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MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

TRANSMITTING,

PURSUANT TO A RESOLUTION

OF THE

HOUSE OF REPRESENTATIVES OF THE TWENTY-THIRD DEC. LAST,

INFORMATION

RELATIVE TO THE DETENTION IN CONFINEMENT

OF

RICHARD W. MEADE.

JANUARY 30, 1818.

Read, and ordered to lie upon the table.

WASHINGTON:

PRINTED BY E. DE KRAFFT.

1818.

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MESSAGE

THE PRESIDENT OF THE UNITED STATES

EXECUTIVE ORDER

TO THE SECRETARY OF THE INTERIOR

RELATIVE TO THE DEPARTMENT OF THE INTERIOR

RICHARD W. MEAD

PRINTED BY THE GOVERNMENT

1912

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives of the 23d of December last, requesting information relative to the imprisonment and detention in confinement, of Richard W. Meade, a citizen of the United States, I now transmit to the House a report from the Secretary of State, containing the information required.

JAMES MONROE.

Washington, January 29, 1818.

1812

James Monroe

Secretary of State

Washington, January 22, 1812

Department of State,
28th January, 1816.

The Secretary of State, to whom was referred the resolution of the House of Representatives of the 23d of December last, requesting the President to cause to be laid before the House, any information he may be able to communicate relative to the imprisonment and detention in confinement of Richard W. Meade, a citizen of the United States, has the honor of submitting to the President, the accompanying papers, received at the Department on that subject; with a letter addressed to the minister of Spain, residing here, since the resolution of the House, and the answer received from him

JOHN QUINCY ADAMS.

The Secretary of State is now in receipt of the
the House of Representatives of the United States
and the Senate of the United States. The Secretary
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receipt of the Senate of the United States.

JOHN EDGAR HOOVER

LIST OF PAPERS IN THE CASE OF RICHARD W. MEADE.

Papers received from Mr. Erving.

- No. 1. Mr. Erving to the Secretary of
State, - - - Sep. 28, 1816.
2. Same to Mr. Cavellos, - Aug. 27,
3. Mr. Cevallos to Mr. Erving Sep. 10, Translation.
4. Mr. Erving to Mr. Cevallos, 16,
5. Mr. Cevallos to Mr. Erving Oct. 17, Translation.
6. Mr. Erving to Mr. Cevallos 21,
7. Same to same, - 25,
8. Mr. Pizarro to Mr. Erving, Nov. 7,
9. Mr. Erving to Secretary of State,
extract - - - May 12, 1817.
10. Same to Mr. Pizarro - Dec. 25, 1816.
11. Same to same, - March 14, 1817.
12. Same to same, - 24,
13. Mr. Pizarro to Mr. Erving, April 12, Translation.
14. Mr. Erving to Mr. Pizarro, May 9,

Received from Mrs. Meade.

- A. Petition of Mrs. Meade to the
President, dated - - - Dec. 4, 1817.
- B. Copy of an official letter address-
ed by Don Victor Soret, trea-
surer general of Spain, for the
year 1817, to the treasurer of
the rents of Cadiz, dated April 22,
Answer of treasurer of Cadiz, dated 29,
- C. Copy of an official letter address-
ed by Don Julian Fernandez
Navanete, treasurer general of
Spain, for the year 1816, to the
prior and consuls of the royal
tribunal of commerce of Cadiz, Nov. 19, 1816.
- D. Answer, - - - 29,
- E. Mr. Erving to Mr. Pizarro, June 29,
- a. Mr. Adams to Don Louis de Onis, Dec. 26,
- b. Mr. Onis to Mr. Adams, 29, Translati.

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THE UNIVERSITY OF CHICAGO

DEPARTMENT OF THE HISTORY OF ARTS

OFFICE OF THE DEAN

CHICAGO, ILLINOIS

1900

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THE UNIVERSITY OF CHICAGO

DEPARTMENT OF THE HISTORY OF ARTS

CORRESPONDENCE

*Concerning Richard W. Meade, communicated to Department of State,
by Mr. Erving.*

No. 1.

Mr. Erving to Mr. Monroe.

MADRID, SEPTEMBER 28, 1816.

To James Monroe, Secretary of State.

SIR,

Perceiving by the public papers that the case of R. W. Meade, a citizen of the United States, for many years established at Cadiz in commerce, and now suffering in prison by order of this government, has excited considerable sensation in America, it seems to be proper that I should submit to you my correspondence with Mr. Cevallos, on this subject.

