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THE CESSION OF FLORIDA AND JOHN
QUINCY ADAMS, SECRETARY
OF STATE, U. S. A. *

by LESTER HARRIS

THE CESSION of the Floridas stands out as one of the greatest victories in the history of American diplomacy. Ownership of Florida insured to the United States a continuous seaboard on the Atlantic Ocean. It led to the recognition by the United States of the South American colonies, then in revolt against Spain. ¹ The treaty with Spain gave the United States its first recognized claim to the western lands bordering on the Pacific Ocean. ² It became the basis for the acquisition of Oregon and Washington, and parts of present day Montana and Idaho. ³ Cession led directly to the Monroe Doctrine. ⁴

It fixed for all time the boundary lines of the "Louisiana Purchase." Spain had theretofore refused to accept the "Purchase" as valid and continued to claim ownership to over four hundred thousand square miles of land west of the Mississippi River, plus control of the river itself. Only with the cession of Florida did Spain relinquish her right to charge "Right of Deposit" costs against American users of the Mississippi at the Port of New Orleans. ⁵

And in consequence of the stipulations contained in the IV article, His Catholic Majesty will permit the citizens of the United States, for the space of three years from this time, to deposit their merchandise and effects in the port of New Orleans, and to export them from thence without paying any other duty than a fair price for the hire of the stores; and

*Reprinted with changes and by permission from *The Bucknell Review*, May, 1956.

1. John W. Foster, "A Century of American Diplomacy" (Boston and New York, 1941), 264.
2. John Bassett Moore, "A Digest of International Law" (Government Printing Office, Washington, 1906), I, 440.
3. Moore, *op. cit.*, 457.
4. Foster, *op. cit.*, 265.
5. *Treaty of Amity Settlement and Limits between the United States of America and His Catholic Majesty, in Compiled General Laws of Florida*, V, 4820; Samuel Flagg Bemis, *A Diplomatic History of the United States* (New York, 1955), 180-186.

His Majesty promises either to continue this permission, if he finds during that time that it is not prejudicial to the interests of Spain, or if he should not agree to continue it there, he will assign to them on another part of the banks of the Mississippi an equivalent establishment.⁶

The treaty provided for the transfer to the Union of all of the holdings of Spain north of the 42nd parallel of north latitude from the Arkansas River to the South Sea (Pacific Ocean).⁷ When, on June 15, 1846, the United States and Great Britain determined their northwestern boundary line, the Oregon treaty was based, in part, upon rights flowing out of the Florida treaty of cession.⁸ Finally, the United States received a fixed southwestern boundary line - the Sabine River.⁹ This line became a factor contributing to the Mexican War. Adams argued for the Rio Grande River boundary line, but was overruled by President Monroe.

During the War of 1812, Great Britain, possessing a powerful navy, used the coasts of Florida as a base for attacks upon the United States. Early in the year 1814, General Andrew Jackson of the United States Army was ordered to capture Mobile Point, then in the possession of the British. The attack was successful. The British retired and took possession of Fort Barrancas, six miles below Pensacola. From this point the British Commander began organizing Creek Indians into an army to invade Louisiana. Fort Bowyer, at the head of Mobile Bay, was held by the United States. The British attacked the fort and were driven off. Jackson thereupon marched upon Pensacola, taking the town in November, 1814. Immediately thereafter, the British evacuated Fort Barrancas.¹⁰

United States troops remained in Florida until the signing of the Treaty of Peace with Great Britain. Spain protested our entry into Florida and forwarded to Washington a demand for damages occasioned by the invasion. The claim was refused.¹¹

6. Samuel Flagg Bemis, *John Quincy Adams and the Foundations of American Foreign Policy* (New York, 1949), 305; *Treaty of Amity, Settlement and Limits*; Articles 4 and 12 of Treaty of Friendship of 1795.

7. *Treaty of Amity, Settlement and Limits*.

8. *Ibid.*

9. *Ibid.*

10. Moore, *op. cit.*, II, 402-406.

11. Moore, *op. cit.*, II, 404-405.

The War of 1812 convinced the United States Government that Florida must be brought into the Union. In the hands of a hostile power, the province would remain a menace to the nation. The United States had been negotiating for the cession of Florida from the year 1793. No agreement could be reached, however, since Spain felt that Florida could always be used as a threat against the United States if we should give aid to the South American Colonies, then in revolt against Spain.¹²

On April 16, 1817, John Quincy Adams, United States Minister to Great Britain, was notified by President Monroe of his appointment to the office of secretary of state. On assuming office, the Secretary was confronted with two important problems:

- a. The cession of Florida to the United States, and
- b. The recognition of the independence of the revolting Spanish colonies of South America.

