

THE  
**British Packet,**  
AND  
**ARGENTINE NEWS.**

No. 288.]

BUENOS AYRES, SATURDAY, FEBRUARY 25th, 1832.

[Vol. VI.]

**BUENOS AYRES.**

We mentioned in our last, that the subscription for the four millions of stock had been completed. This is no doubt a great financial operation, and its influence will be extensively felt. It at once relieves the Treasury from the "dead weight" which paralysed its operations, enables it to discharge all pressing demands, and throws a great deal of money into circulation—besides which it has prevented all idea of contributions, loans or new issues of Bank paper, giving at the same time confidence to the Government, and additional security to the Stockholder, who now need not fear any material depreciation in the prices, certain that those who hold the new stock will not throw it at once upon the market, but "feed it," (using a London stock-exchange phrase,) as occasion requires. Upon every view of the transaction we see cause for congratulation, and to indulge the hope that the benefits accruing therefrom will be speedily realized.

**OFFICIAL DOCUMENTS.**

The Government, in answer to a representation from Messrs. Bacle and Co., stated that the Lithographic press, of which those gentlemen were proprietors, was comprehended in the decree of the 1st inst.

**TREASURY OFFICE.**

The owners of licensed establishments are informed that at the end of the ensuing month of March the sale of licences will be closed; and that the Government having resolved not to prorogue the customary visit of inspection, it will take place on 1st April next, according to law.

Buenos Ayres, 23rd February, 1832

**FOREIGN DEPARTMENT.**

According to advices from the Consul-General of this Republic in the Low Countries, it is known that the Dutch have removed the buoys which pointed out the banks to vessels navigating on those seas, which notice is therefore published for the information of commerce.

Various documents have been published, consisting of the answers of the Governor of this Province, to the communications received from the Governor of Santa Fé, inserted in the British Packet, No. 286.

They relate to the capitulation of the Unitarians at Salta,—the pacification of the province of Entrerios, &c. There are other documents relative to the disbanding of the Auxiliary division of the Andes, lately under the command of Gen. Quiroga.

Colonel Espino, who had been ejected from the authority he had assumed in the province of Entrerios, and who had refused the guarantees offered to him to remain in that Province, and proceeded to the Banda Oriental—has lately solicited permission to return to Entrerios.

The late occurrences at the Falkland Islands continue to occupy a great deal of the public attention. The view taken of the question in the *Lucero*, No. 706 and 709, is marked with much moderation, and has therefore been generally approved, even by those who dissent on the general question. It is thus that the discussion ought, and no doubt will be, carried on.

**MONTVIDEO.**

The Legislative body of the Oriental Republic of the Uruguay assembled at Montevideo on 20th inst., and the Session was then opened. The Delegate President of the Republic, (D. Luis E. Perez,) announced the Message, which was read by the Minister of Government, D. Santiago Vasquez.

It stated that the Government felt the most lively pleasure in witnessing the opening of the second Legislature, and offering its congratulations for the benefits of exterior and interior peace, which Providence had bestowed on the country—that the best understanding prevailed with all nations; and that notwithstanding the terrible and prolonged political crisis which the Argentine Republic had endured, the most friendly relations had been maintained with it, that the crisis having happily terminated, the good intelligence which existed would be improved, conformable to the sentiments of the Government, and the interest of both countries.

The Message then states that crimes had diminished, and agriculture improved; that the extent and fertility of the soil, the mildness and variety of the climate, and above all the nature of the institutions of the country, and the confidence in their stability, had brought to the shores of the Oriental State a considerable emigration, both of individuals and capital. That the concentration of the population would be one of the most efficacious means to destroy the errant life now followed by many, and bring about a spirit of sociability amongst all the inhabitants; that the Government had therefore, determined to form a town on the frontiers, for the residence of those men, who, without any fixed residence, family or ties to unite them to society, now rove about the deserts,—that the site had been marked out on the shores of the Tacuarimbo, and the building of habitations commenced.

The Message then proceeds to comment upon the state of the country; its wants and future hopes; noticing the extinction of the copper money, and the state of the finance—adding that a plan was in agitation to proportion the expenses of the State to the receipts; and concludes by calling the attention of Legislature to the present system of judicature, and the necessity of making some alterations thereon.

The Montevideo papers notice that a considerable emigration has taken place thither from Brazil, amongst which are persons of respectability and property.

*To the Editor of the British Packet.*

SIR:

An article which appeared in the *Cosmopolitan* of the 15th inst., gives rise to a new

and important question in Buenos Ayres, (or indeed anywhere else.) The writer, who signs himself a citizen of the U. States, seems to take upon himself to say, who are or who shall be citizens of our country. Permit me, Sir, a Republican of the Jeffersonian School, to speak to my fellow citizens, through the medium of your valuable journal, upon a subject no less important than that prerogative, the exercise of which subjects them to the danger of being proscribed as not being a citizen whenever it may please to set itself in motion, or exposed to excitement raised by envy, jealousy, hatred, malice or folly.

It is not the object of this communication to enter into any personal dispute, or to attack, or vindicate the private character of any individual, but to touch on those things only, which are calculated to blot the reputation of our country, or enhance its glory.

FELLOW CITIZENS.—We should never forget that we have to sustain a national as well as an individual character; these two, although entirely distinct, are so closely allied that the reputation of the one cannot be exalted or injured, without, in a greater or lesser degree, affecting the other.

The Constitution of the U. States declares that *all men are born free and equal, and as having certain unalienable rights.* If all are equal, then it must follow that individual rights, reputation and property, ought to be equally respected.

In opposition, however, to this sentiment, the writer of the article of the 15th, is very angry that Captain Duncan should be called "tantamount" to a coward; but thinks nothing of calling a respectable citizen precisely in the same tantamount way, a curser, drab, scullion, and proscribing him as being no citizen, &c.

But to proceed. Let us recollect, that in our country the repository of sovereignty rests with the people, and no authority is legitimate but what is authorized by them. The framers of our Constitution have wisely guarded this repository of power from encroachments of ambition or usurpation, by placing the liberty of speech, and the liberty of the press, amongst the unalienable rights of freemen. But the writer of the article before named asks in an imperative mood—"why any interference on your part at all," thus denying the Constitutional right of investigating, approving or disapproving the conduct of our public servants, which I trust that none of us will ever be so vile as calmly to surrender.

It would have been well if the writers in the *Cosmopolitan* had made themselves acquainted with the opinions of all their countrymen in Buenos Ayres, before they undertook to speak in their behalf. Many of us conceive the proceedings of the Lexington at the Falkland Islands as calculated to injure the hitherto unstained reputation of our country.

I shall close this article with one brief reflection.—That whenever a man ceases to regard the institutions and fundamental principles of his country by disrespecting the unalienable rights of others, whether they be *nations or individuals*, he will then cease to be an ornament to such a nation as ours, and will at least deserve the disapprobation of

ALL GOOD CITIZENS.

To the Editor of the British Packet.

"Honour to whom honour is due."

SIR,

Your correspondent "Rusticus," in connection with some appropriate and judicious remarks relative to the organization of Temperance Societies here, says that "these Societies originated in the U. States." In the sense in which he doubtless intended to be understood, this is true; yet strictly speaking the honor of originating voluntary associations on the principle of total abstinence from all intoxicating liquor, does not belong to any modern nation.

I have before me the account of one formed in the capital of Chaldea, by some foreign residents, more than 2400 years ago. The history is brief, and makes particular mention of only four of the Members, (if there were more,) all of whom rose to high distinction, and public confidence in the nation, where they resided.

The same history mentions a man who lived 600 years earlier, who abstained entirely from strong drink, and yet in physical strength surpassed all the men of his own or any other age. It gives an account, also, of the adoption of the principle of total abstinence by a numerous family for several generations; and by a distinguished reformer among the Jews, about the commencement of the christian era.

