Marshal's feet in a similar state to her sister. The children stood silent, but but did not cry; the eldest is about 11 or 12 years of age. The Marshal spoke of a long time with his wife and family—took tender adieu of them, and Madame Ney was carried away in senseless state. Shortly afterwards, a veteran, who had served under the Marshal many campaigns, and who was one of his guards—said, "I never expected death, Marshal, without thinking of God."—The Marshal stopped, looked at the man with attention, and answered—"You are right, send for my confessor." When all was ready, he would not enter the coach before the curate, saying—"Mount first, M. le Cure, as I can go up quicker than you."

INDIAN GRANTS, &c.

To the Senate and House of Representatives of the U. States.

The accompanying extract from the occurrences at Fort Jackson, in August, 1814, during the negociation of a Treaty with the Indians, shows that the friendly Creeks, wishing to give to gen. Jackson, Benjamin Hawkins, and others, a national mark of their gratitude and regard, conveyed to them, respectively, a donation of land, with a request that the grant might be duly confirmed by the government of the U. States.

Taking into consideration the peculiar circumstances of the case—the expediency of indulging the Indians in wishes which they associated with the Treaty signed by them, & that the case involves an inviting opportunity for bestowing on an officer who has rendered such illustrious services to his country, a token of its sensibility to them; the inducement to which cannot be diminished by the delicacy and disinterestedness of his proposal to transfer the benefit from himself: I recommend to Congress that provision be made for carrying into effect the wishes and request of the Indians, as expressed by them.

JAMES MADISON.

Jan. 18th, 1816.

Extracts from the Minutes of Occurrences at Fort Jackson, during the negociation of Jackson's Treaty.

AUGUST 8, 1814.

The chiefs of the Creek nation assembled at their square, and sent for Gen'l. Jackson and Col. Hawkins to visit them. On arriving there, the speaker (Tustunnuggee Thlucco) said he wished to confer with the General on some points relative to the boundary up Coosa River, particularly to accommodate Au-be-Cooche, at the solicitation of Is-ho-loss-lee, by giving back some lands west of Coosa.——The General objected to the accommodation, as the people in that quarter had been already sufficiently provided for, and the ground asked for had been the thorough-fare of the murderers.

The speaker then addressed the general:

"The points now about boundary are pretty well settled, and we shall sign it; but, before we do it, & yield it up, we have something to say to you: We are a poor distressed people, involved in ruin—which we have brought on ourselves. It is not caused by a foreign people among us, but of our own color, our own land, and who spoke our tongue. They arose against us, destroy us! and we could not help ourselves. We called on three brothers, (Cherokees, Chickasaws, and Choctaws,) to help; but they did not come. We then called on col. Hawkins for our white friends and brothers to help and you came! You have seen our red and white brothers mix their blood in battle. You have risked your own life for us and came here; and here we meet! you have saved my life; and I am thankful for it. We have put our heads together, and counselled on it, and have come to one opinion about it, and what we should do. We, the Creek nation, give you three miles square of land, to be chosen where you like, from that we are going to give up. We wish you to take it where you like, and as near us as you can, as, if we have need of you, you will be near to aid and advise us.

"We give you this in remembrance of the important services you have done us, and as a token of the gratitude of the nation.

"There is a man near you, Colonel Hawkins: the same we give him, three miles square. He has has been long among us—helping us and doing good for our nation, and is their friend. He and I met at Coleraine, and were young men—and are now old. His children are born in our land. He is to select his land we give, where he chooses on the land we are about to give up, and to sit down on it; and if he dies his children will have a place to live on.—We do this as a token of the gratitude of the nation.

"There is standing by you George Mayfield, a white man, arised in our land, a good and true man—an interpretor: We give him one mile square of land near you, that you may have an interpreter at hand, if we have need of you, to talk with you.

"Here is our old interpreter, thirty years in our service, Alexander Cornells: We give him one mile square of land, to sit down on where he selects, and near colonel Hawkins, that he may continue his usefulness to us."

Gen. Jackson replied—He should accept of this national mark of their regard for him, if approved of by the President; and he, the President, might, if he would, appropriate its value to aid in clothing their naked women & children. He was well pleased they had noticed their old friend Col. Hawkins, and his children, born among them; and their conduct on this head towards him & them, was much to the credit of the nation.

