

# *THE ROMANCE OF AMERICAN EXPANSION*

*BY H. ADDINGTON BRUCE*

*THIRD PAPER*

## *ANDREW JACKSON AND THE ACQUISITION OF FLORIDA*

**I**N all the steps whereby the American people extended their dominion from sea to sea, the element of inevitability is never so clearly discernible as in the acquisition of Florida. Desirable before, possession of Florida became essential to the welfare of the Nation from the moment of the Louisiana Purchase. Its geographical situation gave it command over the marine highway between the old and the new sections of the United States, and in alien hands it thus constituted not merely an unwelcome break in the continuity of the coast-line, but a possible menace to American shipping and commerce. There was always the danger, too, and a danger which speedily proved very real, that in time of war it might be utilized by a foreign power as a base for military operations. Its owner, Spain, was notoriously weak, as had been amply demonstrated by Napoleon's course in the matter of Louisiana; and it was more than doubtful whether she could enforce the neutrality of her distant province against any power whatsoever. For the same reason, it was to be feared that if the United States did not acquire Florida for herself, ownership might pass to a country stronger than Spain and by so much the more undesirable as a neighbor.

There were also minor but still cogent considerations urging immediate effort to extend American sovereignty to the peninsula. It was watered, in part, by navigable streams affording American settlers a Gulf outlet for their products,

and experience had shown that so long as Spain retained control of these streams their navigation would be impeded. Again, notwithstanding Spain's centuries of occupation, no successful attempt at colonization and settlement had been made, and, outside of a few scattered and paltry garrison towns, Florida was almost wholly given over to the wilderness and the savage, and was infested by a motley population of Indians, fugitive slaves, pirates, and outlaws of every sort, who waged a vindictive warfare against the frontier inhabitants of Louisiana and Georgia. This also, in the case of the Indians at any rate, despite the fact that Spain had by treaty solemnly pledged herself to repress hostile outbreaks against the border folk. To tell the truth, she was not strong enough to keep her obligation; but her failure to do so only brought home more forcibly to the American Government the necessity of terminating a state of affairs that promised to grow constantly more dangerous to the peace and well-being of the Republic. Indeed, as developed in the course of our study of the Louisiana Purchase, so early as 1790 a formal proposition was framed for the purchase of Florida, and it was Florida rather than Louisiana that was kept steadily in view throughout the negotiations which ended so happily in 1803. Immediately thereafter the question of the acquisition of Florida was raised anew, to remain unsettled, however, until fifteen years later the fearless patriotism of one of the greatest of Americans forced it to an

issue in accord with the will and necessity of the Nation.

At the outset, it must be said, the United States committed a tactical blunder quite sufficient to account for the difficulty experienced in securing Spain's consent to part with her peninsular possession. Ever since 1763 Florida had been divided into two parts—East Florida, including all of the peninsula and westward along the Gulf coast to the Apalachicola River, and West Florida, continuing along the coast from the Apalachicola to the Mississippi. Previous to that time, while the French were in possession of Louisiana, that part of West Florida lying between the rivers Perdido and Mississippi was recognized as a portion of Louisiana, not of Florida, with which it was incorporated only after France had ceded Louisiana to Spain, and Spain in turn had transferred Florida to England. Now, the Louisiana Purchase Treaty had not defined the bounds of the territory handed over to the United States by France—or rather by Napoleon—but it had described that territory as “the colony or province of Louisiana with the same extent that it has now in the hands of Spain, and that it had when France possessed it, and such as it should be after the treaties subsequently entered into between Spain and other States.” Obviously, this amazingly vague description left ample scope for argument with respect to that portion of West Florida which had once belonged unquestionably to Louisiana, and now seemed to be as unquestionably part of Florida; but the United States, instead of endeavoring to arrive at an understanding with Spain, to which England had in 1783 re-transferred Florida, took it for granted that Louisiana actually extended eastward to the Perdido, and, albeit Spain was then in active occupation of the country between the Mississippi and the Perdido, in 1804 passed the so-called Mobile Act organizing that region for customs purposes and adding it to the Mississippi Territory.

Already stung to the quick by the high-handed manner in which Napoleon had disposed of Louisiana, Spain was instant to resent this step. Her Minis-

ter at Washington, the Marquis Casa d'Yrujo, penned a burning letter of remonstrance to Madison, who was then Secretary of State, and in a trice there began a bitter controversy which speedily involved France as well as Spain and the United States. But it is not necessary here to examine the details of this dispute or the merits of the question at issue. The point is that the immediate effect was to render Spain deaf to all overtures looking to a settlement on the basis of purchase, and when, some months later, Monroe arrived in Madrid eager to add to his Louisiana laurels by effecting a similarly satisfactory transaction with the Spanish Government, he was not long in discovering that he might well have spared himself the journey. It must be noted, too, that in the United States itself feeling ran high, and, as in the days antedating the Louisiana purchase, there was talk of invasion and conquest. Hope was still cherished, nevertheless, by President Jefferson and his advisers that money, not war, would suffice for the winning of Florida; and to that end, though with considerable difficulty, Congress was persuaded, in the winter of 1805–6, to pass a bill appropriating two million dollars for negotiations with foreign powers, it being understood that the appropriation was made with a view to the purchase of Florida.