Several other similar instances are mentioned, for which, and for particulars of those named, I must refer your readers to the history itself; my sole object at present, being to show that so far from Temperance Societies being an "innovation" or a novel experiment, their principles have been acted on more or less extensively, for at least 3000 years; and the result has been during this whole period invariably and decidedly favourable to the physical, intellectual and moral improvement of those by whom these principles have been adopted.

If any one doubts whether they will still produce the same result, let him try.

AMERICUS.

To the Editor of the British Packet.

SIR:

The late unhappy transactions which took place at the Falkland Islands, having excited a good deal of feeling among the natives of these Provinces, is certainly to be regretted, on account of its tendency to interrupt those friendly reciprocities, which hitherto have existed between them and the citizens of the U. States, resident here. We cannot, however, but consider that at this early stage of the affair, we are generally incapable of forming any decided opinion on the subject—wholly unprovided with data sufficient to warrant a determined expression of approval or reprobation, we are content for the present to abstain from expressing any positive sentiment in regard to the affair—feeling well assured that the Government of the U. States will institute a most minute enquiry into the business; and if its officer have transgressed the limits of his authority, will make a prompt and unequivocal acknowledgment and compensation to this Republic for all injuries sustained.

Again we assert that a decided opinion on this affair can hardly be warranted by the evidence produced—there is a cloud of uncertainty enveloping the whole transaction, which time alone must dissipate. The naked facts will be developed to the world ere long, and we are equally certain that justice, let it be on which ever side it may, will most certainly be rendered.

The writer of this article, Mr. Editor, is a North American, one who is attached most devotedly to his country, and regards its national

honor with an eye of jealous observance,—but strongly as he is attached to the institutions of his country, and proud as he feels of its honorable and pacific character, yet he is one of the last who would uphold it in any act of unjustifiable aggression. The natives of these Provinces may be assured, that the people they have to do with in this affair are high minded and generous, and will never, countenance or support any deed of their Government, which militates against the eternal principles of justice. Let them then await, patiently await, the progress of events, and they will find that the U. States of America will decide as reason, truth and the good sense of the Argentine people themselves, will fully and unequivocally approve.

ANOTHER CITIZEN OF THE U. STATES.

To the Editor of the British Packet.

SIR:

Although we are friends, permit me through the medium of your journal, to compliment you on the fine and striking description that you have given of the *tormenta de tierra* in your last number; the passage from Dante appears to me to have been well introduced. With respect to the allusions it may contain, (you know that the *Divina Commedia* is but allusions;) I believe the place where you have fixed it, upon may satisfy the mind, even of the most profound. In reading Dante you must have remarked the passage in the III Canto, where endeavouring to give an idea of the colour of the air of the infernal regions, the great Poet compares it to that which it takes in a storm of dust.—

"Paria senza tempo tinta,

Coma la rena quando il turbo spira."

If Dante had been more modern, one might have believed that he had made a voyage to these shores—but in what country has not a mind like Dante's travelled—who should say that Shakespeare, the Dante of England, your intimate friend, never travelled from the Island which gave him birth.

I now take the opportunity which this letter affords, to bid you adieu, and at the moment of quitting this city, where we have been friends for three years; I shall be always sensible of the esteem which you have evinced towards me, as well as the favours with which it has been accompanied. I quit you with regret, and shall take with me a collection of the *British Packet*, as well that it may serve as a monument of a constant friendship, as a faithful recollection of this country.

May you continue to live a thousand times more tranquil and more happy than I have been; and that under the charm and beauty which adorns this country, you may discover a spectacle a hundred times more imposing and beautiful—in the mind and heart of its inhabitants.—May you one day contemplate it at your ease—nature appeased and men reconciled with liberty. I have seen the stormy course of this country—has it now changed—it is to you my dear Sir to reveal it. Wherever I may reside I beg you will send to me your journal, and whilst my mind will dwell upon its columns, my heart will be happy in answering to any labucations of yours.

JOSE INDELICATO.

We visited, a few days since, (for the first time,) the new Establishment at No. 73, calle de la Piedad, called the Union Library and Reading-Room; and must confess that we felt more than gratified—we were agreeably surprised to find it in such order, and possessing as it does the germ of future prosperity.

The reading room is spacious, and situated on the altos; adjoining the room is an apartment for the Secretary, and the Meetings of the Committee, &c., besides which, there is a large and pleasant azotea. The maritime news of the day is noticed on a slate kept for that purpose. At night the reading room is extremely

well lighted, by lamps suspended from the ceiling.

A number of books have been ordered from North America, some of them have lately arrived in the brig Buenos Ayres, which, in conjunction with those purchased in this city, form at the present moment a respectable library of useful and entertaining works; and when the regular series of news papers from Europe and North America come out, the purposes of the Society will have been in every way accomplished.

Most of our readers are aware that this establishment consists of English and American tradesmen and others, resident in this city—the full particulars of its views, rules and regulations, appeared in the *British Packet*, No. 282. It is managed by a Committee, of which Mr. Collin is now President, Mr. Edgar Treasurer, Mr. J. G. Fay Secretary—there is also a Secretary to attend to the duties of the rooms.

In conclusion we most fervently wish that the establishment may experience many prosperous days; that union may preside in its councils; that the list of Subscribers may increase; that it may endure longer than we have time to count the years, and in fine according to the Spanish proverb we hope

"That it may live a thousand years."

The Annual of this year, entitled the Humorist has some "good things" in it: an article on "The Cares of Compulence," is witty; it relates to a young man who left England, being then a slight-made elegant fellow, very much in love and very romantic; he then got so fat that his buttons and button holes began to tear each other to pieces, and at last was not to be reconciled on any terms. Upon his return to England the "lady of his love" treated him with coldness, seeming to think that "fat though well enough in a Cupid, is not to be endured in a lover," and alleged that she had not changed, but her lover had.

There is likewise a long article upon the subject of two Printer's devils, teasing an Editor for "more copy."

The Humorist seems half a tory, judging by some very good poetry on the subject of Reform. The following is one the verses.—

"Nay, in the Commons House a few  
Would have the colonies vote too;  
How strange 'twould be, some day,  
When Parliament for business meets,  
To see two Members take their seats  
Return'd from Botany Bay."

The dance of the *Cachuca* has become a great favourite in Buenos Ayres. We never hear its music without thinking of the Cañete family, and the admirable manner in which the Señora Doña Juana Cañete performed in the above dance. Sincerely we regret that they quitted us, the introduction of these *petit* dances serve to vary the monotony of the theatre.

On 22nd inst. being the birth-day of Washington—the American vessels in the port hoisted their National colours, signal flags, &c.

*The Weather.*—We have again the old tale to repeat—viz; "the drought continues," and the dust insufferable. The temperature of the atmosphere has, however, been pleasant—the thermometer during the week, has averaged about 75.

In Mr. Morier's work of the adventures of some Persian travellers in England, is the following humorous account of the London chimney sweepers.

"During the whole night, at intervals, we had watched the cries of what were evidently guards of the night, who, like the *keshekchis* on the walls of the *Ark*,\* announce that all





**SHIPPING MEMORANDA.**

*Arrivals at Montevideo.*  
 14th February.—Oriental brig Bella Union, from Campos.  
 15th.—British brig Packet Cross, from Liverpool: 26th November.  
 Do brig Jane, Luckett, from B. Ayres 12th., bound to Hamburg.  
 16th.—American ship Emerald, from Rio Janeiro.—in ballast.  
 Brazilian brig Rio de la Plata, from Rio Janeiro.  
 Do brig 28th November, from do.  
 18th.—American brig Laurel, Francis, from B. Ayres 16th.

*Sailed from Montevideo.*  
 February 4th.—U. S. corvette Lexington, for Rio Janeiro.  
 18th.—British brig Jane, Luckett, for Hamburg.  
 20th.—H. B. M's Barque Packet Skylark, for Rio Janeiro and Falmouth.