Once in office, President Monroe and Secretary of State John Quincy Adams discovered that Henry Clay had become the champion of the South American colonies, then in revolt against Spain, and was seeking to obtain recognition of their independence by our government. The United States, in the presidency of Madison, had granted the South American colonies belligerent rights. They had made free use of our ports in furtherance of their military operations against Spain. In fact, the Spanish minister in Washington was kept busy lodging complaints of our imperfect and partial enforcement of neutrality.

To recognize their independence was to dismiss all hopes of the cession of Florida. Clay contended that the recognition of the Spanish-American republics ought to be delayed no longer, and that Florida was bound in the course of events to come to us. President Monroe, at the suggestion of Adams, refused to take the step advised by Clay.¹³

In the hands of any Foreign Power the Floridas were a pistol pointed at the heart of the future Continental Republic. East Florida was the butt of the pistol, Pensacola the trigger guard and the panhandle of West Florida was the horizontal barrel with its muzzle pressed against the nation's life artery, the Mississippi.¹⁴

12. Bemis, *op. cit.*, 302; Foster, *op. cit.*, 261-263.

13. Foster, *op. cit.*, 260-261.

14. Bemis, *op. cit.*, 302.

The treaty of cession of Florida was opposed by certain southern members of Congress who insisted upon annexation of Texas rather than Florida. Other congressmen were insisting that 'while the mouths of the Florida rivers should be accessible to a foreign naval force, there would be no security for the United States.' "No one realized better than Jackson the significance of the Florida pistol barrel if held against the Mississippi River by a foreign enemy."¹⁵ Only with cession or capture of Florida would "Old Man River," the father of waters, flow unvexed to the sea.

President Monroe, on July 25, 1818, ordered Adams to sound out the British minister relative to immediate cooperation with Great Britain in furthering South American independence. Adams advised against the proposal and the idea was abandoned. Recognition would interfere with the treaty negotiations on Florida then in progress.¹⁶

Throughout the period of Spanish sovereignty in Florida, Spain was unable to control the hostile Seminole Indians inhabiting the country. Settlers living on or near the Florida-Georgia boundary line were in constant dread of attack. An outbreak being imminent, Secretary of War Calhoun, on December 26, 1817, ordered General Jackson to Fort Scott, Georgia, for the purpose of taking command of the United States forces, in an effort to protect the settlers from the incursions of the Indians. Jackson took command March 9, 1818.¹⁷

On arrival at Fort Scott, Jackson wrote the Secretary of War, Calhoun, that the Indians, aided by escaped Negro slaves, had demanded arms and ammunition of the Spanish government in aid of their war upon the United States for possession of Fort St. Marks, then held by Spain. The Spanish governor of Pensacola notified Jackson that Fort St. Marks would be surrendered to the Indians, since it could not be held by the Spanish forces then available.¹⁸

In answer to orders sent by Secretary of War Calhoun, General Jackson wrote: "Spain was bound by the Treaty of 1795 to

15. Bemis, *op. cit.*, 332.

16. John Quincy Adams, *Diary, 1794-1845* ed. by Allan Nevins (New York, 1929), 201.

17. Moore, *op. cit.*, II, 403.

18. *Idem.*

keep the Indians at peace with the United States. They have acknowledged their incompetency to do this, and are consequently bound by the law of nations to yield to us all their facilities to reduce them. Under this consideration I shall take possession of the garrison at Fort St. Marks as a depot for my supplies, should it be found in the hands of the Spaniards, they having supplied the Indians, but if in the hands of the Indians, I will possess it for the benefit of the United States, as a necessary position for me to hold, to give peace and security to this frontier and to put a final end to Indian warfare in the South.”