I have herewith the honor to enclose my note to that minister, of August 27th, his reply of September 10th, and my further note of September 16th.

To this last I have not yet received an answer.

With the most perfect respect,

I have the honor to be,

Sir,

Your very obedient servant,

(Signed)

GEORGE W. ERVING.

Mr. Erving to Mr. Cevallos,

MADRID, AUGUST 27th 1816.

*To his Excellency, Don Pedro Cevallos,
First Minister of State, &c. &c. &c.*

SIR,

It is my duty to recall the attention of his majesty's government to the case of Richard W. Meade, a citizen of the United States, who is imprisoned by the authorities at Cadiz, under semblance of law, and of his majesty's authority, but as must be presumed, against his will, and as can be substantiated against his orders issued on the 10th August, 1815.

A particular statement of circumstances of the case was transmitted to your excellency, by the secretary of this legation, in a note of July 8th last: it is therefore needless that I should now recite them.

I propose to refer to your documents only, each of them of principal importance, and which, taken in their connection, point out most distinctly and indisputably, the illegality of the proceedings against Mr. Meade, and the course which consistency, as well as justice, requires to be now taken for his relief.

The documents to which I refer, and copies of which are herewith enclosed are, viz:

No. 1. An order of the consulado of Cadiz, dated February 18th, 1814, directing Meade to deposite in the office of the treasury general of the province, a certain sum of money, respecting which, a process was then pending in the said consulado.

No. 2. The receipt of the intendant of the Treasury for the deposite made by Meade, pursuant to the order of the consulado.

No. 3. The reply of the intendant of the consulado, when that tribunal inquired, as to the nature of the deposite made.

No. 4. A royal decree of August 10th, 1815, suspending the further proceedings of the consulado, till the treasury should be able to collect funds for the purpose of restoring the sum deposited by Meade.

It is not my intention, for it would be altogether useless, to enter into a history of the original transactions, upon which, finally a suit was brought before the consulado of Cadiz, against Mr. Meade, and is now continued in the name of Mr. John M'Dermot.

Meade always held the moneys in question, to be paid over in legal form, as the competent authorities should direct.

Your excellency will, I am persuaded, now examine the affair with impartiality, and free from the impressions unfavorable to this American, with which it has been attempted to pre-occupy your judgment. If it were my duty, on the other hand, to state what ought to be his personal merits, in the view of this government, I should dwell upon the very extensive and important services, which, as a merchant and a capitalist, he rendered to Spain, in the crisis of her affairs, the most trying and difficult. It ought surely to be known to your excellency, that he contributed, most essentially, to the cause of this country, by giving large credits to its occasional governments, and that for these services he is not yet reimbursed. But I have not to ask any favor for him. I desire but strict and impartial justice, and I found my claim to his immediate release from prison, on the acts of the government in whose name, and of the very tribunal by which he is now imprisoned.

By the two first of the enclosed documents, your excellency will perceive that Mr. Meade, submitting to the orders of the consulado, paid the amount of the moneys in suit, into the treasury of the province. The payment is said to have been effected in "libramientos," or receipts for libramientos of the treasury general, or intendant; credits of Meade with the treasury, which were payable in specie, and which were to be paid in specie, within a few days. The intendant, therefore, readily gave to Meade the receipt (No. 2) for a deposit in specie, the "libramientos" being cancelled, and passed to the several accounts to which they belonged. Thus, therefore, every legal and formal requisite being complied with, Meade was exonerated from all responsibility; and, to make his irresponsibility still more perfect, if that were possible, the intendant wrote to the consulado, (No. 3), stating, expressly, that the deposit had been made in specie, and that he would respond to the consulado for specie.

After such conclusive proceedings, it would seem impossible that Mr. Meade could be again questioned by the tribunal, in the same matter.