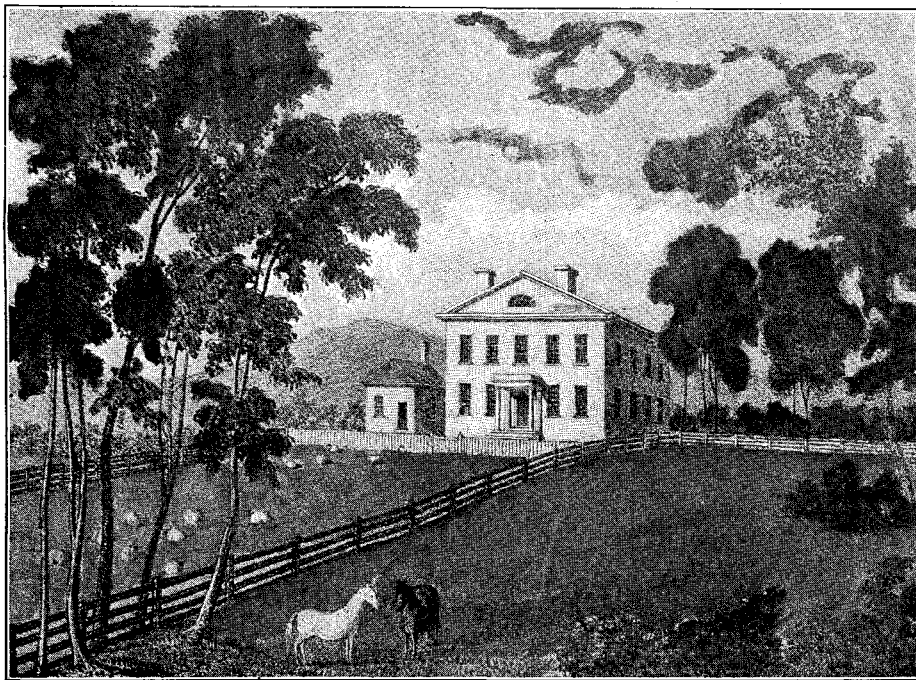
But again diplomacy proved barren of result, this time for the twofold reason that Spain was still in a state of excessive irritation, and was also confident that the European situation had become such as to preclude any attempt to oust her from Florida by force. Shortly, too, relations between the two countries were abruptly and involuntarily interrupted by the outbreak of the bloody revolution that was to mark the beginning of the end of Napoleonic despotism. In this way the *status quo*, so far as concerned Florida, continued unchanged until 1810, when there began a series of events that brought to the United States a lively sense of the necessity of taking firmer action than hitherto, and that should have aroused Spain to a realization of the wisdom of relinquishing Florida while there was still time to drive a favorable

bargain.

The first of these events was an insurrection in West Florida. Taking advantage of the distressful condition of Spain, and infected by the revolutionary spirit that had already plunged the South American provinces into anarchy, a party of turbulent West Floridians, mostly fugitives from the justice of other lands, banded themselves together to throw off the Spanish yoke, and with little difficulty took by storm the fort at Baton Rouge. Their next move, after declaring a free and independent government, was to offer to turn the province over to the United States for a substantial consideration. Madison, who had now succeeded Jefferson in the Presidency, replied to this offer promptly, though not in the way the revolutionists had anticipated. Declaring, in a proclamation of October 27, 1810, that there had been far too much delay in adjusting the conflicting claims of the United States and Spain, he directed Governor Claiborne, of Orleans Territory, to take immediate possession of all the country from the Mississippi to the Perdido, and to govern it as part of his own Territory, with the understanding, however, "that in the

hands of the United States it will not cease to be a subject of fair and friendly negotiation and adjustment."

For this action Madison was bitterly criticised at the time, and has been even more bitterly criticised since. But, apart from the question of his possible usurpation of the legislative power, the course he adopted was in reality the only course open to him consistent with safeguarding the interests of his country. It was evident that Spanish authority in West Florida had given place to a lawless and irresponsible government, which it was impossible to recognize, and the continuance of which it was equally impossible to endure; it was also clear that Spain was in no position to restore order; and it was apparent, again, that warrant for American intervention could be found in the still unsettled claim, based on the Louisiana Purchase Treaty, that all of West Florida between the Mississippi and the Perdido was actually American territory. Madison's policy, in short, was a policy dictated by the necessities of self-defense, not by sheer greed for land, as is alleged by those who delight in depicting the



THE HERMITAGE, JACKSON'S HOME IN HIS LATER YEARS



JOHN QUINCY ADAMS

United States' attitude to Spain, with respect to Florida, as that of a bandit intent on plunder. Similarly with the subsequent temporary occupation of Amelia Island, off the Atlantic coast of East Florida, though here there is some real ground for criticism in the manner in which the occupation was effected. And in the same justifiable principle of self-defense will be found the true historical explanation of the step taken a year or so later by the man to whom, above all others, must be given the credit of bringing Spain to reason.