The Packet Eclipse is posted to sail on 5th March, for Montevideo, Rio Janeiro and Falmouth.



**MARINE LIST.**



**PORT OF BUENOS AYRES.**

*February 18th.—Wind N.*  
 Nothing arrived or sailed.  
*February 19th.—Wind E.S.E.*  
 Arrived American schooner American, Leach, from Salem 7th December, with general cargo, to Zimmerman, Frazier and Co.  
 Brazilian brig Emilio, Ferreira, from Rio Janeiro 30th ult., with wine, sugar, tobacco, aguardiente, &c., to I. S. Monteiro.  
 Brazilian schooner-brig Nueva Yerba, Pacheco, from Rio Grande 16th ult.; Montevideo 18th inst., with 1206 tercias yerba, to C. M. Haugo.  
 Brazilian schooner-brig Cacique, Oliveira, from Paraguará 12th inst., with 784 tercias and 109 baskets of yerba, timber, &c., to M. A. Ramos.  
 11 sail of small craft, from the Parana and Uruguay, with hides, &c.  
*February 20th.—Wind N. shifted in the afternoon to S. blowing strong—Outer Roads at times during the day obscured with dust.*  
 Nothing arrived or sailed.  
*February 21st.—Wind E.*  
 Arrived French barque Hirondelle, Sergeant, from Havre de Grace 20th October: Montevideo 18th inst., with 3000 bricks, to Ayres, Mayor and Dounel Bros.  
 2 Oriental schooner-brigs, a National schooner-brig and several sail of small craft from the Parana, Uruguay, and Colonia.  
 Sailed American brig Montevideo, Farran, for New-York.—despatched by Dorr and Reincke, with 9577 dry hides, 1000 horse 40, 1 bale with 50 dozen nutria skins, 56 do with 945 dozen sheep skins, 10,000 horns, 3000 shin bones.  
 Passengers—Messrs. John Stewart, T. W. Lockwood, Bellows, Samuel Brooks and Brooks.  
 Oriental packet schooner Aguila Primera, Soriano, for do.  
*February 22nd.—Wind N.*  
 Arrived Oriental packet schooner Flor del Rio, Costas, from Montevideo 21st inst., to Gaspar Rosa.  
*February 23rd.—Wind N. heavy and slight rain in the afternoon.*  
 Nothing arrived or sailed.  
*February 24th.—Wind N.E.*  
 Arrived Oriental packet schooner Rosa, Moratorio, from Montevideo 22nd inst., to C. Galieno.  
 French ship Adele, Barry, from Havannah

— November, with rum, sugar, segars, &c., to Blanc and Constantin.  
 (At sun set boat not on shore.)  
 10 sail of small craft, from the Parana and Uruguay.  
 Sailed 7 sail of small craft to the N.

Quando un pueblo hace ostension de su dolor, permitiendo a sus ojos el desajuste de las lagrimas por la muerte de algun ciudadano, se acredita que tiene a favor de una sensibilidad pasajera, mas un justo homenaje de gratitud por sus servicios.

ORACION FUNEBRE.

**DIED**

On Wednesday, 22nd inst.,  
 AFTER A SEVERE AND PROTRACTED ILLNESS,  
 WHICH HE SUPPORTED  
 WITH UNCOMMON FORTITUDE,  
**DR. D. SANTIAGO FIGUEREDO,**  
 RECTOR OF THE UNIVERSITY,  
 CANON OF THE CATHEDRAL,  
 And Member of the House of Representatives.

**R. I. P.**

**BIRTH**  
 On 20th inst.—Mrs. Thomas Sillitoe, of a daughter

**ADVERTISEMENTS.**

**INTERESTING**  
**SALE BY AUCTION,**  
**TO DEALERS IN HARDWARE, CABINET-MAKERS AND CARPENTERS IN GENERAL,**  
 BY THOMAS GOWLAND AND Co.,  
 AT THE STORE OF  
**MESSRS. C. P. CAPPER AND Co.**  
 No. 91, CALLE DE LA PIEDAD:

These Gentlemen having determined to wind up their affairs, will be sold positively to the highest bidder,  
 ON TUESDAY 28th INST., AND ON THE FOLLOWING DAYS,  
 at 11 o'clock precisely, the very superior assortment of hardware as enumerated below,  
 viz:—  
 Axes, Adzes, augers, buttons, bread baskets, bed screws, bed caps, bed keys, brass nails and hooks; brass cocks, bridles, buckles, braces and bits; bolts, blank keys, baking pans, card table hinges, curtain rings, common rings and knobs and stocks; chains, compasses, cast iron plate wrenches, coffee furniture, tin & Carrion knives, coffee mills, candlesticks brass and japanned; cook fork; carpenters rule; carpenters brad-penetrators, cork rews, dog collars; door plates, draw knives, frying pans, files assorted to 16 and 17 inches; gimlets, gauges, grid-irons, glue pots, glazed iron pots; garden raker, hoist; hinges of various kinds; iron nails and rasps; hooks and eyes; bat hes, bay knives; hammers, hair cloths hand screws; knockers, knives 6 to 12 inches; kettles both copper and iron, locks for doors, cupboards, chests, &c.; ladles, lathes, machetes, nails assorted; pinners, plyers, ploughs, plough bits; planes, plane irons; painted caddies; padlocks; pewter cocks; patent economical cooking stoves; pencil; powder flasks; pocket and horseman's pistols; percussion carbide; pullies; pocket steel yard; rings; razor strops; rat traps; rasps; shutter latches, spring do; sheet brass; screws, bolts and weights; spokeshaves; successors; straight awns iron and steel; saws of various kinds; stirrups; snuff box; shoe knives and rasps; shoe-makers measures and laces; spurs; staples; surgical instruments; spades; shovels; sand paper; steel yard; table spring and catches; turn screw; Turkey stoves; trace chains; tea pots; trays; wood screws; whitewash brushes; iron and brass wire; square wire for ironing; &c. &c.

As soon as the sale of the above mentioned articles is concluded, will be sold the very superior counters and shelving; also the household furniture; a catalogue of which will be given in due time.

An English Lady, who is competent to give instruction on the Piano forte, takes the liberty

of informing the Public, that she proposes to receive pupils at her own house, at 16 dollars, or if required to wait on them, the price will be 20 dollars per Month, for Cards of address, apply to Mr. Hargrave's Store, No. 55, calle de la Piedad.

**SCOTCH PRESBYTERIAN CHAPEL.**  
 NOTICE is hereby given, that a General Meeting of the Subscribers and Contributors to the Scotch Presbyterian Chapel, will be held in said Chapel on Monday evening the 27th instant, at half-past 7 o'clock. A full attendance is requested.  
 By order of the Committee,  
 THOMAS STUART, Secretary.

**UNION LIBRARY AND READING ROOM.**  
 THE Members are respectfully informed, that the Papers and Periodicals ordered from North America have been received; and also the principal part of the books, which are ready for circulation.

**FOR SALE**  
 THE Annual for the year 1833, called the Humors, published in London, price 12 shillings. The Edinburgh Review for September 1831, price 6 shillings.  
 A new work for the year 1832, consisting of Tales, Sketches, Songs, &c.; entitled the Chamelon, price 10 shillings. Apply at No. 59, calle del 25 de Mayo.

**NOTICE.**  
 THE London news paper ATLAS of the 6th and 13th November, 1831—are requested to be returned to No. 59, calle del 25 de Mayo.

**MRS. ANN VEALE**  
 RESPECTFULLY informs her Friends and the Public in general, that she has opened a shop at No. 47, calle del Peru, in the Military and Fashionable Dress line, and hopes by her entire knowledge of her profession to merit public favour, having had an extensive business of the same nature in England. Gentlemen, Ladies' and Children's chip, straw and Leghorn hats and bonnets made, cleaned and altered, in a superior style.  
 A large assortment of Leghorn hats, and Ladies and Children's dresses constantly on sale.  
 Orders received for mournings, and executed with the greatest despatch.