Was the tribunal wrong in ordering him to make the deposit? *Sibi imputent*, let it answer for its own errors. Was the intendant culpable in receiving the "libramientos" as specie? He is then to be censured: but he has expressly made himself responsible to the consulado for specie. Let him then be held to that responsibility. These may be questions between the government and its officers, but it is certainly highly unjust that an individual should be sacrificed to repair their errors. Will it be said that the "libramientos" delivered to the treasury, and credited to Meade, as cash, and held by the treasury in deposit, and promised by the intendant to be paid over as cash, are not, in fact, equivalent to cash? Certainly not. The government will not pass this condemnation on its own securities. But if the contrary supposition were admissible, even then Mr. Meade remains exempt from all responsibility; for the "libramientos" in question have been already passed into account, as paid in specie, and

have been cancelled by the officer, who had the competent authority to do so. Nevertheless, the consulado, which, by its own act, had precluded itself from all further jurisdiction over Mr. Meade, in this matter, still persisted in its process against him, and decreed that he should pay over to that tribunal the sum which he had previously deposited, by its own order, in the treasury. Against this injustice, Mr. Meade appealed to the superior tribunal of the province, but its interference was overruled by the tribunal of war, at Madrid; and this latter confirmed the sentence of the consulado of Cadiz.

Mr. Meade was then obliged to resort to the sovereign, who issued the decree of August 10, 1815. (No. 4.) This decree is, in all its parts, perfectly just. It suspends the proceedings of the consulado against Meade, and acknowledges the validity of the deposit made, by directing, as it were, funds to be collected, for effecting the return of the money by the intendant, to the end that it might be paid into the consulado; and that in the mean time, till funds be collected for the purpose of effecting the return of this deposit, the tribunal of commerce shall suspend all proceedings against Meade, &c.

Of this decree neither party can complain: how then has it been reversed? If there has been any delay in the payment to be made by the treasury, that is not Meade's fault; the decree is illimited; it orders all proceedings against him to be suspended till that object be effected.

It is not my purpose to call into question, the justice of Mr. M'Dermot's demand, or to blame any of his proceedings; but what I state with confidence, is that his claim is now properly on the treasury or intendant. If the consulado or intendant have, in the course of their proceedings changed the situation of Mr. M'Dermot's case for the worse, they have done him wrong, and it is of them that he should complain; but they have acted in virtue of their regular faculties, and have exonerated Mr. Meade; or had their conduct been even illegal, yet Meade cannot be made responsible for it; he had not any control over them, or any means of resisting them.

It was very natural for him to offer the deposit in "libramientos," but he did not force the intendant to receive them; that was his own act; nor indeed does there appear to have been any thing irregular in that act, since payment was due by the treasury on the "libramientos." The transaction was then the same in effect, as though the intendant had paid to Meade the amount of the "libramientos" in specie, and then received back that specie in deposit, and it was effected in that form also; so that if there was any fault in the intendant, it was that of paying Meade what was due to him; but this I presume cannot be called a fault, or if so, the transaction cannot be vitiated by it. The intendant then, having informed the consulado that the deposit had been made in specie, and that he was responsible to the consulado for specie, Mr. Meade is of course exempt from all further process; and the royal decree above cited considered him so to be.

But now sir, a second time this consulado, which as I have

shown, having ordered Mr. Meade to deposite in the treasury, did thus by its own act absolve him from its jurisdiction, renews its demand on him for another deposite to the same amount, and in defiance of his majesty's decree, on Meade's non-compliance, has thrown him into a dungeon.

Surely there cannot be any law to authorize the imprisonment, as a condemned felon, of a defendant in an action for debt, yet pending; much less can it be permitted that any authority should amend its own faults and errors by sacrificing the liberty, property, and domestic happiness of an individual; and still less is it possible, that his majesty should allow the continuance of such proceedings in a case where his own treasury is the depository of the funds in question, which by his own decree have been ordered to be paid over in satisfaction of the judgment. It is with entire confidence, therefore, that I request your excellency to lay this representation before the king; not doubting but that he will order that Mr. Meade be immediately released from confinement, and that the royal decree of Aug. 10th, 1815, be maintained and observed.

I have, &c.

(Signed)

GEORGE W. ERVING.

No. 3.

[Translation.]

Don Pedro Cevallos, to Mr. Erving, Minister Plenipotentiary of the United States, Madrid.

SIR,

I have given an account to his majesty of your note of the 27th of last month, relative to Mr. Richard Meade, and it is his majesty's pleasure, that I should inform you, that as his case is pending before the supreme council of war, he must have recourse to it.

By his majesty's orders, the council of war presented to his majesty a report, on the affair pending in the tribunals of Spain, between the creditors of a commercial house in London, in a state of failure, and Mr. Richard Meade.

It states the restitution of a deposite of upwards of fifty thousand dollars in specie, made to Meade by the said house, in failure, at London, and that he attempted to restore the money demanded of him, in credits of the treasury.