Col. Hawkins replied—I have been long among you, and grey in your service: I shall not much longer be your agent. You all know me, that when applied to by red, white or black, I looked not to colour, but to justice of the claim. I shall continue to be friendly and useful to you while I live; and my children, born among you, will be so brought up as to do the same. I accept your present and I esteem it the more highly, by the manner of bestowing it, as it resulted from the impulse of your own minds, and not from any intimation from the general or me.

8 *P. M.*—This evening the chiefs expressed to Col. Hawkins, they did not give to general Jackson the land to-day to give it back to them in clothing and other things; they want him to live on it, and when he is gone (dead) his family may have it; and it may always be known what the nation gave it to him for. They say in the instrument to convey their intentions expressed this day, it must be plainly expected which are the town's masters of the land; that they have been uniformly friendly to the United States, and faithful to their engagemens in peace and war; that they consider the extending the line through their lands in the Lower Creeks, as taking from them more than the equivalent offered & they have claims which should be attended to, but as the General has no powers about them, they will sign the line with him, it being demanded by him and advised by their friend, col. Hawkins. Mrs. Hawkins must be put in with her children, as she had much trouble to teach the Indians to spin and weave.

The instrument of conveyance was drawn accordingly, under the interpretation of Mr. Cornells and Major M'Intosh, commander of Cowetau.

BENJAMIN HAWKIHS,
Agent for I. A.

9th August.—We, the undersigned chiefs of the Creek nation, now assembled at the treaty held between the friendly and hostile Indians of the one part, and major general Andrew Jackson, for the United States, on the other part, make known to all whom it may concern, that Cussetau and Cowetau are the head towns of the Creeks, and with Tookaubatchee and Oosooche, the owners of the Creek lands, and call ourselves, as we are masters of the land; we have adhered faithful in peace and war to our treaty stipulation with the United States. Finding that Gen'l. Jackson, in drawing the lines around our county, to retain as much of that conquered from the hostile Indians as he deemed just found it necessary, for political motives and purposes, to run a line from Ofuchee, through our lands which commences on the dividing ridge between the waters of the Upper and Lower Creeks to Chattahoochee, and thence eastwardly to the boundary of Georgia, within which there is a quantity of lands actually our property, for which he, as an equivalent, leaves to the conquered Indians lands between Coosa and Tallapoosa, we do not deem the exchange as an eqivalent; it shall not, however, interfere with the running the line as we rely on the justice of the U. States to cause justice to be done us, and on these conditions—

We request that general Pinckney's letter of the 23d April to Col. Howkins, and the answer thereto of the 25th, be sent on with the treaty, which he will sign after delivering this instrument.

1st. Wishing to give a national mark of gratitude to major general Andrew Jackson, for his distinguished services rendered us at the head of the army from Tennessee, we give and grant to him and his heirs forever, three miles square of land, at such place as he may select out of the retained lands.

2dly. Our nation feel under obligations to Col. Benjamin Hawkins our agent, & to Mrs. Lavinia Hawkins, his wife, for the unwearied pains they have both of them for a long time taken, to introduce the plan of civilization among us, and to be useful to us; and as their children are born in our land, we, as a token of gratitude, give and grant to Col. Hawkins, for himself, his wife, and children, three miles square of land, to him and his heirs forever, to be located in such part of the retained lands as Col. Hawkins may select, in one tract, or surveys of one mile square each.

3dly. We give to George Mayfield, an interpreter with Gen'l. Jackson, a white man raised in our land, one mile square of land, where he may select, as a mark of our respect for his honesty and usefulness to us as interpreter.

4thly and lastly. We give and grant to Alexander Connells, a half breed, our old and faithful interpreter, who has long been in the public service, 1 mile square of land, at his option, to be located by him.

We finally request that the government of the U. States will ratify the foregoing acts of national gratitude, and by suitable deeds of conveyance, to enable the parties to receive and hold the said lands agreeable to our intentions, as herein expressed.

Given under our hands at the treaty ground at Fort Jackson, 9th August, 1814.