A Supplement to this number will be delivered in the course of the day.

**PRICES CURRENT.**  
 Doubloons, Spanish, 108 a 108½ dollars each.  
 Do. Patriot, 107 a 107½ do. do.  
 Plata Macaquina, 6½ a 6¾ dollars for one Spanish Dollars, 6½ a 6¾ dollars each.  
 Do. Patriot and Patacones, 6½ a 6¾ do.  
 6 per cent. Stock, 50 per cent.  
 Bank Shares, 160 dollars each.  
 Exchange on England, 7½ per dol.  
 Do. on Rio Janeiro, 215 a 218 p. ct. prem.  
 Do. on Monte Video, at par.  
 Do. on the United States, 6½ a 6¾ dollars, per U. S. dollar.  
 Hides, Ox, best, 33 a 35 dollars per pesada.  
 Do. country, 29 a 32 do. do.  
 Do. do. weighing 23 to 24 lbs., 25½ a 27.  
 Do. salted, 19 a 20 pesada.  
 Do. Horse, 7 a 7½ dollars each  
 Nutria skins, 18 a 25 dollars per dozen.  
 Chinchilla, 40 a 48 do.  
 Wool (common), 7 a 7½ dollars per arroba.  
 Hair, long 28 a 31 dollars per arroba.  
 Do. mixed, 16 a 19 do. do.  
 Jerked Beef, 16 a 17 dl per quintal.  
 Hous, 350 a 900 dollars per mil.  
 Flour, (North America) 52 a 55 dols. p. hbl.  
 Salt, 10 a 11 dollars per fanega on board.  
 Discount, 1½ a 2¼ per cent.

The highest price of Doubloons, during the week 110 dollars. The lowest price, 106 dols. The highest rate of Exchange upon England during the week, 7½. The lowest do. 7½

This paper is published every SATURDAY, price SEVEN DOLLARS per Quarter. All communications to be addressed to No. 59, Calle del 25 de Mayo where subscriptions are received.

ALEXANDER BRANDER, Responsible Editor.

Printed at the State Printing-Office



# SUPPLEMENT

TO THE

# British Packet.

No. 288.]

BUENOS AYRES, SATURDAY, FEBRUARY 25th, 1832.

[Vol. vi.]

## FALKLAND ISLANDS.

*Translation of the Representation made by LUIS VERNET Esq., Political and Military Governor of the Falkland Islands, shewing the mode and formal manner in which he proceeded in the detention of three American Schooners for obstinately persisting in the seal fishery on the shores of those Islands; presented to the Tribunal specially commissioned for the determination of this cause which at the same time demonstrates the right of property that this Republic has to the said Islands and adjacencies.*

I, LEWIS VERNET, political and military Governor of the Malvina (Falkland) Islands, for myself, and as representative of the colonists established thereon, in the process respecting the legality of the detention of three North-American Schooner for insisting in the seal fishery on those shores, even after their captains had been duly warned not to continue under penalty of losing vessel and cargo in case of persisting in so doing, by virtue of said fishery having been ceded by Government to said colony exclusively in a decree of 5th of January, 1828; at sight of the process documents that have been delivered to me, say: That the Honorable Judge will be pleased to declare the seizure of the three sealing schooners to have been justly and lawfully made, in the manner and form stated in the representation of the colonists, folio 2, and the official note, folio 9: such being due to the merits of the facts which the process furnishes, and being in conformity with the unquestionable right of sovereignty of the Argentine Republic over all those coasts.

This being the first occurrence that presents itself to decide the power that we are entitled to exercise on our distant maritime coasts, circumspection, impartiality and justice, ought to guide our steps; it is therefore our duty to level the resolution of this event upon principles authorized by the general usage of nations with tacit or express acknowledgement, such are: 1st.—The coasts of the sea form an accessory part of the country they bathe; 2d.—Are therefore the property of the nation owning the territory that forms these coasts; 3d.—Consequently to exercise jurisdiction over them: to make use of their fisheries, and to reap the benefit of all that they produce, belongs only to the nation owner of that territory; 4th.—For the same reason the nation to whom the territory appertains, may prohibit the use of its coasts, reserving it exclusively to themselves. These are undeniable principles.

Now, the Spaniards were not only owners of the whole coast of Patagonia and Terra del Fuego as far as Cape Horn, but also maintained exclusive dominion in all those seas: it was therefore, that while the Spaniards governed South America, the navigation in those seas was prohibited to all foreign vessels, except under special licences from the Court of Madrid, issued in favor of some foreign individuals for the purpose of commercial speculations. The sovereignty of Spain over the Malvina islands as adjacent to the coast of the contiguous country, cannot therefore be doubted: and which sovereignty they maintained from the time that they took possession of these immense regions, until the South-Americans proclaimed their political emancipation. I shall not here occupy myself with respect to the legitimacy with which Spain exercised this exclusive dominion over the seas of South America. The nations consented, or at least tolerated it for more than two centuries; suffering the prohibition of trading with the American Co-

lonies belonging to the Kings of Castille. This tolerance is sufficient to maintain sovereignty over some part of the high seas.—On this point of public right, and on all that have as yet offered, the Argentines have proved that their principles will always be those of justice and of reason, but the dominion and possession of the coasts contiguous to the adjacent country, give, according to the right of nations, an indisputable prerogative of exercising jurisdiction over them, and to the benefit of their productions with the exclusion of every other nation. This is the right that I have defended in the Malvina Islands, and adjacencies as far as Cape Horn, by virtue of the concession that was made in my favor with right of property of the Eastern Malvina Island and the Island of Statenland, as also the use of the fisheries in all that jurisdiction, for myself and for the colonists established there, and that may progressively establish themselves, as per decree of 5th January, 1828, see the original titles of which an authorized copy exists at folio 8. Besides the right of property on those coasts according to the principle already explained, the Spaniards possessed themselves of the Malvina Islands; maintaining on the Eastern one called Soledad a permanent establishment, and a man of war; and although in 1765 Commodore Byron took possession of one of those Islands and formed at Port Egmont a small establishment, this was ceded some years afterwards to Spain, under whose dominion they remained a short time after the memorable Revolution of 25th May, 1810.

It remains only to be proved, that the Republic of the Rio de la Plata has this same right of property to those Islands and coasts as far as Cape Horn; which, when this circumstance is substantiated, the prohibition to foreigners of the fisheries on those coasts is an emergent consequent, and the seizure of these vessels that were incident in killing seal on those shores after having been officially and with anticipation warned, is that very right put into action; without which it would be a chimerical or sterile right; as is reputed very power not reducible to positive execution. The United Provinces of the River Plate have entered upon the exercise of sovereignty over all the territory, maritime coasts and islands comprehended in the demarcation of the ancient vice-royalty of Buenos Ayres, having jurisdiction over the whole Patagonian coast and as far as Cape Horn: in 1780 it established a penitentiary destined for the criminals condemned to transportation, and which existed in the year 1810; but this is not the only title of property which this Republic has to those Islands. In 1820 possession was taken of them with the necessary formality: the public act of possession was read under the Flag of the Republic, saluted with 21 guns, being present Capt. Weddell, who mentions it in his voyage to the South pole.

If still more convincing proofs of our right to the Malvina Islands and the coast of that part of the South American continent should be wanted, I believe that will appear more unquestionably in the official information which M. de Bougainville, commander of the French frigate La Boussole, gave to his government, which says: "In February, 1764, France had begun a colonial establishment on the Malvina Islands. Spain claimed these islands as a dependence of the South American continent, and its right having been acknowledged by the King, I received orders to go and deliver up our establishment to the Spaniards. In Montevideo I was joined by the Spanish frigates Esmeralda and La Liebre, which had sailed from Ferrol the

17th Oct. 1766, and we sailed for the Malvinas on the 28th Feb. 1767.....