This was Andrew Jackson, as yet little known outside his own State of Tennessee, whither he had come from the Carolinas in 1788 as a young man of the humblest birth, without money and without friends, his sole reliance native wit and native courage. Making his home at Nashville, when it was still a crude border settlement bounded by pathless forests, he had plunged with ardor into the task, not only of gaining a livelihood, but of bettering the com-

munity in which he had elected to dwell. His first occupation, that of district attorney, proved his mettle, for in those days a district attorney had to take his life in his hands, such was the lawlessness rampant in the frontier country. At Indian fighting, too, he showed himself utterly devoid of fear. And if, as was only too apparent, he displayed in his conduct with his fellows an acrimony and bluntness of speech, an over-readiness to take offense, and an uncompromising assertiveness, these were defects readily condoned in one of such manifest honesty, integrity, straightforwardness, and daring. Thus it happened that within an incredibly short time Jackson had become one of the most popular as well as one of the most respected citizens of Tennessee, and, almost as a matter of course, gravitated into politics, serving for a brief space in both Houses of Congress. But, finding himself out of his element in Washington, and longing for the free, open, and ultra-democratic life of the

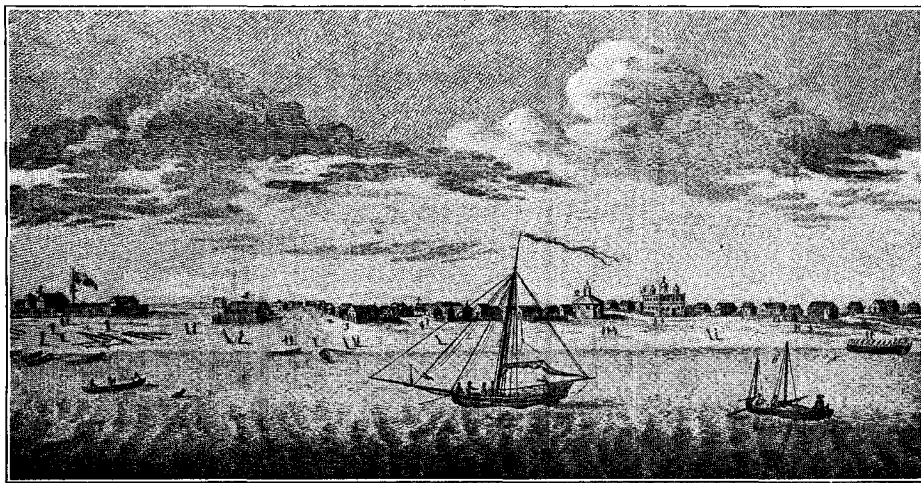


Western country, he had speedily resigned, and hastened home to preside over the Supreme Court of Tennessee, to gain election as Major-General of the State militia, and to engage in business. As judge, as soldier, and as business man he had steadily augmented his reputation until his brother Tennesseans fairly came to idolize him. Their ideals, they plainly saw, were his ideals, their interests his. Like them, he held an abiding faith in the possibilities and future of the land in which they lived; like them, he felt the instinct for growth and expansion; and—what is most important in the present connection—like them he would brush aside, with fiery impatience, all that might hamper expression of that instinct.

Such was the man—imperious, impetuous, masterful, and passionate, protagonist *par excellence* of the spirit of the early West—who by virtue of his rank in the Tennessee militia took command, in the opening days of 1813, of a formidable force of sturdy frontiersmen, “called out for the defense of the lower country.” Two years earlier, anticipating the outbreak of war with England and recognizing the possibility of Florida being occupied by the enemy for hostile purposes, Congress had authorized the President to take temporary possession of any part or all of that Spanish province “in the event of an attempt to occupy the said territory, or any part thereof,

by any foreign power.” Now that war had actually arrived, Madison was determined that the contingency of foreign occupation should not arise. To this end had Jackson’s army been created, an army of which Jackson himself wrote enthusiastically: “They go at our country’s call to do the will of the Government. No constitutional scruples trouble them. Nay, they will rejoice at the opportunity of placing the American eagle on the ramparts of Mobile, Pensacola, and Fort St. Augustine.” As luck would have it, however, the Congress of 1813 was of a different temper from the Congress of 1811, and refused to support Madison in the projected occupation, the consequence being that Jackson and his men, without having accomplished anything, were forced to march home and leave the enemy free to utilize Florida at will.