Tustunnuggee Thlucco, speaker of the nation of Upper Creeks,
Micco Aupoegan, of Tookaubatche, speaker of the nation of Upper Creeks,
Tustunnuggen Hopoie, speaker of the Lower Creeks,
Micco Auchule, of Cowetau,
William M'Intosh, Major of Cowetau,
Tuskeenehaw, of Cussetaw,
Faw Emantla, of Cussetaw,
Tookaubatchee Tustunnuggee, of Hitchetee,
Noble Kinnard, of Hitchotie,
Hopoie Hutker, of Secuweoglo,
Hoholee Yoholo Secuwoogolo,
Fullawpan Haija, of Eufaulaw, on Chattahoohee,
Packee Haigo, of Aupaulauchoole,
Timpoijer Bernard, Captain of Uchees,
Uchees Micco.

In presence of
J. C. Warren, assistant agent for Indian affairs,
Return J. Meigs, agent for Creek nation,
Robert Butler, adjutant general,
Alexan. Mayfield, Alexan. Cornells, George Lovell, } Public Interpreters.

Having compared the within transcript with the original, I certify it to be a true copy thereof.

CHARLES CASSEDY,
Acting Secretary.

Fort Jackson, Aug. 9th, 1814.

OUR RELATIONS WITH SPAIN.

To the House of Representatives of the United States.

In compliance with the resolution of the 24th, I transmit two letters from the Envoy Extraordinary and Minister Plenipotentiary of Spain, to the Secretary of State, with his answer.

JAMES MADISON.

Jan. 26, 1816.

Translation of a letter from the Minister of Spain, to the Secretary of State, dated

WASHINGTON, DEC. 30, 1815.

SIR,

The diplomatic relations between the King, my master, and the U. States, being happily restored, and both governments being disposed mutually to strengthen the ties of the most pure and perfect friendship, it is my duty to inform the President of whatever may contribute to so desirable an object, and remove the obstacles which may prevent it. On the important points on which this note must turn, I have written to you under other circumstances less favorable than the present. I will now confine myself to a plain and simple explanation of them.

The first of these points is: that the direct & official relations between Spain and the U. States having been broken off, since the year 1809, the affairs of both nations, as well as their respective frontiers, should now be placed in the same state and situation in which they were at that period; and that, in conformity to this principle, the part of West Florida, which the U. States took possession of during the glorious insurrection of Spain, and have retained until this day, should be restored to his catholic majesty.—This just and conciliatory measure, at the same time that it will convince the King, my master, of the purity and sincerity of the sentiments of the American government, and of their disposition to arrange and terminate amicably the several points of negociation, will not, in the least, impair the right which it may believe it has to the whole, or a part of the territory occupied, since it will remain subject, exactly as it was before its occupation, to a frank and friendly discussion between the two governments.

The second point is as simple and obvious as the first, and I will treat of it with that confidence, with which I ought to be inspired by the indisputable justice of my importunity, the justification of the American government, and the importance of the affair.

It is known to you, and is universally public and notorious, that a factious band of insurgents and incendiaries continue with impunity, in the province of Louisiana, and especially in New Orleans and Natchitoches, the uninterrupted system of raising and arming troops, to light the flame of Revolution in the kingdom of New Spain, and to rob the pacific inhabitants of the dominions of the King, my master.——The invasion of the internal provinces, the horrible assassinations committed in San Antonio de Bexar, and the names of the perfidious perpetrators of such unheard of crimes, have acquired the publicity with which great crimes always will acquire. All Louisiana has witnessed these armaments; the public enlistments (los engauchse publicos;) the transportation of arms; the junction of the insurgents and their hostile and warlike march from the territory of this republic against the possessions of a friendly and neighboring power; neither threats, nor the laws, nor the indignation of well disposed citizens, nor even the proclamation of the President of the 1st of September last, intended to restrain these highway robbers, have been sufficient to stop their nefarious plans. On the contrary, they prosecute them with greatest ardor and rancor, more & more exasperated at seeing the glorious triumphs of the Spanish nation, the adhesion of his subjects to an adored monarch, and the approaching re-establishment of the relations between our respective nations. It is known to me, that they are now enlisting, in New Orleans, men for other expeditions, both by land and water, to invade again the dominions of his catholic majesty, under the direction of ringleaders Jose Alvarez de Toledo, and Jose Manuel de Herrera, who had just arrived at that city, with the appointment (as he says) of minister to the U. States, from the self-styled Mexican congress, who had delivered to Toledo 1500 commissions in blank, from that body of insurgents, that he may confirm them on a like number of officers which he is recruiting in this territory of the union.