Jackson attacked and captured Fort St. Marks. Letters were found in the fort suggesting that the Spanish government had given aid to the Indians in the outbreak.¹⁹

Acting upon the information found at Fort St. Marks, Jackson moved west and captured Pensacola and Port Barrancas on May 27, 1818. Meantime, General Jackson forwarded the letters found at Fort St. Marks to President Monroe. In answer Monroe wrote as follows: “You must aid in procuring the documents necessary for this purpose. Those you sent do not, I am satisfied, do justice to the cause. Your letters to the department were written in haste, under the pressure of fatigue. If you think it proper to authorize the Secretary or myself to correct passages, it will be done with care.”²⁰

The cabinet at Washington became panic-stricken when apprized of the news of Jackson’s attack upon Florida. The capture of Pensacola and Fort Barrancas was an act of war against Spain. The cabinet was in session for three days, discussing Jackson’s attack. Secretary of War Calhoun recommended that Jackson be court martialed or reprimanded for exceeding his orders. Calhoun insisted that Jackson had made war upon Spain without the authority of Congress; hence the constitution had been violated. President Monroe, Secretary of War Calhoun, Secretary of Treasury Crawford, and Attorney General Wirt ranged themselves against General Jackson. Secretary of State Adams, however, held with Jackson, subject to the return of Pensacola and Fort St. Marks to Spain.²¹

19. Moore, *op. cit.*, 403-404.

20. Marquis James, *Andrew Jackson the Border Captain* (Indianapolis, 1933), 317-318, 411.

21. Adams, *op. cit.*, 199-201.

Adams argued that the Government must support General Jackson and confront Spain boldly because:

- a. To hold him responsible for exceeding his powers is a confession of weakness on the part of the United States Government.
- b. The disclaimer of power, in the executive, is of dangerous example and of evil consequences.
- c. There is injustice in disavowing Jackson, when in principle he is justifiable. Everything he did was defensive; that as such it was neither war against Spain nor violation of the constitution.²²

The views of Secretary Adams prevailed. Jackson was hurriedly withdrawn from Florida. A note drawn by Adams was dispatched to Spain, stating that we would not hold Spain responsible for the unauthorized act of its agents, in giving aid to the Seminole Indians. Further we pleaded self-defense, since Spain could not keep order in the territory. The reasoning was specious but effective. Adams was leading from strength.²³

The note was approved by ex-president Jefferson, confidential adviser of Monroe. Jefferson recommended that copies of the note be forwarded to other European nations as a thorough vindication of the conduct and policy of the United States. Many historians hold this statement to be about the ablest note of diplomacy ever written by an American diplomat.²⁴

Adams was still further to protect General Jackson, in the Armbrister-Arbuthnot affair. These men, citizens of Britain, were captured and executed by Jackson for having supposedly given aid to the Indians during the outbreak. The British Foreign Minister, Lord Castlereagh, declared afterwards to Rush, our minister to Britain, that "had the English Government but held up its finger, war would have been declared." But so able and convincing were the arguments submitted by Adams and Rush that Britain became convinced that there was no just cause for war.²⁵

Through this turbulent period Adams and the Spanish Minister, De Onis, negotiated for the cession of Florida. Spain offered the province with the understanding that the United States would

22. Adams, *op. cit.*, 199-200; Bemis, *op. cit.*, 315.

23. Moore, *op. cit.*, II, 403-405.

24. Adams, *op. cit.*, 208.

25. Bemis, *op. cit.*, 315; Foster, *op. cit.*, 259-260.

make no attempt to recognize the revolting colonies of Spain in South America. This was refused. On October 24, 1818, Adams and De Onis finally agreed upon terms of cession. The treaty provided for mutual renunciation of financial claims. The United States became responsible for the liquidation of all claims held by American citizens against Spain to the extent of five million dollars. Spain received free commerce in two Florida ports for a period of twelve years. The United States assumed responsibility for property destroyed in Florida illegally by soldiers of the Union. On February 22, 1819, Adams and De Onis signed the Treaty of Cession of Florida. The United States Senate concurred the same day.²⁶

On the signing of the Florida treaty of February 22, 1819, Adams wrote as follows:

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 (Pacific) Sea forms a great epoch in our history. The first proposal of the negotiation was MY OWN, and I trust it is now secured beyond the reach of revocation. It was not even among our claims by the Treaty of Independence with Great Britain. It was not among our pretensions under the purchase of Louisiana . . . for that gave us only the range of the Mississippi and its waters. I first introduced it in the written proposal of 31st of October last, and after having discussed it verably both with Onis and De Neuville [French minister]. It is the only peculiar and appropriate right acquired by this treaty in the event of its ratification.²⁷

