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THE FLORIDA TREATY AND THE GALLATIN-VIVES MISUNDERSTANDING¹

by LOUIS R. BISCEGLIA *

FROM THE TIME IT was announced by His Catholic Majesty Ferdinand VII in August 1820, that he was sending a minister plenipotentiary to the United States to conduct further negotiations with President Monroe, to the moment General Francisco Vives disembarked in New York on April 7, 1820, from the packet ship *James Monroe*, an aura of mystery had enveloped Washington as to the disposition of the Spanish government toward the Florida treaty.² For during this time there had been virtually no official communiques exchanged between the two governments. John Forsyth, the American minister in Spain, was for all intents and purposes *persona non grata*, and for months he had been given almost no information by the Spanish government.³ The question being asked in Washington was: Did Vives bring along a ratified treaty?

This question was quickly answered, for accompanying Vives were dispatches from Albert Gallatin and Richard Rush, respectively, American ministers to France and England, where

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1. There are several good secondary sources from which the background to this problem can be obtained. Best among these are Samuel Flagg Bemis, *John Quincy Adams and the Founding of American Foreign Policy* (New York, 1949); George Dangerfield, *The Era of Good Feelings* (New York, 1952); Charles C. Griffin, *The United States and the Disruption of the Spanish Empire, 1810-1822* (New York, 1937); Philip C. Brooks, *Diplomacy and the Borderlands: The Adams-Onis Treaty of 1819* (Berkeley, 1939). Both Brooks and Griffin widely utilized unpublished Spanish sources. Most of the correspondence dealing with the ratification problem can be found in *Annals of Congress, 1789-1824*, 16th Cong., 2nd Sess., 42 vols. (Washington, 1834-1856), XXXVII, appendix, "Spain-Ratification of the Treaty of 1819," 1337-1469.
2. John Quincy Adams, *Memoirs of John Quincy Adams: Comprising Portions of His Diary from 1795-1848*, edited by Charles Francis Adams, 12 vols. (Philadelphia, 1874-1877), V (April 7, 1820), 59-60; John Quincy Adams, *Writings of John Quincy Adams*, edited by Worthington C. Ford, 7 vols. (New York, 1913-1917), VII, 5, fn. 2. Ford erroneously places Vives' arrival in Washington on March 9, 1820.
3. For the problems facing Forsyth in Spain see Alvin L. Duckett, *John Forsyth: Political Tactician* (Athens, 1962), 42-64.

Vives had stopped for short conferences on his way to the United States.⁴ On February 12, 1820, Gallatin had met and discussed the situation with Vives, although the Spaniard did not have a ratified treaty with him. Gallatin's letter to the state department of February 15, 1820, answered one question, but it raised another equally important issue: Could Vives authorize the United States immediate possession of Florida upon verification that Washington would pursue a neutral policy with regard to Spain's rebellious colonies in South America? In his letter Gallatin said that Vives had the authority,⁵ but the latter denied this authorization and denied that he had ever remotely suggested anything to that effect while in Paris. The whole affair had to be a misunderstanding.⁶ Yet it can be reasonably well established that as long as the issue was to remain important, Secretary of State John Quincy Adams believed what Gallatin said was true—especially in view of the extenuating circumstances that were to arise out of his own “verbal discussions” with Vives. But before turning to the substance of Vives' meetings in Paris and subsequent negotiations in the United States, it is of considerable importance that more be known about Vives himself, his instructions, and the situation that prompted his departure from Spain in January 1820.

Major-General Francisco Dionisio Vives was a much decorated soldier.⁷ He had achieved a distinguished record during the Peninsular War. At the time of his appointment he had no diplomatic experience. Normally this would have disqualified him from being selected to undertake such an important mission, especially since his opposite number was to be a person so highly seasoned in the intricacies of diplomacy as John Quincy Adams. However, it seems that Ferdinand VII distrusted diplomats for displaying the same devious qualities which

4. Adams, *Memoirs*, V (April 7, 1820), 59-60.

5. Albert Gallatin, *Writings of Albert Gallatin*, edited by Henry Adams, 3 vols. (New York, 1960), II, 133-36. This letter is also reproduced in *American State Papers, Documents, Legislative and Executive of the Congress of the United States, Foreign Relations*, 6 vols. (Washington, 1832-1861), IV, 678-79. Hereinafter cited as *ASPFR*. See *Annals of Congress*, XXXVII, 16th Cong., 2nd Sess., 1407-09.

6. Adams to Vives, *ASPFR*, IV, 681-82; Adams, *Writings*, VII, 5-8; Vives to the Secretary of State, *ASPFR*, IV, 682-83 [translation].