The council reports against Meade, and states, that he availed himself of this circumstance with a view to surprise the equity of the sovereign to the very great injury of strict justice, of the interests of the bankrupt house and of its creditors; and afterwards gave it as their opinion (dictamen) that his majesty ought not, in opposition to the laws, to agree to the petition of Meade, who should deliver up the aforesaid deposite, in like manner and in the same specie, as he had received it, or give full, clear, and sufficient security, to the satisfaction of the tribunal of commerce of Cadiz; and in default thereof, to be removed to a public prison, to prevent all evasion of the sentence against him.

His majesty thereupon assented to the opinion, (dictamen) of the council to which Meade is to conform.

I renew, &c. &c.

(Signed) PEDRO CEVALLOS.

Palace, 10th Sept. 1816.

No. 4.

Mr. Erving to Mr. Cevallos.

Madrid, Sept. 16, 1816.

To His Excellency Don Pedro Cevallos,

First Minister of State, &c. &c.

SIR,

On the 13th inst. I received your excellency's note of 10th inst. in reply to mine, 27th August, respecting the case of R. W. Meade, a citizen of the United States, now detained in a felon's prison at Cadiz. I had required that Mr. Meade should be released from his confinement, because, on a review of the proceedings against him, and reference to the documents inclosed in my note of August 27, I found that those proceedings were unjust, since the object of them was to compel him to pay a sum of money, which he had already paid in virtue of a judicial decree; and illegal, as well for that reason, as because they were in violation of his majesty's own decree of August 14, 1815.

Your excellency has not thought proper to revert to these antecedents, but you have been pleased to confine yourself to a simple narrative of what has passed in the council of war, subsequent to the

date of his majesty's decree, and upon this ground to refer the party aggrieved to this same council of war. If I understood your excellency's note aright, it states, that a posterior decision of the council of war, has declared his majesty's decree of August 14, 1815, to be unjust and illegal, and has advised his majesty to reverse it, and to put Mr. Meade in prison, until he shall have paid the sum demanded of him; and further, that his majesty has complied with this extraordinary dictamen, that thus Meade is actually in prison, with the knowledge and consent of his majesty, who has thought proper to render his own decree a dead letter. These are facts, which I could not suppose to have existed, and to which I should have found it very difficult to have given credit, had I not thus received them from your excellency. In truth, they may be considered as determining the perpetual imprisonment of Mr. Meade; for it cannot be imagined, that even if he be able to pay, that he will ever consent to pay a second time, that sum which he has before deposited in his majesty's treasury, and for which the treasury has formally made itself responsible.

In this last consulta of the council of war, it is stated that Mr. Meade attempted to restore the money demanded of him in credits of the treasury, (*intenta devolver en papeles de credita contra Tesoreria.*) By this phraseology, the fact has been concealed from his majesty, of the payment, which was actually made by Meade, to the treasurer general, for the amount of which, in specie, the said treasurer general formerly made himself responsible to the consulado.

This fact I say was not stated to his majesty, as it should have been, by the council of war. If your excellency will take the trouble of reverting to my note of the 27th ultimo, you will see that it is therein specially set forth, supported by conclusive documentary proof, and that upon it is very principally founded the reclamation which I have made in favor of Mr. Meade.

This remains, then, in all its former force, and altogether unanswered by your excellency's note. But to simplify the case as much as possible, to disembarass it of all legal questions and discussions, arising out of Mr. M'Dermot's claim, or belonging to the antecedent proceedings; in fine, that both parties may have justice in a mode comporting with the good faith and consistency of the government, I now place my demand in another form, considering that Mr. Meade, in pursuance of a judicial decision of the consulado of Cadiz, did on the 19th of February, 1814, pay into the office of the treasurer general of the province, the sum of 1,050,327 v.

Considering that the said treasurer general did acknowledge the said payment to have been made in specie, and did promise to repay specie whenever called upon.

Finally, considering that the funds in question are actually in the royal treasury.

For these reasons, I require that the treasurer general be or-

dered immediately to pay over the same funds in specie, to whomsoever the consulado of Cadiz shall appoint to receive them.

I renew to your excellency assurances, &c.

(Signed)

G. W. ERVING.

No. 5.

[Translation.]

Don Pedro Cevallos to Mr. Erving.

SIR,

Having laid before the king your note of the 16th of September last, relative to Mr. Richard Meade, I have received his majesty's commands to inform you, that the affair of this individual being under the especial cognizance of the supreme council of war, it is to this tribunal that his reclamations must be addressed.