"On the 1st of April, 1767, I delivered our establishment to the Spaniards, who took possession, planting thereon the standard of Spain, which was saluted from the shore and from the vessels with 21 guns, at sunrise and sunset. The establishment being delivered up, all the expenses amounted to 603 000 livres. France having acknowledged the right of his catholic Majesty to the Malvina islands, the king of Spain, from a principle of public right, was not bound to reimburse these expenses; but this monarch, as just as generous, wished us to be reimbursed of our advances, and said sum was accordingly paid us, part in Paris and the rest in Buenos Ayres."

And in truth, at the sight of this so clear proof, by the conjunction of circumstantial facts, it is not to be expected that any one will obstinately refuse to acknowledge in the Argentine Republic an exclusive right to the Malvinas. They were delivered, by agreement between the courts of Paris and Madrid, in 1767, to the viceroy of Buenos Ayres, French and Spanish vessels of war being sent for that purpose. Here it is to be observed, that a great part of the said sum paid by way of compensation for the expenses of the French colony established in the Malvinas, was paid out of the treasury of this province, in its own capital.—This circumstance is another special title in favor of our republic.

It is therefore evident, that the possession of the Malvinas, and the jurisdiction we exercise over them and the rest of the southern coast to Cape Horn, are founded on a principle of the rights of nations, and guaranteed by acknowledgments and positive acts of France and of England; and consequently that the fisheries thereon, and all other products thereof, belong to us; and that no nation can dispute us its use as common, unless by treaty, special concession or agreement, saving always the right of property. Such is the practice of Holland, in Ceylon and Bahren, and of England on the banks of Newfoundland. The prohibition to strangers is an attribute of sovereignty; therefore, whoever breaks this prohibition, is subject to the penalty imposed by the proprietor on infractors.—This I have verified by the seizure of the three foreign sealing schooners, for having continued to take seal on those coasts after a timely warning, and after having been given to understand that their vessels and cargoes would be seized.

This just and legal proceeding has had the misfortune to be represented to this government by Mr. Slacum, Consul of the U. States, as an illegal act; and who has found herein a motive to incite without measure the protest of the Minister of Foreign Relations against the conduct of the commander of the sloop of war Lexington in the present occurrence; and also to utter invectives against my proceedings at the expense of gratuitous suppositions of facts proved to be untrue by the uniform testimony of the crews of the very vessels seized, without observing even the rules of courtesy towards my public character, and, what is still more strange, wounding my feelings by injurious expressions respecting the property, as well as the hospitable treatment that I have shown towards the captains, crews and cargoes from the moment they were in my power.

Reserving to myself the right to claim, when and where it may best suit me, legal satisfaction for such defamation, I shall here only confine myself to the error with which the Consulate of the U. States intends to maintain that the seal fishery on the Malvinas and neighboring coasts is or

nations, and that the exclusive property appertains to no one in particular. Mr. Slacum seems not to have been aware of the express acknowledgments of the two first and most civilized nations of Europe, in consequence of the claims held forth by Spain to her exclusive right to the Malvinas islands, nor of the repeated acts of possession, and the exercise of jurisdiction as well over those islands as over the neighboring coasts, without being contradicted by any nation. A knowledge of these facts would have confined to a proper order the interference of Mr. Slacum in the present discussion respecting the legitimacy of the title for the forfeiture of the three sealing vessels. But even supposing his ignorant of those rights, at least the principles of the rights of nations ought to have restrained him from assertions which cannot be maintained in law.

I pass to examine the supposed facts that without support are asserted in the official communication of the Consul of the 15th Dec. last, which, in copy, accompanies this process. For greater clearness, and to avoid all motives of less exactitude, it will be convenient to fix first the following explanations. 1st. The Harriet having been found in 1829 with a cargo of seal skins obtained in the Malvinas and within its jurisdiction, was permitted to take said cargo to her country, under the express injunction not to repeat the fishery on those shores, and with intimation that the vessel and cargo would be forfeited in case of a new infraction. 2d. To obviate any pretext of ignorance, or of not having had timely notice, as well of the prohibition of the fishery as of the penalty of forfeiture of vessel and cargo by the infractors, a circular was delivered to Capt. Davison on the 27th November, 1830, preventive of these two determinations, similar in every respect to the one annexed to the packet of declarations of the captain of the Superior, and of the captain, officers and crew of the Harriet. 3d. An exact inventory was taken of what the Harriet had on board, with the assistance of her captain, who signed the same. These preliminary observations being made for the clearer understanding of the analysis of the facts, I proceed to effect the same.

I shall not here stop to expose the impropriety with which an attempt is made to exculpate Capt. Davison for having absented himself from this city, having come to it with the only or principal object of claiming from this government the restitution of his vessel and cargo, the detention of which he considered illegally made for the want of, according to his judgment, a right to prohibit the fisheries on the Malvinas or neighboring coasts, and still less right to impose penalties on the infractors. This circumstance, and his character as representative of the captain of the Superior, imposed on him the twofold duty to remain here, or to give his power of attorney to another person with the formality that the laws require, and that the decorum and respect due to the government under whose dependence the detention of his vessel had been practised, demanded; and having, with his concordance, both agreed to occur before this Government for the corresponding determination. Since nothing of this can be denied without infringing on delicacy and truth, neither can the absence of Capt. Davison be vindicated; and the abandonment of the cause, without commissioning a person to represent him, must necessarily expose him to all the consequences of his irregularity.

At the sight of these antecedents, that difficulty must disappear which Mr. Slacum manifests, of not being able to conceive upon what principles this government has taken upon itself to detain Capt. Davison, an American citizen. In answer, he should be asked: whether, in case of some individual in this country having a claim on an American citizen existing here, for the reparation of some injury done, or the restitution of some usurped thing, or the satisfaction of some debt contracted in commerce, &c., will the American citizen endeavor to leave the country after the claim is set forth against him, without leaving a power of attorney with faculty to stand the result of the trial? would this government have a right to prevent such American citizen from absenting himself? or should it allow him to leave the country, leaving the claim of the suitor unsatisfied? Without doubt the resolution of Mr. Slacum can

legalizes the detention ordered by our government, in order that Capt. Davison should not absent himself without leaving the trial sufficiently guaranteed by a legal representation.

[Mr. Vernet then proceeds in refutation of an assertion of Mr. Slacum's, that "Capt. Davison had already been a victim to a prolonged imprisonment," to state that said captain and his ship's company at first enjoyed their liberty and a free communication with the colonists—that during that time some of his men purchased long pointed knives—that Capt. Davison made presents to such of the colonists in whom he had observed some discontent—that a mutiny was projected, and that as a precautionary measure these people were secured, and soon after sent to Rio Janeiro by their own spontaneous free will—that the imprisonment which Mr. Slacum calls prolonged, was only the privation of absolute liberty for a few days, &c.]

The Consul in his note then continues making observations respecting the protest that he had directed to the government against the capture of the schr. Harriet, occupied in the fishery on the Malvinas islands; and diffuses reflections to show the incertainty of his conduct in this discussion, and also to justify the proceedings of the commander of the sloop of war Lexington in his strange interference in a business foreign to his character, and disanalogous to his commission. But as all that does not effect the resolution committed to this special tribunal, it is unnecessary to give the subject a direct answer; I shall therefore confine myself exclusively to the facts that on the concluding his official note, he alleges as a justification of his protests.—These are according to his expression: 1st. That "three American vessels, being occupied in a legal traffic, were seized, and their cargoes taken forcibly and illegally, and immediately appropriated to the use of the captor. 2d. That their officers and crew, American citizens, were violently arrested and put in prison. 3d. That part of them were sent to a foreign country, and there shown upon the mercy of strangers, while another part has been abandoned upon the desolate island of Statenland, without the means of subsistence, and this also by a person having his authority from this government." First of all, the following observation suggests itself.