7. See *Enciclopedia universal Espasa*, LXIX, 712, article, “Francisco Dionisio Vives,” as cited by Griffin, *United States and the Disruption of the Spanish Empire*, 221; Vives' Credentials, *ASPFR*, IV, 677-78.

he himself exhibited.⁸ Other more qualified individuals were advanced for the mission, but few wanted the task of presenting impatient American leaders with further possible delays.⁹ Don Francisco was himself reluctant.¹⁰

At the time of his appointment in August 1819, Vives was in Andalusia with the forces being readied for South America. For over two months he was quarantined because of a yellow fever epidemic. Forsyth made inquiry after inquiry into the matter of the Florida treaty, but the court was then so occupied with the King's marriage and the bestowal of the *gracias*, that the special nature of Spanish-United States relations was forgotten.¹¹

Vives finally reached Madrid on November 15, 1819. Another month passed, however, before Forsyth was officially informed of Vives' appointment, and it was not until January 1820, that he got off a letter to the state department with this information.¹² Consequently, the United States government was very much in the dark with respect to Spanish intentions. Monroe's message of December 7, 1819, called for Congress to grant him discretionary powers to occupy Florida if the need arose, but he was willing to postpone any consideration of the matter until the new Spanish minister arrived. Three weeks later Secretary of State Adams sent a note to the chairman of the House Committee on Foreign Relations that he was expecting the arrival of the Spanish minister before the end of December 1819.¹³ Hence it was with a note of utter despair for his Florida treaty that Adams advised Monroe to tender another postponement to Congress. Then on March 18, 1820, he received Forsyth's notes. Vives was not expected to reach the United States before May 1820, and the Americans knew no more about his instructions than the fact that he possessed "competent" and "ample" powers.¹⁴

8. Griffin, *United States and the Disruption of the Spanish Empire*, 221.

9. *Ibid.*, 221-22.

10. Forsyth to Adams, *ASPFR*, IV, 671.

11. *Ibid.*, 664, 666-67, 668-70.

12. Forsyth to Adams, *ibid.*, 671, 674-75.

13. Adams to Lowndes, *Annals of Congress*, XXXVII, 16th Cong., 2nd Sess., 1398. See James Monroe, *The Writings of James Monroe*, edited by Stanislaus M. Hamilton, 7 vols. (New York 1898-1902), VI, 106-13. Also, James D. Richardson, *A Compilation of the Messages and Papers of the Presidents*, 10 vols. (Washington, 1896-1902), II, 54-58.

14. Adams, *Memoirs*, V (March 18, 1820), 23-26; Forsyth to Adams, *ASPFR*, IV, 674-75.

Vives' instructions were essentially the same as those drawn up for him six months before. After a preliminary summary of the dispute with the United States, they state that the Florida treaty was not acceptable because of the large concession it provided without giving Spain the guarantee that the President would not recognize "Buenos Ayres." The chief aim of the negotiations was to prevent America from either recognizing or giving aid to the rebel governments. After this point was settled, Vives would then be willing to discuss the land claims and financial stipulations He had also been told to try to secure aid from England by offering it commercial advantages and not to worry about concluding an agreement with the United States. If he could induce the state department to reopen negotiations, Spain would consider the mission a success¹⁵

From the time these instructions were first drawn up in August 1819, until after Vives arrived in Madrid, the Spanish government had been procrastinating-waiting for a more favorable turn of events before acting. Overtures were made to the European powers for aid in resolving the difficulties with America. While the Spaniards confidently expected more favorable conditions, they could not induce the European powers to support her cause. The Russian, French, and British governments were all in favor of immediate ratification of the Florida treaty; delay was regarded as a threat to peace. The favorable winds Spain had expected were not forthcoming. On the contrary, in their stead a veritable gale blew and threatened not only the properties of the Spanish colonies in South America, but also the lands beyond the Sabine River in North America. Even at home the liberal insurgents were restless under the tyrannical controls imposed upon them by Ferdinand and his reactionary ministers. Throughout the late fall and early winter of 1819-1820 hurried reports reached Spain of American filibuster expeditions and rumors of other trouble. Indeed storm warnings were posted all along the southwestern frontier and might just as well have been posted at Cadiz.¹⁶ Mateo de la Serna (charge d'affairs at Washington, and ranking Spanish official in the United States upon the departure of Luis de Onis

15. The instructions to General Vives are summarized in Griffin, *United States and the Disruption of the Spanish Empire*, 222.