Allan Nevins, editor of the Adams diary, stated that:

Adams might well congratulate himself upon this treaty with Spain. It gave the United States the cession of Florida; we agreed to pay Spanish claims not exceeding five million dollars; and the boundaries of the Louisiana Purchase were defined in an exceedingly satisfactory manner. The United States did nothing more for its part than to concede the Sabine instead of the Rio Grande as the southwestern boundary; a concession which Henry Clay at once prepared to attack. The treaty also met heavy obstacles in Madrid.²⁸

26. Moore, *op. cit.*, 439-444; *Treaty of Amity, Settlement and Limits*.

27. Adams, *op. cit.*, 211-212.

28. Adams, *op. cit.*, 212 (footnote).

After signature of the Treaty, De Onis boasted of having overreached Adams. He advised some friends that the land grants set out in paragraph 8 of the Treaty were not all-inclusive, for previous to January 24, 1818, the date on which all land grants by Spain in Florida were to have been concluded, and on the day following, the king had deeded to three Spanish noblemen and to "some swindling American Land Jobbers" nearly one-third of all the public lands of the Province, to wit, one-third of all of East Florida (Actually, all of East Florida except the East Coast.)²⁹

Henry Clay, a political opponent of Secretary Adams, heard of the boast and immediately notified President Monroe. General Jackson advised President Monroe to take Florida "at the mouth of the cannon." Adams was bitterly incensed over the trick. He advised that troops be sent into Florida immediately and that so much of the treaty as covered the fraudulent land grants be set aside. Monroe refused the suggestion, despite the fact that if the treaty had been ratified by the King of Spain, the government of the United States would have lost title to the public lands of East Florida, and would have been in position to exert sovereignty only over the territory.

Ratification would have brought about:

- A. Loss of revenue in land sales to American colonists
- B. Settlement by Spanish citizens, thus setting up a minority problem in Florida.³⁰

Fortunately for the United States, the Spanish government delayed ratification. Had ratification been prompt the fraudulent land grants would have been held valid under the rule laid down by Chief Justice Marshall in *Fletcher vs. Peck*, the Yazoo Land Frauds.³¹

The courts cannot inquire as to the motives prompting the acts of the other departments of government; their knowledge and good faith are not open to question, nor can the wisdom or the expediency of these acts be questioned by the courts.

29. Bemis, *op. cit.*, 336-337; Adams, *op. cit.*, 255-56.

30. Bemis, *op. cit.*, 350; *A Diplomatic History of the United States*, 195; Foster, *op. cit.*, 263.

31. *Fletcher vs. Peck*, 6 Cranch 87, Supreme Court of the U. S. 3 L.Ed., 162.

Secretary Adams promptly notified Spain that the treaty must be accepted with the understanding that the land grants to the noblemen, Punonrostro, De Vargas, and the Duke of Alagon, were void. The Spanish government, in ratifying the treaty, must now add a clause to the treaty expressly disavowing the grants.³²

When Florida seceded from the Union, the State Constitutional Convention of 1861 expressly held that the courts of Florida were never to entertain jurisdiction of any grants of land made by the King of Spain to the above noblemen. Neither was cognizance to be taken of any title derived from the grants.³³ Of the brilliant Spanish Minister, De Onis, Adams wrote:

It is sufficient to say, that he looked upon the United States with a jealousy and dislike which he was so little able to repress that for some time his reception by the United States was refused. His diplomatic subtlety made him, when at last he entered on the negotiation a fit instrument of the procrastination his instructions advised.