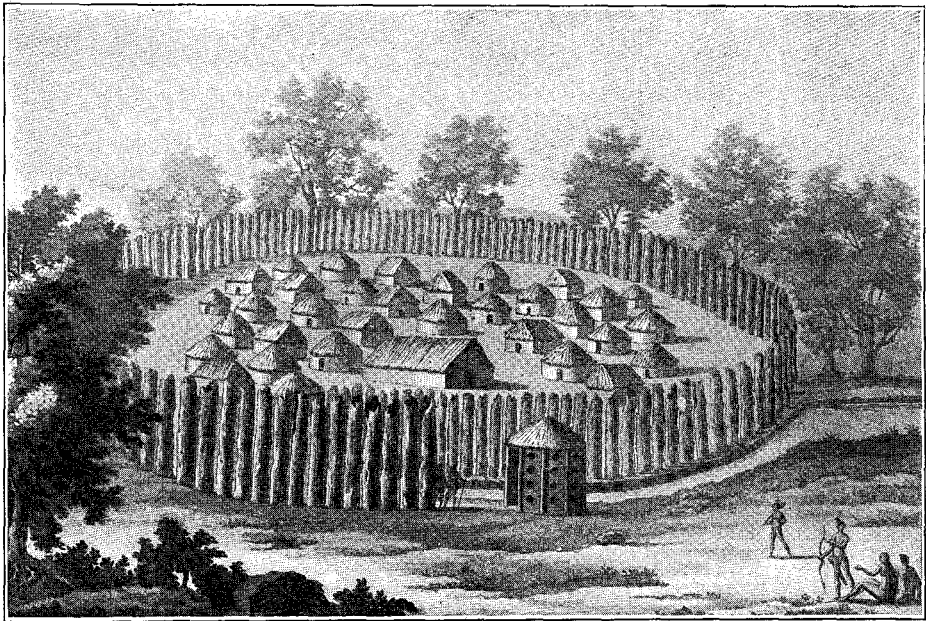
Out of this freedom flowed momentous results to Jackson and to the Nation. In the late autumn of that same year, instigated by English emissaries and armed from an English fleet, the Creek Indians took the war-path against the American settlers of the extreme South. The length and breadth of the border they harried, finally consummating, on August 30, the ghastly Fort Mims massacre, when out of five hundred and fifty refugees in a pioneer stockade four hundred perished. Burning for vengeance, Jackson and his Tennesseans flew to



VIEW OF PENSACOLA, FLORIDA

arms, and now began a war within a war, and a war of extermination. All through the winter it raged and on until the spring, when, after the fearful battle of the Horseshoe, the stricken Creeks, all but annihilated, were glad to sue for peace. Then followed a brief rest for Jackson, but exceedingly brief. His splendid campaigning had won him the appointment of Major-General in the United States army to succeed "Tippecanoe" Harrison, who had resigned, and summer found him in the field again,

compelled to sail again in less magnificent array. Eager to pursue, Jackson awaited only the arrival of reinforcements, and when these came, twenty-five hundred strong, from his beloved Tennessee, he was up and off. Marching across country, with the tempestuous celerity that had already begun to attract the attention of the entire country, he appeared before Pensacola three days after his departure from Mobile, served on the Spanish Governor a summary demand for surrender, and followed this up by an



A STRONGHOLD OF THE SEMINOLE INDIANS

From a lithograph published in 1825

this time in supreme command of the military department of the South.

Always chafing under the lost opportunity to raise the American flag in Florida, and doubly embittered by the knowledge that England had profited thereby, almost his first move was to write to the Secretary of War for permission to invade the peninsula. No reply coming, and news reaching him that an English force had landed at Pensacola, the capital of West Florida, he resolved, with characteristic recklessness, to delay no longer. But before he could make a beginning the English themselves assumed the aggressive, sailing from Pensacola to Mobile, whence they were soon

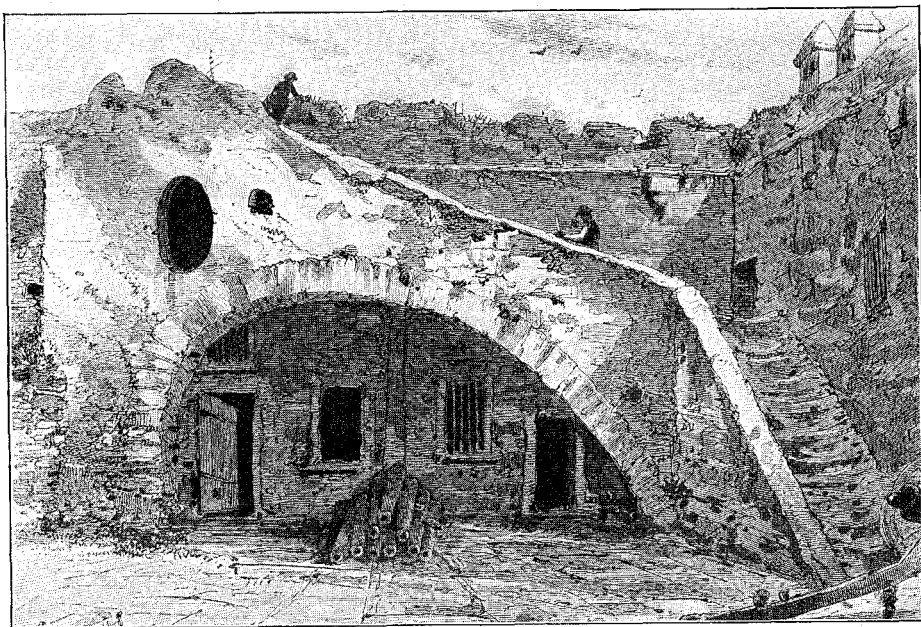
assault that forced speedy capitulation. In Fort Barrancas, near by, he found a small English garrison, but this escaped him, pausing in its flight only long enough to destroy the fort. Less than a week later he was back in Mobile, passing thence by leisurely stages to New Orleans and the battle that won him an enduring place among the heroes of American history.