Mr. Slacum having showed himself so zealous concerning the supposed violations of considerations which he thinks are due to the crews of the vessels of his nation by their prerogative of citizens, even in the case of an open usurpation of the rights of the Republic as most undoubtedly is the use of the fisheries within her maritime possessions, how is it that he has not observed the slightest courtesy with respect to that person in whom he recognizes a public authority, conferred by this government? Now to the facts upon which the consul founds his protest. The traffic in which the three captured vessels were occupied, is illegal. The reason: the fishery on the maritime coasts or on the islands belonging to a nation is the property of that nation: only the vassal subjects or citizens have the right to make use of those fisheries; any individual of another nation that undertakes said traffic, without a special permission, or without a previous national agreement, infringes on the inviolability of the property of others. This the captured vessels did on the Falkland Islands; therefore, their traffic was illegal, while their seizure was just, and legally effected, with so much more reason for their having been duly warned with sufficient anticipation that they would incur this forfeiture, in case of persisting. The right of the Republic to the Falkland Islands and adjacencies has been documentally and demonstratively proved at the beginning of this exposition.

These facts are abundantly sufficient to justify the seizure and confiscation of foreign vessels that kill seal on the Falkland's. Notwithstanding the confiscation has not yet taken place, this has been left to the decision of Government: this fact therefore does not exist, and the protest of the Consul has consequently in this respect no foundation. I say that the cargoes have not been taken, and much less immediately appropriated to the use of the captor.

The detained schooners were the *Breakwater*, the *Superior*, and the *Harriet*. The first rising upon and subduing her guards, fled from the port without any part of her cargo having been touched. The 2d went to the Pacific under agreement made by common consent with me; and supplied with provisions from the Harriet with the special consent of Capt. Davison. Of the

conformity of said Capt. Davison; those signed by him are in my hand, and in his hands those signed by me, copies of which are accompanied under the No. 1 & 2. If then there has been no appropriation made of what belonged to the *Breakwater*, and to the *Superior*, and of what belonged to the Harriet, a full inventory was made and acknowledged as right by her own captain. Is not the assertion of Mr. Slacum, that their cargoes were forcibly and illegally taken, a most injurious temerity, as well as void of all guarantee? Is not the taking an inventory a legal measure? Does this not constitute a legal responsibility? But the courtesy of Mr. Slacum has obliged him not to respect these axioms; it has led him into the necessity of making very palpable the deficiency of good discernment in receiving as positive facts, what only existed in the bad faith of the informants.

It is still more distant from reality that the cargoes were appropriated to the use of him who detained the vessels. This imputation, although thrown out at random, has wounded my feelings, and notwithstanding it being already sufficiently contradicted, my honor vulnerated in a public manner authorizes me to present circumstantially the history of what has occurred in the consumption of certain articles of the Harriet, after her arrival at Malvinas. Capt. Davison has divulged, and the Consul of his nation has received inconsiderately and with extraordinary avidity several facts, in whose relation care has been taken to pass over their causes in silence, omit their circumstances, and to exaggerate their importance: 1st. That provisions were taken out of the Harriet; 2d.—That a bulkhead which divided her hold, was taken away; 3d.—That not only his ship's company but also that of the Brig *Elbe* received of the Harriet's bread. With respect to the first fact, it would be sufficient to answer, that having taken an inventory of all the articles that were in the Harriet, their value were sufficiently guaranteed, which in case of the Government declaring the vessels and cargoes free from confiscation will have to be returned in the same species, or paid for according to their just value; concluding from this observation, the injustice with which the difference between the 1st & 2d inventory has been vociferated as plunder and robbery. Notwithstanding, I wish to give more individual practical proofs of the purity of my proceedings.

The first inventory contained all that the Harriet had on board when she was seized; the second was made because some articles had been consumed. The difference between the 1st & 2d inventory and what is besides on hand is demonstrated in statement No. 3, which I accompany, for the better understanding of which I shall make the following recapitulation:—14 casks of bread of the 1st inventory; furnished the Superior for her voyage to the Pacific with 4 casks, the remaining 10 casks used for the maintenance of the detained crew, on their passage to the Brasils in the *Elbe*, and for the crew of the Harriet during her voyage to Statenland agreed upon with Capt. Davison, (and which was frustrated as will appear farther on) for the same on her passage to this port; furthermore, what has been taken clandestinely by Capt. Davison, and made presents of, as said before, and the bad effects of which it was necessary to neutralize by letting also those colonists have a share that were not implicated in the projected mutiny, and for which purpose 1 cask was delivered to the store keeper for said distribution, a measure also necessary, there being a great want of that article in the colony; 7 barrels of flour and 2 barrels of beans were consumed in the same manner; 26 barrels of pork, 8 to the Superior, and the other 18 extracted partly by Capt. Davison and with which he attracted some of the colonists, partly consumed by the detained crews, and 2 barrels by the colonists, to place them on an equal footing with those that had been favored by Capt. Davison, in order to suffocate the pernicious effects of this dangerous predilection; 23 barrels salt beef. Furnished the Superior 10 barrels, and there are 10 on hand; 7 barrels molasses, to the Superior 2 barrels, the remaining 5 partly consumed by the crews and partly extracted by Capt. Davison; 75 lbs. sheet lead, 75 lbs. shot, 1 small bag of flints, and 4 kegs of powder were reserved for public service; 10 muskets, 2 to the Superior and the other



board the Harriet; 2 boat's keels, 1 boat stern and sternpost, one sprit, all on hand; 35 fur seal skins, 73 hair do., all on hand; 2 boat anchors, on hand; 3 pots, taken by Capt. Davison; salt, all on board except what was delivered to the Superior, and about 10 fmagas delivered with express consent of Capt. Davison.

[After having thus mentioned the differences between the 1st & 2d inventory, Mr. Vernet repeats that for the distribution among the colonists only one barrel of bread and 2 barrels of pork were used, by way of rations to those that were in his employ, and for sale to those that were not in his employ; and proceeds giving farther reasons for so doing, which we consider superfluous to repeat—he then proceeds thus:]

No minute account of these expenditures was kept, because considering myself responsible for the inventory that trouble might be saved, as also because the confidence inspired by Capt. Davison's consent, did not permit me to fear duplicity on his part. I was thus that as a proof of reciprocity on my part in answering the apparent good intentions of Capt. Davison, he and the captain of the Superior having shown themselves towards the latter part of their stay, resolved to submit to the decision of Government the fate of their vessels and cargoes, I ventured to accede to the desire, which they had manifested to lessen their losses by means of a sealing voyage to the other side of the Cape; and besides made an agreement with Capt. Davison that as he once had to go to Statenland to take off the 7 American seamen left there by the Superior, he was to load his vessel at said island with wood for the colony, for the bringing of which he was to receive 7½ per cent of its value. Capt. Davison shewed himself satisfied and even grateful for my proposition, it was determined upon his own advice to free the hold of an encumbering bulk head of rough pine board, being every way useless on the intended voyage which agreement signed by him is in my possession. This proves the falsity of the clamorous account with which Capt. Davison has succeeded in misleading Mr. Slacum's prudence, who has not only given credit to such impostures, but has also not hesitated to affirm officially, that three American vessels and their cargoes have been forcibly and illegally taken, and appropriated immediately to the use of the captor, as he states in his note of 15th December last.

The value of what has been taken for the particular use of the colony under my command is so ridiculous, that it certainly will not reach to one hundred Spanish dollars; whereas, I have during this time expended out of my own pocket about eight hundred Spanish dollars, viz: \$200 value in beef supplied to the same vessels in the colony; \$400 expenses in the voyage of the Harriet to Statenland to take off the 7 men, left there by the Superior; \$150 paid to Capt. Davison for passage money for myself and family in the Harriet, from Malvinas to this port; and \$50 paid to Capt. Davison for his salary to bring the vessel here. And is it to be tolerated that the us that I have made of so small a sum and with the consent of Capt. Davison, shall be vituperated as a robbery and plunder?