I omit mentioning to you other innumerable acts of this kind, which prove the publicity of these armaments, & the impunity with which they continue. I will confine myself to stating to you, that the most common practice of nations, and the authority of the best writers on public law, would give a right to the King, my master, to require of this government to deliver up these traitors, as incendiaries, enemies of all social order, and disturbers of the peace of his subjects; but as the object of my sovereign is not to avenge himself of this banditti, but to shield his subjects against their barbarity, I confine myself to asking of you to obtain of the President orders for the prosecution of the principal persons concerned in this sedition, that is to say: Jose Alvarez de Toledo; Anaya Ortez; the self-styled minister, Manuel de Herrera; Doctor Robinson; Humbert; Majors Eurie and Preire, and their followers, that they may be punished with all the rigor which the laws prescribe in cases of this kind. That the troops which they have raised, may be disarmed and dispersed, and that the necessary measures be taken to prevent, in future, these evil spirits from having an opportunity of pursuing their designs, and attempting to compromit the good intelligence which subsists between our respective governments. The President cannot but have seen with sensibility, as well the total want of effect of his proclamation, of the lenient measures which he had adopted against these criminals, who boast of recognizing no law, subordination, or moral principle, as the protection and support which they have received and do receive from the authorities at New Orleans, contrary to his express orders.

His excellency, as he is encharged by this republic with watching over its security, and the observance of its treaties and laws, cannot but consider himself authorized to restrain the projects and hostile measures of a set of adventurers, who make war against a friendly power from the territory of this confederation, compromitting its tranquility and high character, by availing himself of the means which the constitution, the laws, and his prudence offer to him for obliging these persons to abandon their designs, and to manifest to his catholic majesty the just indignation with which the United States view the hostile plans, and the sedition of that band of incendiares.——I am certain that it cannot be concealed from the distinguished talents of the President and yourself, that the point which I treat is not one under the civil (or diplomatic) law, in which case my sovereign must have recourse to the ordinary tribunals; but that it is a manifest and flagrant violation of the most sacred laws which bind together nations mutually—perpetrated by the citizens, or residents of the union, of which the King, my master, gives information, with positive and notorious proofs, to the government under whose jurisdiction it has been executed, that they may give him competent satisfaction, with a knowledge of the act, by causing the delinquent to be punished as guilty of high treason against both governments.

The third and last point is reduced to this: that the President will be pleased to give the necessary orders to the collectors of the customs, not to admit into the ports of the U. States, vessels under the insurrectionary flag of Carthagena, of the Mexican congress, Buenos Ayres, or of the other colonies which have revolted against the authority of the King, my master, nor those coming from them. That they should not permit them to land and sell in this country, the shameful proceeds of their piracy, or atrocities, & much less to equip themselves in these ports, as they do, for the purpose of going to sea, to destroy and to plunder the vessels which they may meet with under the Spanish flag. This tolerance, subversive of the most solemn stipulations in the treaties between Spain and the U. States, and diametrically opposite to the general principles of public security and good faith, and to the laws of nations, produce the most melancholy effects on the interests and the property of the subjects of his catholic majesty. Certain it is, that neither Carthagena, nor any other place in the Spanish dominions in this hemisphere, which has revolted, can be in communication with any power friendly to Spain, since neither on its part, nor on that of any other government, has their independence been acknowledged; and it is, consequently, an offence against the dignity of the Spanish monarch, and against the sovereignty of the King, my master, to admit vessels from such places, manned and commanded by insurgents, and armed in the dominions of this confederation; particularly as they are all pirates, who do not respect any flag, are justly considered the disgrace of the seas, and are execrated by all nations.

The three preceding points are of such established equity and justice, that it would be offensive to the delicacy of this government to suppose, that it could delay, under any pretext, to determine on them, in the manner I have proposed, and which I have an express order to request, (solicitar,) in the name of the King, my master. The prompt interposition of the President, that his majesty may be gratified, would be a new testimony of his friendly disposition towards Spain, an evident proof that he is determined to put an end to the incalculable extortions and injuries which Spain has suffered, for the space of seven years, from the gang of adventurers who have assailed her from the bosom of this republic; a means of fixing the frank and sincere system of good neighborhood which so much interests both states; and finally, a sure preliminary to the removal of all the difficulties which may present themselves in the negociations, which ought to terminate all the pending discussions between the two governments, and to fix for ever between them a perpetual and solid friendship.