16. Brooks, *Diplomacy and the Borderlands*, 185.

in May 1819) reported on Monroe's tour of the southern and western states in the summer of 1819. The charge issued frantic reports of the belligerent tone of public opinion which was advocating forceful seizure of Spanish lands "even going to the point of capturing of Texas." Similar expressions of concern for Texas were voiced by the consul at St. Louis with regard to the exploring expedition of Major Stephan H. Long into Missouri country. Fears were further compounded by the reports of the Spanish consulate at Natchitoches with regard to the abortive efforts of Dr. James Long to "liberate" Texas. Reports also reached Spain from Mexico. Fear then of losing the *Provincias Internas* to the land-ambitious Americans was paramount. Affairs appeared in such a state that in late December 1819, Luis de Onís, who had returned to Spain, was asked to prepare a detailed statement of the United States' naval forces which might be called out in the event of war.¹⁷

It is possible to conceive that Vives might very well have been issued some form of verbal instructions to authorize the occupation of the Floridas by the United States, and in this manner bind the United States to occupy only the lands stipulated in the treaty, thus preserving the Spanish land beyond the treaty line from forceful seizure. Certainly neither Vives nor the Spanish government, in view of the reports received, had any inkling that the entire tenor of feeling in the United States had been greatly exaggerated. Furthermore, Spain had vivid recollections of the sorties launched by James Wilkinson, Andrew Jackson, and General George Mathews, into East and West Florida prior to the signing of the Adams-Onís treaty.

Vives left Madrid on January 25, 1820, and arrived in Paris on February 11, 1820. The following day he met with Baron Pasquier, the French foreign minister. Pasquier in turn invited Albert Gallatin for an interview the same day to describe the meeting with Vives. Gallatin pointed out to the Frenchman that President Monroe would need a more solid guarantee of Spain's good faith than simply the same verbal promises that Luis de Onís had given Adams. "This observation forcibly struck Mr. Pasquier who said that he would make further inquiries upon that point."¹⁸ That same evening Gallatin visited

17. *Ibid.*, 185-86, 200, fn. 61.

18. Gallatin, *Writings*, II, 134.

the Duke of Fernan-Nunez, Spanish ambassador to France and in the course of conversation, Fernan-Nunez suggested "that the grants in dispute might be set aside, the grantees not having fulfilled certain conditions of formalities; and, after acknowledging that General Vives was not the bearer of the King's ratification, he hinted that he was authorized to give the United States satisfactory security that Spain would fulfill her engagements."¹⁹

Gallatin did not meet General Vives face to face until the evening of February 13 at a dinner given in honor of Vives by Pasquier. After dinner Gallatin had a short conversation with Vives in which the general "repeated in substance what he had said to Mr. Pasquier."²⁰ What next followed was to be of utmost significance: "I then repeated what I said to Mr. Pasquier respecting the importance of being authorized to exchange the ratifications of the Florida treaty. He answered that, although he was not [the bearer of a ratified treaty], he could, in case of an agreement, give satisfactory security to the United States, and that it would consist in consenting that they should take immediate possession of Florida, without waiting for the ratification of the treaty."²¹ When the festivities were over Gallatin got together with Baron Pasquier to compare notes.

"General Vives repeated in the course of the evening the same thing to Mr. Pasquier. He [Pasquier] seemed extremely astonished that the Spanish Government should have adopted that course rather than to authorize their minister to exchange at once ratifications, and ascribed it to the singular policy of that Cabinet [Ferdinand's reactionary ministers] and their habits of procrastination, which had been evinced at Vienna, and in every subsequent negotiation to which Spain has been a party."²²

It hardly seems conceivable that with such interwoven sources, Gallatin's report could be based simply upon a "misunderstanding." To borrow from the logical mind of John Quincy Adams,²³ the contents of Gallatin's letter of February 15, 1820, can be summarized in this manner: First, the Spanish

19. *Ibid.*, 134-35.

20. *Ibid.*, 135.

21. *Ibid.*

22. *Ibid.*, 135-36.

23. Adams, *Memoirs*, V (May 5, 1820), 96-98.

ambassador to France told Gallatin that Vives could give the United States a satisfactory pledge for security in lieu of a delay in ratification. Secondly, Vives confirmed this to Gallatin himself, specifying that the security consisted of giving the United States possession of Florida without waiting for ratification of the treaty. Thirdly, Vives gave the same information to Pasquier at separate conversations when Gallatin was not present. And finally, Gallatin and Pasquier at a subsequent meeting both agreed in their understanding of what the general had separately said to them; and likewise, both agreed that the matter was of such immediate importance that the information should be made known to the United States at once.²⁴

Vives was no diplomat, and it is entirely possible that in his meetings in Paris he played his trump card prematurely, as he was to do later on in his meeting with John Quincy Adams.²⁵ Vives left France for England on February 14, 1820. Gallatin sent along his dispatch on February 15 to reach the United States the same time Vives did. Arriving in England, Vives then proceeded to comply with his instructions by arranging two interviews with Castlereagh through the services of the Duke of San Carlos, the Spanish ambassador to Great Britain. The whole affair backfired. Instead of consummating an agreement for British aid, the Spaniards were "roundly lectured" by the British Prime Minister.²⁶ Thus finding little reason to remain in London, Vives sailed from Liverpool at the end of February.²⁷

