

necessary to nations and to individuals; and, whether the attack be made by Spain herself, or by those who abuse her power, the obligation is not the less strong."

"In pursuing the savages to an imaginary line in the woods, it would have been the height of folly to have suffered that line to protect them. Had that been done, the war could never have ceased. Even if the territory had been exclusively that of Spain, and her power complete over it, we had a right by the law of nations to follow the enemy on it, and to subdue him there."

The Spanish minister at Washington protested most strongly against these alleged violations of the territory of the King of Spain. He denied that any encouragement or protection had been given by the Spanish authorities to the Seminole Indians, between whom and the United States they did not even know that a war had commenced, and he called upon the government forthwith to restore to Spain the places which had been forcibly wrested from her, and the property which had been found in them; to make indemnity for the injuries and losses which had been occasioned by the invasion; and to punish the general and the officers by whom the outrages had been committed.

The American government, in reply, reiterated the grounds upon which it justified the occupation of the forts. The Spanish minister was, however, informed that Pensacola would be restored to any person duly authorized on the part of Spain to receive possession of it; and that St. Mark's would be surrendered to any Spanish force sufficiently strong to hold it against an attack from the Indians. But the American government declined to inflict punishment or to pass a censure upon General Jackson, whose conduct was "founded on the purest patriotism, and whose vindication was written in every page of the law of nations, as well as in the first law of nature—self-defence." On the contrary, it considered it had a right to claim from Spain (and which the American minister at Madrid was instructed to demand) "the punishment of the Spanish governors who had aided and assisted the Indians in the hostilities against the United States, whom it was their duty to have restrained."

But, referring to the facts of the case stated by Mr. Stevenson, it is not true that a civil war existed in Upper Canada at the time of the destruction of the *Caroline*. There was not a man in arms in the province then, nor has there been one since for any other purpose than to repel invasion from the United States.

The armed force at Navy Island was not an insurrectionary force, but one that had invaded the province from the state of New York; which invasion was an act of open hostility, committed by American citizens, armed and organized in the United States, and marched in the presence of magistrates and public officers of the Union, without resistance or interruption into Upper Canada, for the avowed purpose of making war upon Her Majesty; and the steam-boat, *Caroline*, was openly and notoriously engaged in the service of, and aiding and assisting this invading force. As in the case of the Spanish government in Florida, the government of the United States either wanted the power or the inclination, it matters not which, to restrain their citizens from making war upon The Queen of England, and attempting the destruction of Her subjects and the overthrow of Her government; and the subjects and military force of Her Majesty had an undoubted right, not only to follow the steam-boat, *Caroline*, into the territory of the United States and destroy her there, but to enter into that country and destroy the preparations there making for their destruction, if it were seen that the American government either could not or would not do so themselves. That this right has not been acted upon by the people of Upper Canada before now, proves their sincere and anxious desire to preserve peace; but it would be folly to disguise the fact, that the repetition of aggressions, such as they have already experienced, may exhaust that disposition to patient forbearance which has hitherto controlled them.

It would probably be considered that your committee had not fully discharged their duty, while remarking on the case of the *Caroline*, if they permitted the opportunity to escape of contradicting on authority which they knew to exist, and of the most conclusive kind, the statements made by Mr. Stevenson of the cause and manner of her destruction, and of the wholly unfounded allegations, that a number of persons were on board of her when she was set on fire and precipitated over the Falls of Niagara. Mr. Stevenson says, that the account given of the destruction of this boat, by Mr. Fox and the British authorities in this province, is in every essential particular discredited and disproved by the most unimpeachable evidence; that the evidence transmitted by him to Lord Palmerston strips the proceeding of every pretext alleged in its justification, and marks it as an act of the most offensive and unwarrantable character. Apart from the admissions which are to be found in Mr. Stevenson's own communication, and which have been already adverted to as sufficiently contradicting his assertions, your committee have it in their power to affirm, that it is established by evidence incapable of successful contradiction from any quarter, that the piratical steam-boat in question was engaged for what was called the Patriot service several days before she came to the island. A detachment of the brigands was sent from the island to Buffalo, to assist in extricating her from the ice, and fitting her out and bringing her to the island. She took muskets and other military stores on board at Buffalo, for the use of the invaders. On her arrival at the island, her captain surrendered the entire direction of her to the chief brigand, who gave orders for her safety, fearing she might fall into the hands of the British: she was openly and publicly employed during the day in bringing over cannon and men from Schlosser to Navy Island. When she was attacked, the crew on board were armed and prepared for resistance, anticipating an attack: they did resist, and seriously wounded several of the assailants. There was a body of men on shore, armed for her defence in the event of an attack, but they did not venture to go on board the vessel; and, lastly, it is utterly untrue that any one was on board at the time she was precipitated over the Falls.

The Spanish minister protests against the conduct of the United States.

Spanish government demands the punishment of the American General.

Justification of the act reiterated by the American government.

American government decline to inflict punishment or pass censure on General Jackson.

Eulogium on General Jackson's conduct.

America demands the punishment of the Spanish governors, for aiding the Indians.

No civil war existed in Upper Canada when the "*Caroline*" was burnt; no man in arms since but to repel invasion from the United States.

The armed force at Navy Island was a bona fide invasion, planned and armed by American citizens, and known to their magistrates and public officers.

The case of Florida is fully applicable on both sides respecting the *Caroline*;

and our forces had a full right not only to enter Schlosser and burn the "*Caroline*," but to enter the states and destroy the preparations making for the invasion under similar circumstances.

That this act has not been acted upon, a proof of our desire for peace.

Contradiction of Mr. Stevenson's statements.

Mr. Stevenson's statement.

The "*Caroline*" in the service of the Patriots several days before she came to the island. Brigands sent from the island to Buffalo to get her out of the ice. She took muskets, &c., on board at Buffalo.

Her captain gave up his command to the chief brigand.

Openly employed in bringing warlike stores from Schlosser to Navy Island.

The crew on board were armed. They resisted and wounded several of the assailants.

A body of armed men on shore for her defence. Not one on board when she went over the Falls.

Your