If the American consul had informed himself previous to compromising the consular circumspection, as was reasonable to expect, he would have been spared the mortification of being rectified in a manner which reflects so little honor to himself.—It is necessary to confess as a natural consequence, if the rules of good judgment are to be respected, that I have in the detention of the American schooners, that persisted in sealing on the Malvina shores, observed the formalities which must be used on such occasions, taking an exact inventory of all that was on board of the Harriet, the only one that remained in my power; the Breakwater fled immediately after her detention, and the Superior sailed for the Pacific under stated convention to await the decision of the Government, who will in due time be made acquainted with this occurrence; thus fulfilling the orders which had been imparted me not to permit strangers to see on any part subject to my dependence; besides being responsible by the formality of taking an inventory, I took care to do nothing without the consent of the captain; finally, that my scruples have gone to the extreme of making allowances to Capt. Davison for the use of the Harriet for freight on her voyage to Statenland and for my passage to this port, before a decision has taken

ed infraction of the order to discontinue the fishery on those shores, under the penalty of forfeiture. The first charge alleged by Mr. Slacum as a cause to justify his protest, namely: *wherein he affirms that three American vessels were illegally taken, and immediately appropriated to the use of the captor, is now completely proved to be false.*

The second subject for reclamation and protest is made to consist in the officers and crews of said vessels having been violently arrested and put in prison. It has already been seen that the Breakwater fled very soon after having been detained, and that the Superior went on a voyage to the Pacific under bonds. The imprisonment could therefore only be with the individuals of the Harriet, and some left by the Breakwater and by the Superior, as really was the case. But this measure of prudence made necessary and was executed for serious motives that have been fully proved; as appears by the summary evidence taken in Malvinas, and corroborated by the declarations of the witnesses which were examined before this Tribunal: therefore the item of violent and undue imprisonment as Mr. Slacum has wished to classify it, is totally unfounded.

Respecting the third article of accrimination that Mr. Slacum deduces, he says: *That "part of said crews were sent to a foreign land and there thrown upon the mercy of strangers; while another part has been abandoned on the desolate island of Statenland, without being supplied with provisions; and this by a person holding his authority from this government."* Excessively tedious is the duty which obliges me to use this kind of refutation. Only the necessity of self vindication can render it less mortifying. True honor never permits itself to be vilified with impunity or injustice. To the object the present Representation is principally directed.

[Mr. Vernet then goes on arguing the necessity of placing the officers and crews under a guard, which he states was to prevent the execution of a mutiny, assisted by some dissatisfied colonists that had been gained over by Capt. Davison, in the vituperable manner already stated, and which, if treated with negligence or want of energy, would have involved the colony in fatal difficulties.—that it is proved in this process that the remittance of the officers and crews to Brazil was necessary, and was desired by themselves, and this with the consent of their captains; and concludes, that this necessary measure was also effected with due respect to the rights of humanity. He then goes on as follows:]

As respects the seven American seamen on the island of Statenland, they were left there by the Captain of the Superior, to whom they belonged, in order to continue to kill seal on that island. However, being informed of this fact, I determined to send the Harriet for them. This voyage was adjusted on the terms stated in the before mentioned contract. In effect, the Harriet sailed for Statenland at my expense, but the voyage was frustrated by the interposition of another American vessel\* that was armed with six guns, which is also proved, as seen in various parts of the process. Therefore the charge that Mr. Slacum has pretended to make under the pretext of the seven Americans left on Statenland, is also evidently unfounded.

This minute description of each and every fact that Mr. Slacum has adduced in general terms, has been absolutely necessary, for two reasons: 1st, since, in the deficiency of a good right, the ignoble subterfuge of altering facts has been resorted to; and since his way to official reclamations has been made over random suppositions, it was my duty to undo all commixtion of fact which never existed. 2d, that my honor and my delicacy, strictly adjusted to the exigencies which decided me to take the measures against which the American consul now lays his claims, have been attacked and treated in the most outrageous manner; it was therefore proper to evidence the injustice with the facts themselves. This has been done in such a manner as not to admit of a rational contradiction, having regulated the manifestation of these facts by incontrovertible proof, that appear in the process.

To close this exposition satisfactorily, it will be necessary to recapitulate the items that Mr. Slacum has touched upon in his note to the government, dated the 15th of

\* This armed vessel was the schooner, Elizabeth Jane, Capt. James Nash, of New York, owned by the same owners as the Superior, who are said to have authorized their captains to shoot cattle on the island on which the colony is, and which has actually been done by Capt. J. Nash.

als of his nation; that therefore the seizure or detention of the three American schooners for occupying themselves in said fishery on those shores, was illegal. He has given no proof in favor of his assertion, unless that his honorable word shall be considered as clothed with all the force of legal proof. For my part, I have clearly proved that the Malvina Islands and all those that exist in the neighborhood of the Patagonian coast as far as Cape Horn, are dependencies of the territory of the United Provinces, as comprised in that which the kings of Castille marked out at the creation of the vice royalty of Buenos Ayres, to whom it belonged by right of discovery, of conquest, of taking possession, and of occupation, as well of those islands and coasts on the Atlantic, as those on the Pacific;—which are the only titles on which nations found their right to the country that they occupy, as well as to the islands and coasts which belong to that country, according to these principles. Thus, for example, the right of Great Britain to Newfoundland is founded on the circumstance that Sebastian Cabot's first discovery in 1496 was made for account of Great Britain. The same serves as title to the Russian establishments on the northwest coast of America. History shews that all the coast of the South American continent washed by the Atlantic on this side of Cape Horn, and by the Pacific on the opposite side, was discovered by the Spaniards, who have possessed them, and defended their property, repelling and dislodging from the same very foreign colony or establishment.—This renders her right of possession indisputable till 1810, when the different sections of South America established themselves gradually into independent states under the limits of the respective vice royalties into which they were divided by Spain. It has been incontestably demonstrated that south of the mouth of the river La Platte, all the coast washed by the Atlantic to Tierra del Fuego and Cape Horn, including the Malvina islands, belonged to the vicerealty of Buenos Ayres, as comprised in the territory marked out by Spain at the creation of said vicerealty, separating it from that of Lima in exercise of its dominion, and possession which it then had of the territory, maritime coasts, and adjacent islands. I have proved that the Argentine Republic continued to have the same territory, coasts and islands that belonged to its ancient vicerealty. Now I will add, that the property and possession of the Republic rests upon stronger titles, that of the foundation and jurisdictional application of the rights of possession and property, as has been proved by the taking possession of the Malvina islands, establishment of colonies, and imposition of duties on the fisheries on those coasts.

Consequently, if even the principles of the rights of nations had not been kept in view, and if there was no knowledge of the repeated claims made by Spain as to the property of the Malvina Islands; nor that by virtue of said claims, foreign colonies established by the French and English on those Islands were dislodged, nor of the acknowledgment of right of property in favor of Spain; nor finally that she, on the occasion of an English expedition being prepared to go to Malvinas and neighbouring coasts, required through her minister explanations respecting the object of that undertaking; protesting not to consent to it if the plan was to traffic there, and much less if it was to form any establishment; but offering, that if the projected expedition was merely from curiosity, to furnish them with every information they might desire, wherefore that expedition was given up. Preceding, as I said, of all this, the preceding reason ought to have been of itself eminently powerful to restrain American citizens from invading the fisheries on the maritime shores and islands adjacent to the territory of our Republic, without special concession made by her government, if even it had not expressly forbid said traffic to foreigners.

the United States have recognised it as such with all solemnity: from that time, by a necessary consequence, the sovereignty of this Republic over the coasts and maritime adjacencies to her territory ought to be respected; treating and considering her in the full enjoyment of all the attributes of an independent nation.