Adams held him to be "Cold, calculating, wily, and always controlling his temper. Proud because he is a Spaniard, but supple and cunning. Bold and over-bearing to the utmost extent to which it is tolerated, careless of what he asserts, his morality appears to be that of the Jesuits . . . as exposed by Pascal. He is laborious, vigilant, and ever attentive to his duties; a man of business and of the world."³⁴

Adams had good reason to be bitter. He was considered our greatest diplomat. His reputation was based upon a career in diplomacy unequalled in our history. "At the age of eleven he accompanied his father on his diplomatic mission to Europe and early acquired a knowledge of French and German." . . . "When only fourteen he went to St. Petersburg, Russia, as Secretary to our Minister, Mr. Dana." . . . "When sixteen he served as one of the secretaries of the American Plenipotentiaries in the making of the Treaty of Peace and Independence between Great Britain and the United States in 1783." . . . "At the age of twenty-seven he was appointed by President Washington as United States Min-

32. Moore, *op. cit.*, V, 188-191.

33. State Constitution of Florida (1861), Art. XV: Par. 1, Compiled General Laws of Florida, V, 4919-4920.

34. Moore, *op. cit.*, I, 441 and footnote.

ister to Holland." Later he was appointed minister to Berlin, Germany, and commissioner to Sweden.

When United States minister to Holland, Adams was appointed to head the United States Peace Delegation in the settlement of the War of 1812. The Marquis of Wellesley, speaking in the House of Lords of the American delegation, stated that the Americans had shown an astonishing superiority over the British delegation during the whole of the peace negotiations. Adams was but twenty-eight years of age at the time.³⁵

On completion of his diplomatic duties in Europe, Adams was elected to represent Massachusetts in the United States Senate. During this term of office he was appointed United States minister to Russia, serving until 1815, when he was given the most important diplomatic office in the gift of the president, minister to Great Britain. President Monroe, in 1817, called Adams back from London to head the State Department. During this period of office, Adams, along with Rush, then the American minister to Great Britain, formulated our greatest pronouncement in foreign relations, the Monroe Doctrine.³⁶

At this time the Secretary was a prominent candidate for the presidency to succeed Monroe. He was to be opposed by Secretary of War Calhoun, General Jackson, Secretary of the Treasury Crawford, and Henry Clay. Ratification of the treaty inclusive of the fraudulent land grants would have wrecked his political career.

De Onis returned to Spain and was appointed to the Spanish cabinet. He now opposed ratification of the Florida Treaty on the Theory that once the treaty was ratified the United States not only would recognize the rebellious Spanish Colonies of South America but had designs on the Spanish province of Texas as well. Spain refused to ratify.

The diary of Mr. Adams explains the annoying vicissitudes to which the negotiations were subjected. It is due to him to say that in no portion of his diplomatic correspondence by which the archives of the Department of State are enriched, did he display more vigor and at the same time less impatience and harshness of expression than in the remark-

35. Herbert Agar, *The People's Choice* (Boston, 1933), 95-96.

36. Foster, *op. cit.*, 251; Adams, *op. cit.*, 300-301.

able papers which issued from him during this protracted negotiation with Spain.³⁷

Secretary Adams quickly notified the government of Spain that disavowal of a treaty, to be effective, must be prompt. In this case, Spain waited seven months before notifying the United States of its action in refusing to ratify the Treaty. Refusal came too late. Adams insisted that De Onis had been given full power to negotiate and conclude the treaty. "The good faith of Spain was involved. Mr. Adams likened the situation to the difference between a covenant to convey lands and the deed of conveyance itself. Upon a breach of the covenant to convey, Courts of Equity decree that the party who has broken the covenant shall convey and further, shall make good to the other party all damages which he has sustained by the breach of contract."³⁸

Adams insisted that the king of Spain had sent De Onis to the United States with full powers to negotiate a treaty, and that the king had further advised De Onis that "he would approve, ratify and fulfill whatever may be stipulated and signed." In fact, Adams stated that he had evidence to the effect that De Onis under his instructions from the king, "was authorized to concede much more than he did" (to the Rio Grande).³⁹

Now Adams, citing Emerich de Vattel's *Le Droit des gens* and G. F. de Martens' *Summary of the Law of Nations*, advised our Minister in Spain that:

The obligation of the King of Spain, therefore in honor and in justice, to ratify the treaty signed by the Minister, is as perfect and unqualified as his royal promise in the full power, and it gives the United States the right, equally perfect, to compel the performance of that promise.⁴⁰

At this time, to avoid all danger and difficulty, princes reserve to themselves the right of ratifying that which has been concluded by their Minister in their name. The full power is merely a commission *cum libra*. If this commission were to have its full effect, it should be given with utmost circumspection; but, as princes can be constrained to fulfill their obligations only by force of arms, the custom