What had been theoretically asserted by the President and by Congress had been translated into action by Andrew Jackson. The United States was not at war with Spain; Florida was the territory of a supposedly friendly power; yet its soil had been invaded, its flag



trampled in the dust, its people attacked. Nor could Spain with justice complain. Willingly or unwillingly, she had committed flagrant breaches of neutrality. She had permitted English troops to garrison her forts, English fleets to rendezvous in her harbors, and English officers to enlist within her borders savage allies against England's foes. It mattered not that she had been too weak to oppose effectively the English occupation; this fact alone should have convinced her, as it had fully convinced the

Florida. English officers, and especially a Colonel Nicholls, commandant of the garrison that Jackson had expelled from Fort Barrancas, lingered in the peninsula even after peace had been declared, and spent much of their time in exciting the Florida Indians, the Seminoles, to renewed hostilities against the border settlers. Nicholls, in fact, went so far as to conclude an offensive and defensive alliance between England and the Indians, rebuild and equip an old fort on the Apalachicola, and demand in the



INTERIOR OF ST. MARK'S CASTLE

From an old wood engraving

United States, that the sooner she let go of Florida the better. Nevertheless, order having been re-established at home and with order a resumption of diplomatic relations with America, she added Jackson's operations to the category of wrongs inflicted on her, and resumed her old course of tortuous and procrastinating diplomacy. To persuade her of the folly of this course required another concrete demonstration of the lengths to which the United States was prepared to go if self-defense demanded, and again the needed lesson was read by Andrew Jackson.

The end of the war had by no means marked the end of English influence in

the name of the Indians a surrender of the lands ceded to the United States by the Creeks as the price of peace. After his departure for England, in the vain hope of securing from his Government official approval of these acts, the fort on the Apalachicola was seized by a number of fugitive slaves from Georgia and converted into a piratical stronghold of the worst description. Using it as a base, they ravaged the country for miles across the border, destroying the property of their former masters, stealing horses and cattle, rescuing criminals, and killing all who resisted them. No doubt they could find some justification for their acts in the principle of retaliation, for

the Georgians themselves were not models of law and order; but their brigandage and rapine soon became unendurable, and at the direction of the Secretary of War a message was sent by Jackson to the Governor of Pensacola demanding immediate action against them.

With this demand the Governor was either unwilling or unable to comply, and at once the wrathful Jackson resolved to act on his own account. "I have no doubt," he wrote to General Gaines, who was then building stockades and block-houses in the adjacent territory ceded

by the Creeks, "that this fort has been established by some villains for the purpose of murder, rapine, and plunder, and that it ought to be blown up regardless of the ground it stands on. If you have come to the same conclusion, destroy it and restore the stolen negroes to their rightful owners." It so happened that Gaines had ordered from New Orleans some supplies that would have to be carried past "Negro Fort,"

as it was popularly called; and he now instructed one of his officers, Colonel Clinch, to proceed down the Apalachicola with a body of troops and level the fort to the ground at the first sign of an attack on the transports. Coming down the river, Clinch fell in with a party of Seminoles who had their own grievances against the negroes, and he promptly pressed them into service and hurried on to the fort, near which he found the supply expedition. Excuse for hostilities was ready at hand in the fact that a boat's crew, landing for water, had lost four men in an attack by the negroes. Forthwith Clinch demanded the surrender of the fort, and, obtaining in reply a defiant blast of cannonading, opened fire from

a gunboat convoying the transports. The first few shots did little damage, but victory came with amazing and shocking swiftness. In the fort's magazine some seven hundred barrels of gunpowder were stored, and a red-hot ball striking this caused an explosion that ended "Negro Fort" for all time, and cost the lives of almost all its defenders. No fewer than two hundred and seventy men, women, and children found an instant death, while of those still living, after the smoke had cleared away, only a pitiful minority endured the torments of their wounds. It must be added, also,

that at least two of the miserable survivors were handed over to the Indians to be cruelly tortured so long as a spark of life remained in their mutilated bodies—an apt illustration of the truth that the inhumanity of those barbarous years of border warfare was by no means confined to the enemies of the United States.