Being led by this just principle, the independent States of South America have considered with absolute liberty, each one individually to enter into new treaties of commerce and navigation with the other nations, without subjecting themselves to anterior stipulations existing between those nations and Spain. No one can disown that right founded on a principle of immutable justice. Such is:—The South-American States having gained their independence with their blood, at their own expence, and with their own resources, without any assistance from the exterior, have acquired and possess sovereignty in its primitive state; that is to say, freed of all treaties, conventions, or compacts anteriorly concerted with Spain. It is upon this principle, that the Argentine Republic has broken all the obstacles with which Spain had obstructed foreign commerce: has admitted and admits freely the commerce of all nations, whose trade to our ports is a public and classic acknowledgment of the decay, as well of the prohibitions as of the concessions stipulated with the mother country: consequently, considering ourselves with faculty to raise restrictions, we ought to be esteemed with equal faculty of not considering ourselves bound to keep other particular treaties, except such as we may have celebrated with every nation after our independence.

Our right to the Malvina Islands being proved, the exclusive benefit of their fishery and of their other natural productions, cannot be disputed. Hence the faculty of prohibiting their use to foreigners, and imposing penalties on the infractors.—Against this Mr. Slacum has laid claims, and, to support such original pretensions, has availed himself of impostures which I have incontestably removed; and demonstrated, that, far from having appropriated to myself the cargo of the sch. Harriet, a full inventory was made, as well of her stores as of her cargo; and that, after having used this formality, which constitutes me to be the only legally responsible person to the result of the trial respecting the legality of the seizure, the captain of said sch. Harriet, Gilbert Davison, committed the excess to extract by stealth various effects which he distributed to occasion disturbances in the colony; these extractions are proved by many witnesses, and among others by his own steward.

But what is most remarkable in the proceedings of Mr. Slacum in his reclamation, is, that at the beginning of his diplomatic interference, recourse should have been had to force, by the American sloop of war Lexington's proceeding to Malvinas; whose voyage, so unseasonable, is highly offensive to the dignity and to the respect due to this Government, and may lead to reprisals for the just satisfaction of such an offence against a friendly state, as

By virtue of all that has been stated, I pray, that having fulfilled the object of the delivery of the process, and having duly presented the documents which I accompany, you will please to determine in conformity to my solicitation.

LEWIS VERNET.

Buenos Ayres, 20th Jan., 1832.

“D. Luis Vernet, Governor of the Falkland Islands.”

The foregoing words are found inserted in the New-York Mercantile Advertiser of 15th December, 1831, and followed by a letter directed to the Editor of the Inquirer of Pennsylvania, and signed with the initials J. K. B.—which paper having come to this city was carried about in triumph to public places, and to private houses, by certain individuals who not content with the destruction of my private property, intended that my reputation should share the same fate. The letter I shall copy here at full length, and refute its slanderous contents in continuance.

“SIR:—

“The President in his Message, referring to the Republic of Buenos Ayres, speaks of a ‘band, acting, as they pretend, under the authority’ of this Republic, for the capture of American vessels, at the Falkland Islands. The Governor or the assumed Governor, for such I believe he really is, is a man by the name Lewis Vernet, for a length of time a resident of Philadelphia, and while there, as a clerk in a respectable counting-house, conducted himself I understand, with credit, and won the confidence of his employers.

He is a German by birth, and married a respectable lady in Montevideo.

In the year 1823, I had some commercial transactions with this self-constituted Governor, then in Montevideo.

He was at that time in needy circumstances, and his friends consented, at his solicitations, to load a vessel for a port in the Rio de la Plata—mark ye, a port in the River Plate—he to act as supercargo. The vessel was loaded, (the writer of this article being one of the shippers) and the Bill of Lading signed for a port as above named.

The first intelligence of this vessel after she had sailed, was that she was wrecked near the scene of his present exploits, Falkland Islands!—and just grounds for suspicion exists, that this his Excellency Don Lewis managed to get on shore from the ‘wreck’ nearly the whole cargo, and testimony is not wanting to prove, that the proceeds were diverted to his own use! In my case (my goods being consigned to a Buenos-Ayrene house) his Excellency had the audacity to break open my letters and invoices; and I have somewhere among my papers the deposition of the steward and crew of the vessel, taken before the American Consul at Montevideo, proving, to my satisfaction, that this adventurer sold and received the money for my goods, the claim of which I will sell the Editor of the Inquirer, for six pence.—This, sir, is the character of the man who, under the cloak of authority emanating from a respectable Republic, has ventured to act the part of a freebooter on the commerce of a powerful Nation.”

“J. K. B.”

The imputation of being an assumed governor, scarcely requires refutation, because the world will have seen, from what is said in the public papers of this city respecting the late occurrences in the Falkland Islands, that the same is altogether false.

I never had any commercial transactions with any J. K. B., neither do I know him, farther than that in the year 1828, during the late blockade, when I had bought of Messrs. Zimmermann, Frazier & Co. in Montevideo, the brig Ospray, of Castine, with her whole cargo, to whom I refer, with an intention of endeavoring its introduction into the river Salado, situated near the mouth of the River La Plata: Mr. Charles Young, then resident in Montevideo, and now established here, requested me, as a favor, to take a small box with me to said river Salado, to be delivered to Messrs. Dana & Carman of this city, (the latter of whom still resides

only shipment that was not made for my account, and if there was any other, or J. K. B. knows of any, I would wish to see the shipper come forward, and not leave us any longer in doubt. The voyage to the Salado having been frustrated, I proceeded to Rio Negro, where the vessel was really wrecked, and most of the cargo saved, but several goods were robbed while landing, and among them was that ‘ill-fated box.’ I immediately announced the robbery to the authorities of the country, who, in order the better to detect the stolen goods required from me an exact description of the same, and not knowing the contents of the box I was obliged to open a letter which I had received with it, and then discovered that the goods belonged to one George K. Budd who from coincident circumstances is perhaps this same J. K. B., however be this as it may, the fact is that the whole shipment of J. K. B., or of George K. Budd was contained in that little box, and consisted of about thirty pieces of yellow bandana handkerchiefs.

I had a good deal of trouble and expense for the detection of the thief the reimbursement of which expense I have never required, considering the owner of the little box to have suffered enough in the loss of his goods; after the first investigation suspicion fell on the second mate of the Ospray, who was immediately put in prison, where he remained until after I left Rio Negro, and, as I have since been told, said second mate was really the thief, and that he sold the goods to a Frenchman; but which, having gone through several hands, could no more be recovered. The fate of J. K. B.'s little box of pocket-hdkfs. is well known by most of the inhabitants of Rio Negro, many of whom are now here, and to whom I refer: among others, Col. D. Ramon Rodriguez, then governor of Patagonia; Major Wm. Mason, then head of the marine department there; and farther, the merchants Messrs. Murguiondo, Alfaro, Alvarez, Ramos, Crespo, and others;—and, for the satisfaction of my friends in America, I shall farther name as witnesses to the fate of the little box, Captains Bertram and Garney, of Salem; also the captain, the first mate, and the whole crew of the Ospray, which latter persons this J. K. B. has placed in the false light of perjurers, while it is highly improbable that these men should perjure themselves to serve J. K. B.'s private purposes.

The calumniator, J. K. B., it would appear, considers, in the distance which separates him from his intended victim, the impunity of his crime. But he little thinks that he has injured a man that has long resided in the U. S., and who, being educated in that country of real liberty, has imbibed the correct ideas of using it. He well recollects that in the midst of that great protection which the liberty of the Press enjoys, this blessing is rendered the greater by the inviolability with which the reputation of every man is respected. And this conviction will not allow him to renounce the right to claim from the authorities of that country a just satisfaction for the injury done.

LEWIS VERNET.

ALEXANDER BRANDER, Responsible Editor.

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