If, as I flatter myself, the President gives all the attention which is due to affairs of such transcendant importance, and yields to my solicitations, I can assure his excellency and yourself, that there will be nothing which the King, my master, will not be disposed to do, to satisfy this republic, which may be compatible with his dignity and with the interests of his subjects.

I renew to you the assurances of my particular respect, and of my constant desire to please you, & pray God to preserve your life many years.

(Signed) LOUIS DE ONIS.

Washington, Dec. 30th, 1815.

Hon. James Monroe, &c. &c.

Translation which accompanied a note of the 2d January 1816, from the chevalier de Onis, to the Secretary of State.

SIR—Since the last note I had the honor to address you, under the date of the 30th of Dec. I have received positive information that the expedition which the Traitor Toledo was preparing in N. Orleans, against the dominions of the king my master, has been suspended until the arrival at that city of 2 bodies of troops, one thousand men from Kentucky, and three hundred from Tennessee, commanded by two American citizens, that were to be united in 24 days to the army of the Insurgents. I abstain, sir, from offering to you any observations on a subject of such high importance, and so well established. I am well persuaded that his excellency the president will easily perceive, that if the states of Kentucky, Tennessee, Louisiana and Georgia continue, as they do, allowing their citizens to commit hostilities against a friendly power, notwithstanding the orders he has issued for dispersing and disarming the gang of *desperadoes*, headed by Toledo, Humbert, Anaya, Bernardo Suteirier, Istri, Dr. Robinson, majors Eurie aud Preire, and their followers, the king my master will have reason to suspect that if those meetings are not authorised by the government, they are at least tolerated.

All the assurances I may give to my sovereign, of the friendly dispositions of his excellency the President, will not suffice, when compared with the evident proofs I had the honor to communicate to you in this and my former note; particularly when his majesty is well convinced of the resources and authority of the federal government, and the promptitude with which their orders are strictly observed in the whole union. I do not entertain any apprehension of the result of the expedition of these [illegible]aries. The European wars being [illegible]ted, his majesty will be able to [illegible] his attention and his powerful a[illegible] fle at once the growth of t[illegible] on; but the philanthropic [illegible] sovereign, the humanity by [illegible]s the distinguished, and which co[illegible], induce character of the Spanish n[illegible]r among him to wish to re-establish [illegible]s than by the seduced, rather by mild [illegible] be effected force of arms, which cann[illegible] blood of his without the effusion of th[illegible] object [illegible] beloved subjects. Thi[illegible] cannot fail to be obtained as soon as the Mexican insurgents, and those of the internal provinces, cease to be furnished by the citizens of this Republic with arms, ammunition and troops.

I shall never have the vain presumption to offer you, or the wise magistrate who is at the head of this administration, any observations on the consequences that might result against the interests of this Republic by the independence of Spanish America. My wishes are only directed to equal you in moderation, and to re-establish, on the most firm and permanent basis, the relations between our governments. This sincere desire will, I hope, serve as an apology for me, while I take the liberty to present an hypothesis in this note.

I grant, for a moment, that all the Mexican empire erects itself into an independent state; that it adopts the wise constitution of this confederation; establishes a complete system of legislation; and, finally, that it enjoys all the blessings of liberty, in the same full extent as this Republic. It is beyond question that the climate of Mexico is more temperate than that of the U. States; the soil richer & more productive; the productions and fruits more abundant, rich, and of a superior quality; and that provisions, labour, wood, houses, clothing, &c. are, in consequence of the mildness and regularity of the climate, much cheaper than in this country. If this event should take place, do you not think, sir, as I do, that so many alluring prospects, and so many evident advantages, will deprive this Republic of the successive emigrations from Europe? and, what is more, of a very considerable part of the most useful and industrious inhabitants of this confederation, who would carry with them to Mexico their flour and saw mills, machines, manufactures, their enterprising genius, in a word, their general instruction, and all the means that actually promote & vivify the commerce of these states?

I flatter myself that this event will not happen; but I am fully convinced, that the consequences of this hypothesis can be demonstrated almost with a mathematical certainty: and if the citizens of

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