I renew to you,

Sir, &c. &c.

(Signed)

PEDRO CEVALLOS.

October 17, 1816.

No. 6.

Mr. Erving to Mr. Pizarro.

MADRID, OCTOBER 21st, 1816.

To his Excellency, Don Pedro Cevallos,

First Secretary of State, &c. &c.

SIR,

In a note of September 16th, upon the case of R. W Meade, an American citizen in prison at Cadiz, I required that the treasurer general of that district should be ordered to pay over to such person as the consulado of Cadiz should appoint to receive the same, the moneys which have been deposited with the said treasurer general by said Meade, in obedience to a judicial order of the said consulado.

In your excellency's reply of the 17th instant, you are pleased to tell me, that the affairs of Mr. Meade being rooted (radicados) in the supreme council of war, to that tribunal he ought to resort.

In this your excellency has reference, I presume, to a certain

suit brought against Mr. Meade, by Mr. John M'Dermot, you certainly do not mean to be understood, that all affairs whatever, of Mr. Meade are to be subjected to the decision of the council of war, nor can I conceive that any such connection between the suit of Mr. M'Dermot and the demands of Mr. Meade on his majesty's treasury can be established, as can bring these last within the cognizance of that tribunal.

Permit me to ask whether the supreme council of war has the faculty of ordering the treasurer general of Andalusia, to pay over the funds which Mr. Meade deposited with him, to such persons as the consulado of Cadiz may appoint to receive them?

If so, I will request your excellency to lay before that tribunal, the demand made in my last note, according to the practice in similar cases; but if the tribunal of war has no such faculty, then the order which I have requested, can be given, only by the executive government. My application for its interference was perfectly correct, and your excellency's reference to the tribunal, is, as to any useful object perfectly nugatory, for Mr. Meade must necessarily be answered, that the tribunal has not any control over his majesty's treasury. I had flattered myself with a hope, that in our conference on the 5th inst. I had succeeded in convincing your excellency, that the case between Mr. Meade and Mr. M'Dermot, and that between Mr. Meade and his majesty's treasury were altogether distinct. I do not solicit any act of injustice against Mr. M'Dermot, and I ought to presume that it is his majesty's desire to do justice to Mr. Meade. In acceding to my demand in his favor, your excellency will accomplish that desire, and so far from impugning the claims of Mr. M'Dermot, the effect of the measure will be, to satisfy them by payment, and to extinguish all the processes to which they had given rise.

I do trust, then, on reconsidering the case, your excellency will perceive, that only two inquiries are necessary, viz. whether Mr. Meade did, by order of the consulado deposite the funds in question, with the treasurer general, and whether they yet exist in the hands of the treasurer. Of these facts, I have already laid before you indisputable proofs, in the papers marked No. 1, 2, 3, transmitted to you with my note of August 27th, viz.—No. 1. The order of the consulado, directing Meade to deposite. No. 2. The receipt of the treasurer general, for the deposite made. No. 3. The acknowledgment of the treasurer, that he holds said deposite in specie, subject to the orders of the consulado. It is for want of these funds, now, in his majesty's treasury, that Mr. Meade is in prison; the payment of them to the order of the consulado, will quiet all claims and satisfy all parties, and will not interfere with the jurisdiction, or require the inter-mediation of any tribunal whatever.

He recurs then to the king, whose power to enforce is as indisputable, as his disposition to do right; and I, on his part, require only the plainest act of justice, when I demand that an express royal order be issued for his immediate liberation from prison, and for the pay-

ment of the funds deposited by him in the royal treasury of the province, to the consulado of Cadiz, or to such person as it may appoint to receive the same.

I renew to you the assurances

Of my very distinguished consideration,

(Signed)

GEORGE W. ERVING.

No. 7.

Mr. Erving to Mr. Cevallos.

Madrid, Oct. 25th, 1816.

To his Excellency, Don Pedro Cevallos,

First Secretary of State, &c. &c.

SIR,

By your excellency's note of the 17th inst. in reply to mine of September 26th, respecting the proclamation blockade of gen. Morillo, and the ravages on the American commerce which are committing under it, I am told that his majesty has ordered, that *information shall be taken (se pida informe)* of the tribunal of admiralty.