While Vives was enroute to New York, Monroe had to send

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24. Nevertheless Griffin states, ". . . it is probable that Gallatin counted too heavily on some vague remark made by the Spanish diplomat. Fernan-Nunez . . . added to the confusion by hinting Spain might give way on the land grants, and it also appears that Pasquier misled Gallatin as to the extent of Vives' powers. . . ." Griffin, *United States and the Disruption of the Spanish Empire*, 223. Professor Griffin places emphasis therefore upon Gallatin's disclaimer letter of August 7, 1820. See Gallatin, *Writings*, II, 165-67.
25. Adams, *Memoirs*, V (April 29, 1820), 79-83.
26. Griffin, *United States and the Disruption of the Spanish Empire*, 224.
27. Rush had reported Vives' visit to London but evidently was not informed of the meetings with Castlereagh, for when later Hyde de Neuville, the French minister in the United States, apprised Adams of this fact Adams expressed disbelief and chalked it up to French meddling. See Adams, *Memoirs*, V (April 7, 1820), 59-60; (May 1, 1820), 83-88.

another message to Congress on March 27, 1820.²⁸ This was necessitated by the issuance of the report of the House Committee on Foreign Relations which claimed that since Spain had not kept its part of the bargain, the United States should immediately take possession of the Floridas and demand the lands of Texas as an indemnity.²⁹ Meanwhile Adams and Monroe had received numerous calls by the French and Russian ministers to the United States, Hyde de Neuville and Count Pierre de Poletica, urging them to settle the Spanish matter amicably.³⁰ Advised by Adams, who had received Forsyth's notes of early January 1820, which placed Vives' arrival no sooner than May,³¹ and urged on by a letter from the Russian Tsar, President Monroe responded by calling for a postponement of the issues until the next session of Congress.³²

Upon the arrival of Vives and the accompanying correspondence from Gallatin, Adams' position changed somewhat from the stand he had previously held. Since trouble developed over Spanish ratification of the Florida treaty in the summer of 1819, Adams' position had been fairly consistent. He wanted the whole affair settled peacefully, but he was also growing impatient. His position was that the President should call on Congress to grant him discretionary powers to occupy the treaty lands if the need arose. Adams, continually worried about presenting a united front in the foreign policies of the United States, tried to keep the legislature's actions in line with what the executive was doing. With Hemy Clay as speaker of the house, this was no small task.³³

28. Monroe, *Writings*, VI, 117-18; Richardson, *Messages and Papers of the Presidents*, II, 69-70.

29. At this time there was no distinction between Committee on Foreign Relations and Committee on Foreign Affairs. The terms were used interchangeably in the house. See *Annals of Congress*, XXXVI, 16th Cong. 2nd Sess. Vol. 2, 1618-20, Report of the Committee, March 9, 1820.

30. Monroe, *Writings*, VI, 117-18; Adams, *Writings*, VII, 2-5.

31. *Supra*, 250; Forsyth to Adams, *ASPER*, IV, 671, 674-75.

32. Monroe, *Writings*, VI, 119-23.

33. For Adams' ideas on these matters see Adams, *Memoirs*, V (March 21, 1820), 28-31; (March 29, 1820), 45-48; Adams, *Writings*, VII, 2-5. On many occasions Clay voiced his disagreement with the administration's policies toward Spain and tried to get resolutions adopted supporting his own ideas. In the first place he felt that Congress alone had the power to cede territory, and that no treaty could relinquish territory without its sanctions. Secondly, he held that the Adams-Onis treaty ceded territory without an adequate equivalent given in return, and

Adams immediately took the Gallatin and Rush dispatches to the President and told him that the situation had changed considerably. He felt the negotiations with Vives should be brought "to a speedy close." Monroe replied that he "really did not think we ought to go to war for Florida, or that the nation would be willing to proceed to that extremity." Adams agreed, but now that he had read Gallatin's letter, he decided the Floridas might be occupied without risking war. His plan was one of confident over-reaction. A force should be put together of such size and magnitude that it would make any Spanish opposition or retaliation unfeasible; in other words, obviate the necessity of declaring war by simply overwhelming the Spaniards in Florida. This plan "would deserve consideration whether any other course could be taken consistently with the honor of the nation."³⁴

Meanwhile, Vives had quickly observed, and was informed, that the rumors that the United States was about to take Texas were greatly exaggerated.³⁵ Possibly Mateo de la Serna, who had been around Washington long enough, told him that it being this late in the session, that Congress would do nothing.³⁶ Even if he had been authorized to grant possession of Florida, any need for now stating so had obviously passed. Vives officially announced that Forsyth's conduct had necessitated his trip, and alluded to unneutral acts by the United States.³⁷ But in a "candid" conversation with Adams on April 29, he was more explicit, and revealed Spain's apprehension over rumors of American designs on Texas. He told Adams that "when he arrived in the United States he had been informed that the expedition of last summer against Texas [the Dr. James Long expedition] had been broken up and dissolved . . . that the hostility against Spain, which had been represented in such strong colors to the King, seemed to have been greatly exaggerated."³⁸

therefore it should be abrogated. From the beginning he never liked the idea of relinquishing claims to Texas. See Henry Clay, *The Papers of Henry Clay*, edited by John F. Hopkins, 3 vols. to date (Lexington, 1959), II, 803-16, *passim*.