This fearful tragedy was but the opening act in the second Jacksonian invasion of Florida.

Fresh grounds for complaint against the Spanish authorities soon developed in a renewal of hostilities by the Seminoles, the climax coming when, in revenge for the burning of a native village by American troops, the savages ambushed and massacred nearly fifty soldiers and settlers *en route* up the Apalachicola. At news of this, the War Department sent orders to Jackson to raise a large force, take command in person, and spare no efforts to bring about a lasting peace. But before these orders reached him, Jackson himself had addressed to Monroe, then President, a letter seething with indignation. It would be well, he declared, to seize the whole of East Florida and hold it "as indemnity for the outrages of



MAJOR-GENERAL EDMUND P. GAINES



Spain upon the property of our citizens." This he felt certain could be done "without implicating the government." And, in conclusion, he roundly asserted: "Let it be signified to me through any channel (say Mr. J. Rhea) that the possession of the Floridas would be desirable to the

that his plan was approved, and that Rhea's reply was received by him before he crossed the border. Whatever the truth, across the border he went, in March, 1818, at the head of an army of about three thousand, including a thousand of his veteran Tennesseans and



CAPTAIN ISAAC MCKEEVER

United States, and in sixty days it will be accomplished." What reply, if any, was made to this letter will probably never be known. According to Monroe, he received it during an attack of illness, laid it away, forgot all about it, and did not even read it until after the war had come to an end. Jackson maintained, to the contrary, that the President had actually instructed Mr. Rhea (a Congressman from Tennessee) to write saying

rather less than a thousand friendly Indians.

There were to be no half-way measures now. Writing to Captain McKeever, commissioned to co-operate with him by sea, Jackson designated St. Mark's as the first point of attack, instructed McKeever to meet him there, and significantly added: "You will . . . capture and make prisoners all, or every person, or description of persons, white, red, or

black, with all their goods, chattels, and effects, together with all crafts, vessels, or means of transportation by water. . . . Any of the subjects of His Catholic Majesty sailing to St. Mark's may be permitted freely to enter the said river. But none to pass out, unless after an examination it may be made to appear that they have not been attached to or in any wise aided and abetted our common enemy." The meaning of this language was plain enough. To blockade Spanish ports, to seize Spanish property, and to make prisoners of Spanish subjects—such was Jackson's programme. Incidentally, he proposed capturing, if possible, certain Englishmen at whose door he laid the chief responsibility for the present Indian rising, and who, he had reason to believe, were then at St. Mark's, together with two Indian chieftains who had proved especially malevolent.

To St. Mark's, then, he hastened, as did McKeever, the latter scrupling not to sail into the bay under the English flag, and by this disgraceful ruse lure aboard the chieftains for whose lives Jackson thirsted. Jackson's own course was openness itself. Frankly informing the Spanish commandant that so long as the struggle with the Indians lasted it was necessary to occupy St. Mark's with American troops, he marched his men into the town, hauled down the Spanish flag, and raised in its stead the Stars and Stripes. No damage was done to person or property, and only one prisoner taken—a Scotchman, Alexander Arbuthnot, an aged Indian trader who was suspected of having intrigued against American interests. Next day, without so much as the semblance of a trial, McKeever's native captives were hanged, a fate which they doubtless richly deserved; and a start was made at once for the Indian stronghold of Suwanee, far to the east and in the midst of swamps accounted impassable. A week of arduous marching and the goal was reached, too late, however, to surprise the Indians, who had taken hurried flight, warned by a note that Arbuthnot had despatched to his son, also a trader. The town destroyed, back went Jackson to St. Mark's, taking with him as prisoner an Englishman,

Robert Ambrister, a gentleman of family but not of the best of reputations, who by mischance wandered into the American camp.

At St. Mark's once more, not a moment was lost in placing Arbuthnot and Ambrister on trial for their lives. "It is all-important," Jackson had written McKeever, "that these men should be captured and made examples of," and the failure of the expedition to Suwanee had not disposed him to modify in any way the merciless course mapped out in that letter. Arbuthnot stood charged with inciting the Indians to war against the United States, supplying them with munitions of war, and acting as a spy; Ambrister was accused of personally making war against the United States, and aiding the enemies of the United States. There was no particularly strong evidence against either, yet the court martial that tried them sentenced both to death, Arbuthnot to be hanged, Ambrister to be shot. In Ambrister's case the sentence was afterwards commuted by the court martial to flogging and a year's imprisonment, but Jackson, who seemed for the moment to have given way completely to the violence of his passions, ordered the original sentence to be carried into effect. Thus two British subjects perished, on the soil of a friendly Power, and at the arbitrary command of an armed representative of a third Power, with which both the others were supposed to be at peace.