37. Moore, *op. cit.*, I, 442-443.

38. Moore, *op. cit.*, V, 188-190.

39. Moore, *idem*, V, 188-190.

40. Moore, *ibid.*, V, 189.

has arisen of relying upon their treaties only after they have sanctioned and ratified them. Whatever the Minister has concluded remaining ineffectual until ratification by the prince, there is less danger of giving him a full power. *But to refuse, with honor, to ratify that which has been concluded in virtue of a full power, the sovereign must have strong and solid reasons for it, and particularly, he must show that his minister transcended his instructions.*⁴¹

and

Everything that has been stipulated by an agent, in conformity to his full powers, ought to become obligatory for the state, from the moment of signing, without even waiting for the ratification, . . . except when he who is charged with the negotiation, keeping within the compass with respect to his full powers, has gone beyond his secret instructions, and consequently has rendered himself liable to punishment, or when the other party refuses to ratify.⁴²

Adams admitted that under the American constitution, ratification was "ordered otherwise," for here concurrence must be given treaties by the Senate after negotiation and approval by the President.⁴³

The United States cabinet, on being notified of Spain's disavowal, thought of occupying Florida on the ground of necessity in repelling Indian and Spanish marauders. Spain had neither the power nor the will to keep Florida from being the starting ground for these outrages. Crawford, Secretary of the Treasury, whose Georgians were particularly exposed to the raids, insisted upon occupation. President Monroe wisely decided to await the future action of Spain.⁴⁴

Fortunately for the United States, at this time the nations of Europe were giving aid to the Spanish king in his attempt to retain his throne as against the liberals of Spain. France, Great Britain, and Russia counseled Spain to ratify the treaty. They also recommended that the United States pursue a conciliatory course.

In January, 1820, Spain ordered Minister Vives to Washington with instructions to temporize and delay. On arrival in the

41. Vattel, II, Chapter 12, Par. 156; Moore, *op. cit.*, V, 185.

42. Martens, "Summary of Law of Nations," II, Chap. 1, Par. 3; Moore, *op. cit.*, V, 185.

43. Moore, *op. cit.*, V, 189 and U. S. Constitution, Article II-(2), Sect. 2; Par. 2.

44. Moore; *ibid.*, I, 442-443.

United States he immediately accused the United States of protecting piracy, carried on from our ports against Spanish ships and Spanish property. He demanded that the United States form no relations with the rebellious South American colonies.⁴⁵

Soon thereafter revolution broke out in Spain. A new government was formed, and on October 5, 1820, the Spanish Parliament, in secret session, advised the cession of Florida to the United States. Accordingly, on October 24, 1820, the king of Spain signed the treaty ceding the provinces to the United States. In ratifying the treaty, the King of Spain added a clause expressly annulling the land grants heretofore held invalid by the United States.⁴⁶ The United States Senate ratified the treaty (for the second time) February 19, 1821. On February 22, 1821, ratification was approved by President Monroe.⁴⁷

Within a year thereafter, on March 8, 1822, President Monroe suggested to Congress that the Spanish colonies in South America be recognized as independent, and on May 4, 1822, the president approved an act defraying the expenses of an independent mission sent by the United States to the South American nations.⁴⁸

On December 2, 1823, President Monroe announced the Monroe Doctrine, as formulated by his Secretary of State, John Quincy Adams :

We owe it, therefore, to candor, and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety.⁴⁹

Great Britain followed the United States in recognizing the South American nations on December 14, 1824, and gave official notice January 1, 1825.

The Spanish diplomats were quite correct in their fears over the cession of Florida. Transfer of the colony led directly to the loss of all Spanish colonies of South and Central America.

45. Moore, *ibid.*, I, 444.

46. *Idem*, and Compiled General Laws of Florida, V, 4827-4828.

47. *Idem*.

48. Moore, *op. cit.*, I, 85.

49. Moore, *op. cit.*, VI, 401-404. Monroe's Message, Dec. 2, 1823; Adams, *op. cit.*, footnote, 300-301.

The United States was particularly fortunate in its leaders at this time. President Monroe was an able diplomat in his own right. Prior to his election to the presidency he had held the offices of governor of Virginia, secretary of state, United States minister to France, and United States minister to Great Britain. Along with Livingston he had negotiated the Louisiana Purchase.