34. Adams, *Memoirs*, V (April 7, 1820), 59-60.

35. *Ibid.*, (April 29, 1820), 79-83.

36. *Ibid.*

37. Vives to the Secretary of State, *ASPF*, IV, 680-81 [translation].

38. Adams, *Memoirs*, V (April 29, 1820), 79-83.

Prior to this informal meeting, Vives' mission had almost ended before it began. On April 11, he saw Adams for the first time and asked to present his credentials to Monroe. These formalities were performed the next day. On April 14, the secretary of state received a letter from Vives "opening and almost closing his negotiations."³⁹ In this communication Vives' position was one of intransigence and made little reference to his powers.⁴⁰ Adams was irked and his official reply requesting a copy of Vives' powers was toned down by President Monroe.⁴¹ On April 19 Adams received a copy of Vives' powers, to which the Spanish minister attached a note specifically stating that he was able to assure the United States that he was "fully authorized to offer a solemn promise, in the name of the King," that if the differences were cleared up satisfactorily, ratification of the Florida agreement would be attained with no delay other than the time required to send a message to Madrid and back. These were the same empty promises of Luis de Onis.⁴²

From this point on, the administration's policy was clearly influenced by Gallatin's letter of February 15, 1820. In a top level meeting held on April 20, members of the cabinet expressed their belief that Vives did not identify his full powers. Adams was directed "to prepare a note inquiring whether Vives was authorized, in the event of satisfactory explanation being given him, to consent that Florida should be occupied by us as a pledge for the ratification of the treaty at Madrid."⁴³ Adams went even further; in his note he asked Vives to consent to the United States possessing Florida before continuing with negotiations.⁴⁴ Vives replied on April 24, denying that he possessed the powers reported by Gallatin and categorically rejecting Adam's proposal for a Florida occupation. At a cabinet meeting the following day, it was apparent that Secretary of the Treasury William H. Crawford felt that the French and Russian ministers had advised Vives "to deny his having this authority, and told him that Congress would do nothing at all

39. *Ibid.*, (April 11, 12, 13, 1820), 62-70.

40. Vives to the Secretary of State, *ASPF*, IV, 680-81 [translation].

41. Adams, *Memoirs*, V (April 15, 1820), 70-71; Secretary of State to Vives, *ASPF*, IV, 681.

42. Vives to the Secretary of State, *ASPF*, VI, 681 [translation].

43. Adams, *Memoirs*, V (April 20, 1820), 72-73.

44. Adams to Vives, *ASPF*, IV, 681-82; Adams, *Writings*, VII, 5-8.

events, this session.” In his *Memoirs*, Adams launched into a long tirade condemning Crawford’s suspicions; yet he himself speculated that Vives had gotten the same views from Charge Mateo de la Serna. Yet Adams also wondered if it was still possible “that no person has given him any expectations.”⁴⁵

By April 27 the negotiations had reached an impasse.⁴⁶ Rumors in Washington had it that an actual rupture had occurred, and even Vives became alarmed. Just then the French minister, Hyde de Neuville, stepped in, offering his good offices and suggesting a personal meeting between Adams and Vives. Monroe advised his secretary to do the same.⁴⁷ Adams agreed, even though he thought such a meeting would prove fruitless, since Vives denied that he had any power. Adams informed de Neuville of the information that he had received from Gallatin, but this came as no surprise to the Frenchman since he had received a similar estimate of Vives from Pasquier.⁴⁸ A meeting between Adams and Vives was set up for April 29.

