Mr. Ellicott from the Natchez, and recommended L'etus' Cliffs near Clarksville as the point of reuniting; and by way of inducement, said that the geometer and other officers to be employed on the boundary line would stop at Clarksville.

On the 15th of March, the principal part of the artillery was taken out of the fort, and every appearance made of a speedy evacuation; but on the 22d they were carried back to the fort and immediately remounted. A similar movement took place at the latter end of April, after the arrival of lieutenant Pope and his troops at the Natchez. "The evacuation (says he) appeared to be going on with great life; when all at once the military stores were ordered back, their troops busily engaged all night taking back and remounting the cannon." Here he very naturally expresses his surprise—"This kind of conduct (says he) appears strange."

March 23d, the governor mentions that orders had been given by the general in chief of the province, to demolish the post at the Walnut Hills—because their treaty with the Indians required it: but as he (Gayoso) had since been informed of their unsettled dispositions, he had sent counter-orders, to prevent the fortifications being injured; suggesting at the same time that the moving of the stores, &c. was suspended only until the arrival of the American troops to take possession of the post.

In this letter the governor informs Mr. Ellicott that lieutenant-colonel Guillemard was far on his way up; and, on his arrival, the running of the boundary line should begin. The governor adds this assurance, "that there is nothing that can prevent the religious compliance with the treaty."

On the 28th and 29th of March, governor Gayoso issued two proclamations, both bearing date the 29th, taking new ground for retaining the posts, viz. until the right of the inhabitants to the real property is ascertained. The governor is pleased to say that a negotiation was then carrying on between the king of Spain and the United States, to secure to the inhabitants of the Natchez the right to their real property; that that right could not be secured but by an additional article to the late treaty; and that he should keep possession of the country until that article should be officially communicated to him, and until they were sure that the Indians would be pacific. This last reason particularly warrants my assertion—that the governor meant for an indefinite period to avoid the evacuation of the posts; for while a tribe of Indians existed in that quarter, the governors could not be sure that they would be pacific. And as to their real property, seeing the great body of the inhabitants appear not to desire the patronage of the Spanish government to secure it: as the government of the United States must be at least as anxious as that of Spain to protect the inhabitants in their rights, when become citizens of the United States: I believe there can be no difficulty in deciding whether this is a reason, or a pretence. Besides, the negotiation mentioned by the governor about the real property of the inhabitants, has never existed; nor even been proposed or hinted, either to or by the government of the United States. I hope, therefore, it will not be deemed harsh, or unbecoming in a letter of this kind, to say, that this motive for suspending the evacuation of the posts—that a negotiation was then on foot to secure the real property of the inhabitants—does not merit the title, even of a pretence.

So soon as the governor discovered that his proclamations, instead of quieting the minds of the inhabitants, produced a contrary effect, he sent two gentlemen of the settlement to inform Mr. Ellicott that he,