Of the part played by General Jackson in Florida negotiations, Judge John Bassett Moore wrote:

In the cession of Florida, General Jackson displayed that rare sagacity which afterwards came so singularly to his aid in mastering not only the opposition of others, but the impulse of his own passions. His personal instincts were for a Spanish war, and so his unpublished letters, on file in the Department of State, show. He burned with resentment at what he considered Spanish atrocities which he thought were all the more injurious from the feebleness of the power by which they were upheld. He was ready to seize and occupy Pensacola and other posts which he thought harbored border Indians or hostile raiders. But while thus making the United States as uncomfortable a neighbor to Spain as he could, underneath his correspondence with the Spanish authorities lurked the suggestion, "how much better for you to sell out." And purchasing he urged on the administration as far wiser, surer and cheaper than conquering.⁵⁰

Upon ratification of the treaty for the second time, Congress passed an act implementing the treaty on March 3, 1821. A similar act had been passed to implement the first treaty on March 3, 1819.

On March 12, 1821, President Monroe ordered Secretary of State Adams to deliver to General Jackson the appointment of commissioner to take possession of West Florida at Pensacola. The ceremony took place on July 17, 1821. Colonel Robert Butler took possession of East Florida at St. Augustine, on July 10, 1821. This letter of the President also gave Jackson the appointment of provisional governor - once surrender was completed. On July 17, 1821, the day of the ceremony at Pensacola, Major General Andrew Jackson, holding himself to be acting as governor of the Provinces of the Floridas and "exercising the power of the Captain General and of the Intendant of the Island

50. Moore, *op. cit.*, I, 441.

of Cuba over the said provinces," issued his first proclamation as governor of Florida.

The Adams letter giving Jackson his appointment of commissioner and governor of the "Province of the Floridas," March 12, 1821, places the official date of the cession of Florida as February 22, 1819, and not February 22, 1821, the day the treaty was ratified for the second time. Jackson's first proclamation holds to the same effect.⁵¹

On February 22, 1821, Secretary of State John Quincy Adams made the following entry on the matter of the cession of Florida in his diary:

I considered the signature of the treaty as the most important event of my life. It was an event of magnitude in the history of this Union. The apparent conclusion of the negotiation had been greatly and unexpectedly advantageous to this country. It had at once disconcerted and stimulated my personal antagonists and rivals. It promised well for my reputation in the public opinion. Under the petals of this garland of roses the Scapin, 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 after the signature, his fraudulent declarations to me, and 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, but leaving room to chicanery from a mere colorable question, was the handle upon which the King of Spain, his rapacious favorites, and American swindling land-jobbers in conjunction with the ratification of the treaty, while Clay and his admirers here were snickering at the simplicity with which I had been bamboozled by the crafty Spaniard. The partisans of Crawford, and Crawford himself, were exulting in the same contemplation of a slur upon my sagacity, and delighting in the supposed failure of the negotiation, because its failure brought unavoidable disgrace upon me. By the goodness of that inscrutable Providence which entraps dishonest artifice in its own snares. Onis divulged his trick too soon for its success. Clay was the first to snuff the fra-

51. Compiled General Laws of Florida, V, 4827-4842.

grance of this hopeful blasting vapor, and to waft it as his tribute of incense to the President. The demand of a formal declaration by Spain that the grants in question were by the treaty null and void, completely and unequivocally obtained at last, has thoroughly disappointed all the calculators of my downfall by the Spanish negotiation, and left me with credit rather augmented than impaired by the result.⁵²

It was Adams alone who saw the opening for a break through to the Pacific in negotiating the cession of Florida. Oregon was his most massive contribution to Manifest Destiny. Time has confirmed Adams' pardonable pride in negotiating the cession of Florida. The treaty was the greatest diplomatic victory won by any single individual in the history of the United States of America.⁵³

52. Adams, *op. cit.*, 254-256.

53. Bemis, *John Quincy Adams and the Foundations of American Foreign Policy*, 339-340. On page 335 the lands ceded are described as follows: "The line began at the mouth of the Sabine River in the sea, and continued North along the western bank of that river to the 32nd parallel of latitude; then by a line due north to the Red River; thence westward up the south bank of the Red River to 100 degrees west longitude; thence across the Red River, and due north to the south bank of the Arkansas and westward along that bank to the south in latitude 42 degrees north; thence westward up that parallel to the South Sea; the whole as laid down on Melish's Map."