45. Adams, *Memoirs*, V (April 25, 1820), 74-75.

46. Little did Adams or Vives know that on this very day in Madrid acting Secretary of State Juan Jabat told acting American Charge Thomas L. L. Brent if the United States did not extend its occupation beyond Florida, amicable relations could still be retained with Spain. Brent to Adams, *ASPFR*, IV, 683. This seems to have borne out Forsyth’s observations of March 30, 1820, after his own conversation with Jabat. Forsyth hoped that before Vives communicated the change of government in Spain, Florida would be occupied by the United States, or at least that Congress would pass a law “in such terms as to render it obligatory upon the President to take it.” A delay in taking it might be injurious because “everybody here expects it will be seized” with no ill effects in Spain. “It is important that Florida should be in our possession when the Cortes deliberates on the treaty.” [Ferdinand had accepted the Constitution of 1812, which transferred sovereignty from the King to the people. The problem of ratification was now in the hands of the Cortes (*Gazette Extraordinary of Madrid*, Sunday, March 12, 1820, “Proclamation of the King to the Nation,” *Annals of Congress*, XXXVII, 16th Cong., 2nd Sess. 1433-34).] Forsyth to Adams, *ASPFR*, IV, 679-80. However, neither Forsyth’s nor Brent’s dispatches were to reach Washington until after the decision for postponement had already been made. Professor Brooks feels that both Jabat and the new Liberal minister returning from exile, Evaristo Perez de Castro, had little influence upon these affairs. See Brooks, *Diplomacy and the Borderlands*, 188, cf., Forsyth to Adams, *Annals of Congress*: XXXVII, 16th Cong. 2nd Sess., 1436-38.

47. Adams, *Memoirs*, V (April 26, 27, 28, 1820), 75-79.

48. On two occasions de Neuville expressed his belief that Vives possessed such powers; *ibid.*, (April 27, 1820), 77-79, (May 1, 1820), 83-88. Adams now abandoned any previous reservations he had had about taking possession of Florida. These reservations might have stemmed partly from Forsyth’s earlier intimations that if the United States occupied Florida by force, Spain would advance the land grant claims

Up to this time Vives had conducted all negotiations by correspondence. Adams thought this in itself unusual in view of the importance of the matter,⁴⁹ but he was powerless to do anything since diplomatic protocol dictated that Vives select the negotiating instruments. The Spanish minister was no diplomat, and he was at a decided disadvantage in any verbal confrontation. By means of correspondence, however, he could carefully select his words while at the same time solicit help from his more experienced aides. The validity of this contention is clearly borne out by his conference with Adams. He began by informing the secretary that he "was a soldier, and had never been employed before in diplomatic negotiations," and that he "wished to go directly to his purpose."⁵⁰ In the next few minutes he committed an irretrievable blunder that plagued him for the entire negotiations. He had been cautioned not to discuss the Florida land grants until the United States pledged its neutrality towards South America.⁵¹ Vives, however, not only discussed the grants prematurely, but exposed his entire hand by telling Adams that they had only been a pretext and that he himself felt that they were "null and void." Several days later, when Adams put the Spaniard's statement into writing in an official communique, Vives balked. Ashamedly, the general claimed he had been speaking at the conference in "his individual capacity" and not as a diplomat. Adams reported: "He said he had told me the [Florida] grants were null and void; as a man of honor, he would not deny what he had said; but he was afraid he had been too quick in making the concession."⁵² Could not he have made the same concession in Paris? Although he gave the Spaniard the benefit of the doubt in most of these matters, it is fairly obvious, as will soon be shown, that before the affair was over, Adams felt very uneasy in dealing directly with Vives.

more vigorously and gain European approval for its action. See Forsyth to Adams (marked private), *ASPPR*, IV, 678. Before March 1820, Forsyth also believed that Vives had authorization to grant the United States possession of Florida, but at that time he felt it was a scheme to ensnare the United States.

49. Monroe was equally concerned. Monroe, *Writings*, VI, 118-19. Adams, *Memoirs*, V (April 27, 1820), 77-79.

50. Adams, *Memoirs*, V (April 29, 1820), 79-83.

51. *Supra*, 249-50.

52. Adams, *Memoirs*, V (May 1, 1820), 83-88.

With the help of the French minister, who was delivering messages back and forth, Vives and Adams attempted to work out a compromise as to just what their official communiques should contain. They failed, however, largely because neither could agree upon what the other had said in what Vives called their "verbal discussions." The spectre of Gallatin's letter was also still before them. On May 4, along with other matters, Adams asked de Neuville to inform Vives that because of the nature of the American Constitution their negotiations would have to be transmitted to Congress and would therefore be made public. Vives retorted, "you may print whatever you please," and he continued to insist that he had "never told either Baron Pasquier or Mr. Gallatin any such thing."⁵³

De Neuville now changed his position in the matter. He told Adams that he was convinced that the Spaniard was speaking the truth, and that after rechecking his own dispatch from Paris he discovered that Pasquier had simply stated *he had reason to believe* Vives possessed this power, and had not given it as positive. Moreover, de Neuville continued, he had seen Vives' "Journal," written immediately after his conversation with Pasquier, and it contained nothing like such an assertion. De Neuville described it as a "misunderstanding" that had originated with the Duke of Fernan-Nunez. According to Adams, this was "scarcely possible,"⁵⁴ and he proceeded point by point to refute de Neuville's contention. The French minister had no reply.