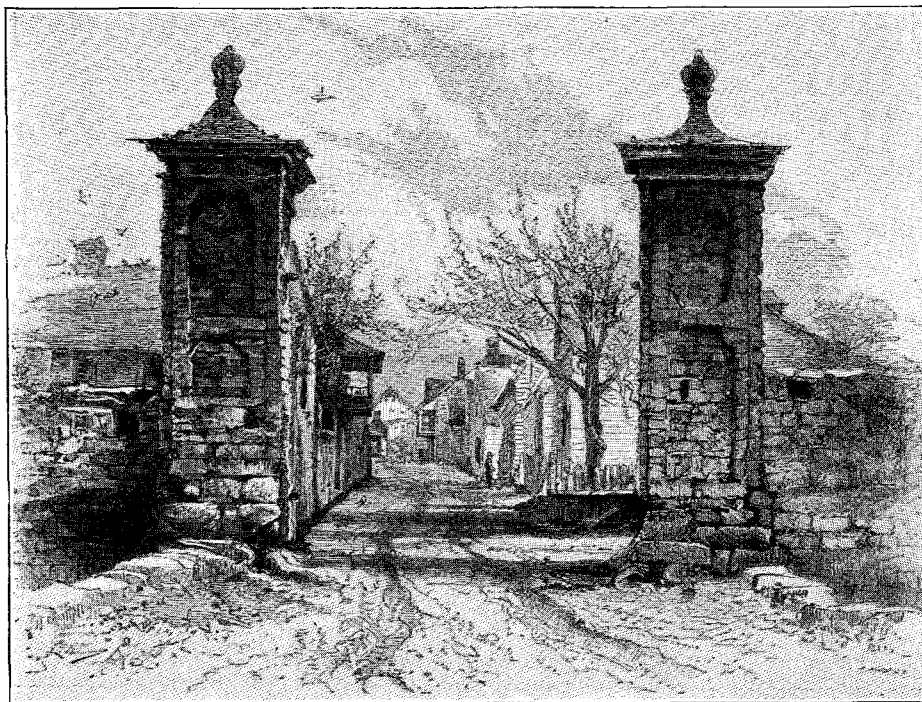
Now word was brought to the still unappeased Jackson that a large number of Indians, said to be more than five hundred in all, had sought refuge at Pensacola, and were receiving asylum there. Foaming with rage, he detached from his main body a mixed force of regulars and Tennesseans, and set off to the West Floridian capital as fast as his troops could march. Nor did he halt on receipt of a letter from the Spanish Governor protesting in the name of the King of Spain against his invasion of that monarch's territory, and threatening to expel him unless he withdrew at once. His only reply was to urge his men to greater speed. Arrived at Pensacola, whence the Governor fled precipitately to Fort Barrancas, he mastered that town



as easily as he had mastered St. Mark's, ran up the American flag, and quickly forced the surrender of Barrancas with the Governor and three hundred Spanish troops. All Florida now lay at his mercy, prostrate and helpless; but, contenting himself with leaving garrisons in the captured forts, he recrossed the border in a few days with the bulk of his army, confident that what he had already accomplished would be quite sufficient to bring Spain to terms.

He was hardly prepared for the storm

out of what seemed to them an exceedingly bad business. Throughout the summer Cabinet meetings were held almost daily, and in these Jackson's sole defender was the Secretary of State, John Quincy Adams. All save Adams were for disavowing his conduct *in toto* and making suitable reparation; but Adams, with an inflexibility that would have done credit to Jackson himself, insisted that the necessities of the case amply justified Jackson's proceedings, and that, in the last analysis, the respon-



THE OLD CITY GATE OF ST. AUGUSTINE

that at once burst about his head. Not only in England, Spain, and European countries generally was he denounced as a bandit, a murderer, and a high-handed violator of the laws of nations, but in his own country he found himself the target for unrestrained abuse. It mattered not that the public at large applauded his actions and sang his praises as a true American who would dare and do whenever National interests required. The President, the Cabinet, and Congress, fearful that war with both England and Spain was certain to eventuate, debated long and earnestly the best way

sibility lay not at his door but at the door of the Spanish commanding officers in Florida. In the end, but only after a prolonged struggle, Adams won his point; and the United States made known to the world its intention of standing by the fiery warrior from Tennessee, whatever the consequences.