With respect to the origin of the statement of Vives' powers, de Neuville was correct. As far as all evidence has revealed, the alleged authorization did not begin with Vives, but rather with Fernan-Nunez or even Gallatin's suggestion for solid guarantees.⁵⁵ There is no answer as to why Fernan-Nunez would create such a distortion. If his conversation with Gallatin is recalled, it bears mentioning that he was correct in the other two points that he elaborated upon - that Vives was not the bearer of the King's ratification of the Florida treaty and that the lands grants there were not an important stumbling block

53. *Ibid.* (May 4, 5, 1820), 93-98; for Adams' reply see Adams to Vives, *ASPSR*, IV, 683; Adams, *Writings*, VII, 8-14.

54. Adams, *Memoirs*, V (May 5, 1820), 97-98.

55. Gallatin, *Writings*, II, 134.

to ratification. Also, the confirmations and counter-confirmations lessen the weight that would be placed on the origin of the statement of powers. Vives was the guest of Fernan-Nunez while in Paris; the two obviously had an intimate consultation about Vives' mission. How else could Fernan-Nunez correctly state the Spanish position with respect to ratification and the land grants?

It should also be noted that de Neuville's conclusions, drawn after having seen Vives' "Journal," are not as substantial as they at first appear. When Vives wrote his record of the conference with Adams on April 29, the difference between his account and Adams' account is so great that one historian has termed it "ludicrous."⁵⁶ Did Vives record his *faux pas* on the land grants? Would he have recorded a similar blunder in his Paris "Journal?"

With the meeting between Adams and de Neuville on May 5, the Adams-Vives negotiations broke down altogether. Matters now *referred* back to the stalemate that existed prior to the April 29 session. Both negotiators decided to send their reports, written shortly thereafter, unchanged.⁵⁷

The second session of the sixteenth Congress was drawing to a close, and Monroe had to present an appraisal of the situation and proffer recommendations. On May 6, 1820, he gathered his cabinet together to help make a decision.⁵⁸ He presented his message to them with three different concluding paragraphs: (1) recommending immediate occupation of Florida, (2) recommending giving the President discretionary power to take possession in the event of non-ratification of the treaty by Spain, (3) asking Congress for a postponement of final action until the next session. After persuasive arguments by Crawford and Adams in favor of either the first or second recommendations, Secretary of War John C. Calhoun seems to have swung the

56. *Griffin, United States and the Disruption of the Spanish Empire*, 233.

57. Adams, *Writings*, VII, 15-27.

58. Monroe was much concerned about the effects upon the Missouri Compromise; see Monroe, *Writings*, VI, 113-14, 123. Count Poletica had written as early as February 1820 that the Missouri problem would interfere with a settlement of the Florida question. See Worthington C. Ford, "Correspondence of the Russian Ministers in Washington, 1818-1825," *American Historical Review*, XVIII (January 1913), 318-23.

pendulum back toward the side of peace⁵⁹ and the third conclusion, the course Monroe took three days later.⁶⁰

At this point Gallatin's letter becomes of secondary importance. It had greatly contributed to the failure of the negotiations, but it was the changing situation in Spain that gave most substantial backing to the postponements.⁶¹ In view of the upper hand gained by the liberals in Spain, the legality of dealing further with Vives became questionable. Nonetheless, repercussions from Gallatin's letter of February 15, 1820, were not ended. This dispatch had to accompany Monroe's message to Congress of May 9. Adams sent it in, and the President was not too pleased with his secretary for doing so, especially since Vives' and Gallatin's reputations were at stake. Gallatin had no small part in making the era one "of good feeling," and certainly was not one to make an enemy.⁶² On the other hand, Vives appeared unfazed by the whole matter, and Monroe encouraged him to reply publicly to Gallatin's letter. This he did officially on May 11, after the dispatches had been printed.⁶³ An unexpected source—Hyde de Neuville—protested, claiming that if proven false, Baron Pasquier would lose face. De Neuville soon acquiesced, however, after Adams lectured him on the nature of the American Constitution.⁶⁴ A more important repercussion ensued when Henry Clay, to his own surprise, managed to have the house pass a resolution by five votes favoring recognition of "Buenos Ayres." Adams attributed this success primarily to Gallatin's and the other dispatches sent to the house the day before.⁶⁵

59. Adams, *Memoirs*, V (May 6, 1820), 98-103, (May 8, 1820), 105-06. Richardson, *Messages and Papers of the Presidents*, II, 70-72; Monroe, *Writings*, VI, 123-26.

60. Had the administration known of Forsyth's and Brent's dispatches in which the new liberal Spanish government acknowledged the expectation that Florida would be occupied by the United States, even Monroe might have been influenced to act more positively.

61. Monroe explained his reasons for postponement and the problems associated with the acquisition of Florida and Texas many times; see Monroe, *Writings*, VI (Monroe to Thomas Jefferson, May 1820), 119-23; (Monroe to General Jackson, May 23, 1820), 126-30; (Monroe to Albert Gallatin, May 26, 1820), 130-34.

62. It is no mere coincidence that Gallatin received letters dated May 26, 27, 28, 1820, respectively, from Monroe, Crawford, and Adams: see Gallatin, *Writings*, II, 140-46; Adams, *Writings*, VII, 34-36.

63. Vives to the Secretary of State, *ASPF*, IV, 689 [translation].

64. Adams, *Memoirs*, V (May 9, 1820), 106-108.

65. Gallatin had stressed in his letter of February 15, 1820, that the United States used much more circumspection in its dealings with South

Historians have omitted or passed quickly over Gallatin's report, largely as a result of Gallatin's subsequent disclaimer letter of August 7, 1820.⁶⁶ In this communication Gallatin labeled the whole affair a misunderstanding. In a discussion with Baron Pasquier, seven months after Vives' meeting of February 1820, Gallatin learned that he had misunderstood the French minister of foreign affairs. Pasquier now claimed that he had derived his information from Fernan-Nunez and not General Vives. Gallatin further attributed the misunderstanding to the confusion of a crowded dining room in which the meeting took place and to the fact that Vives did not speak perfect French. It is important to remember, however, that in the intervening seven months a good deal happened which could have influenced the stories then told. Hyde de Neuville undoubtedly wrote to Pasquier about the publication of Gallatin's letter with its references to the Baron. Indeed, newspaper accounts had already reached Gallatin in Paris. Also Fernan-Nunez had long since departed from Paris and could not answer these allegations. It is also important to remember that Pasquier did speak perfect French and that Gallatin had confirmed his report with Pasquier before he had left the room. A further point worth mentioning is that when Gallatin reported to John Forsyth in Spain the substance of his conversation with Vives, Forsyth wrote back in a letter of May 11, 1820, "that the government of Spain expected and would not complain of the occupation of territory."⁶⁷

Probably equally as important as to whether or not the whole affair was a "misunderstanding," is the fact that Adams believed what Gallatin had reported to be true, and he distrusted Vives not because he questioned his veracity, but because of the uncertainty in dealing with a diplomatic novice in matters of such magnitude. In justifying his sending of Gallatin's letter of February 15, 1820, to Congress, Adams wrote, "I thought it indispensable to make the case for Congress to consider, and did

America than either England or France; Gallatin, *Writings*, II, 131. Clay used this reference to draw attention of the house to the timidity of Monroe's policy toward the rebellious Spanish colonies. Henry Clay, *Papers*, II, 853-60; cf., Adams, *Memoirs*, V (May 11, 1820), 111.

66. Gallatin, *Writings*, II, 165-67.

67. *Ibid.*, 166.

not believe that Gallatin had misunderstood Vives.”⁶⁸ Furthermore, in his letter to Gallatin of May 28 (to which he appended Vives’ published denials) Adams clearly indicates that he does not want to experience the same embarrassment felt by Jefferson in his verbal dealings with Citizen Genet.⁶⁹ Adams informed Gallatin that it was of vital importance that the very fact that Vives had been “misunderstood” in Paris should be made public in case another “misunderstanding” occurred about the Spaniard’s negotiations in Washington. Undoubtedly, Adams was thinking of his own conferences with Vives, especially the one of April 29, and the subsequent references to their “verbal discussions.”⁷⁰

In summary, then, one can see that it is fairly clear General Vives’ mission was speeded up because of the reported threats to Spanish lands beyond the Sabine River. Because of the confusion in Spain it is possible that Vives had a verbal authorization to yield the Florida territory to save Texas. It follows that there is a possibility that the meeting in Paris was not based upon a “misunderstanding,” and that Gallatin’s report was accurate at the time; but upon reaching the United States, Vives saw and heard that the reported aggressions had been greatly exaggerated and had little to do with the official policy of the United States government. It is also clear that Vives was not a qualified diplomat. Given these factors it is possible to construct a case that Vives might have had verbal authorization. Unfortunately, no document as such has been found to build a proven case. One thing is certain, however, that Gallatin’s letter of February 15, 1820, by reinforcing Adams’ own ideas and those of some other members of the cabinet, helped shape the course and final impasse of the Vives negotiations.

68. Adams, *Memoirs*, V (May 10, 1820), 110.

69. Monroe had earlier cautioned Adams about this when inquiring what Vives meant by “verbal discussions,” *ibid.* (May 6, 1820), 98-103.

70. Adams, *Writings*, VII, 33-36.