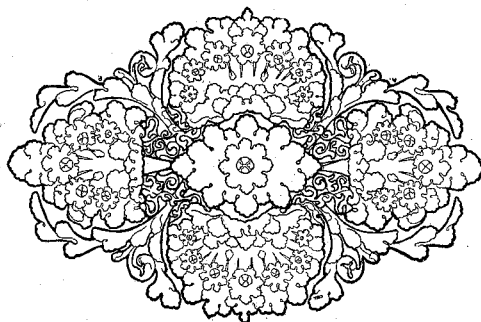
The consequences were the tacit approval by England of his execution of Arbuthnot and Ambrister, and the cession of Florida by Spain. To the latter result Adams again contributed powerfully, and most of all by a letter he wrote in November, 1818, ostensibly addressed



to the American Minister at Madrid, but in reality being in the nature of an ultimatum to the Spanish Government. Seldom indeed has an American statesman penned a more noteworthy document. Reviewing in the fullest detail the long-standing grievances of the United States against Spain, the repeated breaches of neutrality, the outrages committed by Indians, fugitive slaves, and outlaws who found sanctuary in Spain's dominions, her toleration of the acts of aliens like Nicholls, Arbuthnot, and Ambrister, and her constant failure to fulfill treaty obligations, Adams declared bluntly: "Spain must immediately make her election either to place a force in Florida at once adequate for the protection of her territory and to the fulfillment of her engagements, or cede to the United States a province of which she retains nothing but the nominal possession, but which is, in fact, a derelict, open to the occupancy of every enemy, civilized or savage, of the United States, and serving no other earthly purpose than as a point of annoyance to them. . . . The duty of this government to protect the persons and property of our fellow-citizens on the borders of the United States is imperative—it *must* be discharged." There was no mistaking such language, and there was no denying the fact that so long as the United States held men like Andrew Jackson, Spain could not hope to keep to her old ways with impunity. Alive at last to the dangers of the situation, and well aware that it was impossible for her to maintain an efficient government in Florida, Spain announced her willingness to negotiate a treaty of cession, which was finally

concluded and signed in Washington, February 22, 1819; its definite ratification, however, being delayed for various reasons until two years afterwards. July 10, 1821, the United States formally took possession, having already, fittingly enough, appointed as the first Governor of its new Territory the victorious Andrew Jackson.

It remains to be added that by the terms of the treaty the seed was sown for another harvest of trouble. In addition to the actual transfer of territory, the monetary consideration for which was \$5,000,000 to be paid by the United States, not to Spain, but to American claimants having bills against Spain for damages dating back in some instances to the first Napoleonic war, the Florida treaty fixed for the first time the boundaries of the region acquired by the United States in the Louisiana Purchase. Here a distinct concession was made by the United States, which began negotiations with the claim that in the southwest Louisiana extended to the Rio Grande, but ended by accepting the Sabine as the boundary line in that direction. Thus, to the intense indignation of the Western settlers, whatever title the United States had to the fertile plains of Texas was specifically relinquished. On the other hand, Spain relinquished no less specifically her shadowy claim to the so-called Oregon country in the northeast—the vast expanse of territory bounded by the Rockies, the Pacific, California, and Russian America. Both relinquishments, as we shall see, were soon to prove disturbing elements in the political life and growth of the American Nation.



# WHERE LOVE IS, THERE GOD IS ALSO

BY COUNT LYOF N. TOLSTOY

WITH AN INTRODUCTION BY HAMILTON W. MABIE



ALL things considered, Tolstoy is the foremost man of letters now living. He is much more than a writer in the professional sense; he is the leading man of his race; he is a social reformer; and he is an interpreter of religion. He has written a shelf-full of novels, short stories, sketches, social, religious, and art studies, chapters of biography, and tracts. He has taken all life as his field, and has discussed the Gospels, militarism, landholding, the relation of the sexes, education, patriotism, forms and limits of government, social organization, art, industry, wealth, poverty. Over forty pages of the British Museum Catalogue are filled with the list of publications and translations which bear his name. He is a personage of such world-wide significance that he is, in a way, more powerful than the government, and has secured freedom of speech for himself by sheer moral and intellectual ascendancy. As uncompromisingly and impossibly individualistic as Ibsen, though in a radically different way, his name has become the watchword of a cult and the battle-cry of an unorganized body of disciples, to whom he has been a voice in the wilderness rather than a leader to a definite reconstruction of society.

The range of his interests and of his production makes it difficult to sketch his career even in profile, and impossible to characterize and estimate the lasting importance of his thought. What is impossible is also, fortunately, unnecessary; Tolstoy has been a prophet and a teacher who has stirred the consciences of men and opened their eyes to the realities of life; but, first and finally, he has been a man of letters, and as a writer he will be remembered when his other activities have been forgotten. He has been a far more widely known figure than Gogol, Dostoyevski, or Tourguéneff; but in the long perspective of time he will be classed and judged with them. The work of the four men of genius constitutes the most remarkable confession that a people has ever made.

Tolstoy, the youngest of the group, was born in 1828, and is nearing his eightieth birthday. The son of a nobleman, he received the education and for a number of years led the life of his class. After a childhood spent on his father's estates, he went to the University of Kazan, where he studied law and languages. He left the University without taking a degree; entered the army in 1851; served in the Caucasus and was in Sebastopol during the siege, which he has described with graphic power; left military service with the rank of division commander; devoted himself to literary work in St. Petersburg and to a close and searching study of social conditions; married in 1860 the daughter of a German physician, and retired to his estates, where he still lives. He has told the story of his inner life with a