That general Morillo has issued such a proclamation as I have described in my note of Sept. 26th, is a fact of universal notoriety; your excellency has had before you long since, the correspondence between the American Secretary of State and Mr. Onís, on the subject, and I have transmitted to you a copy of the letter of Don Francisco Montalvo, viceroy of Santa Fe, to the American commissioner, Mr. Hughes, in which the existence of the blockade is admitted, and in which the American government is referred for redress to his catholic majesty. It was therefore that, by the orders of my government, I wrote to you on the subject. With the fact, which I have above stated before you, I am wholly at a loss to imagine what kind of information the tribunal of admiralty can afford, which may regulate the decision of his majesty on the subject.

The tribunal cannot deny the existence of the proclamation; it cannot show that the proclamation is legal; it cannot deny that American vessels have been taken under the proclamation; it cannot contest the right of the American government to demand the restitution of such vessels.

In fine, sir, it is my duty to assure you, that any demur or delay in affording the satisfaction demanded in a case of this principal im-

portance, cannot but be very sensibly felt by the government of the United States.

I renew to you assurances of the very distinguished consideration with which

I am,

Yours, &c.

(Signed)

G. W. ERVING.

No. 8.

[Translation.]

Don Jose Pizarro to the Minister of the United States.

SIR,

I have laid before his majesty your note of the 21st of last month, in which you insist that the sums deposited by Mr. R. Meade in the royal treasury, should be paid over to the tribunal of commerce of Cadiz, or to whomsoever it may authorize to receive them. This affair appertaining to the ministry of the treasury, his majesty has been pleased to determine that your said note be transmitted to the secretary of that department, that through his channel it may again be submitted to his majesty's decision.

I renew the assurances, &c.

(Signed)

JOSE PIZARRO.

Palace, November 7th, 1816.

No. 9.

Extract of a letter from Mr. Erving to the Secretary of State, dated,

Madrid, May 12, 1817.

"By my despatches, Nos. 20, 23, 26, I had the honor to submit to you copies of the first part of my correspondence with the Spanish secretary of state, on the case of Richard W. Meade. As

that gentleman despairing of the success of my efforts in his favor desires that the whole of his case may be laid before you, I now transmit copies of all the notes, which have passed on it since the month of November."

No. 10.

Mr. Erving to Mr. Pizarro, dated,

Madrid, December 25, 1816.

SIR,

On the 7th November, your excellency replied to my note of 21st October, on the case of R. W. Meade, an American citizen, in prison at Cadiz, that you had transmitted the same to the minister of Hacienda, that the royal resolution might be given through that ministry. In consequence, as I presume, of your excellency's communication to the minister of Hacienda, Mr. Navaretti, the treasurer general, wrote to the consulado of Cadiz, on the 19th November; the answer of that tribunal is dated on the 29th November. It is completely satisfactory and in perfect accord with what I have stated to you on the case. Why a copy of it has not been already transmitted to you, I will not undertake to conjecture; but seeing that this document, as well as others in the cause, do virtually confess, that the proceedings against Mr. Meade are of the unjust and violent character, which I have attributed to them, and that every unnecessary delay is an augmentation of the injustice, as I ought to believe, and am persuaded, entirely contrary to the disposition of his majesty. For these reasons, I pray your excellency to demand from the minister of Hacienda a copy of Mr. Navaretti's aforesaid correspondence with the consulado, and to lay it, in conjunction with my representations, before his majesty.

(Signed)

GEORGE W. ERVING.

No. 11.

Mr. Erving to Mr. Pizarro, dated,

Madrid, March 14, 1817.

SIR,

In a note of September 16, 1816, to your excellency's predecessor I required that the treasurer general of the district of Cadiz, should

be ordered to pay, to such person as the consulado of Cadiz should appoint to receive the same, a certain sum of money, which had been deposited with said treasurer, by R. W. Meade, an American citizen, in obedience to an order of said consulado, and for which sum said Meade then was, as he still is held, in prison.

Having been answered by Mr. Cevallos generally, that the affair of Mr. Meade was before the council of war, I insisted on my former demand, (in a further note of October 21,) showing to the minister, that it had no necessary connexion with any process depending before the council of war; and further, that it was not possible for the council to satisfy my reclamation, even if it should be disposed to do so, because it had no faculty to give such orders to his majesty's treasurer, as I had desired.

In answer to that note, your excellency was pleased to inform me on the 7th November, that as my demand related to the duties of the minister of Hacienda, his majesty had resolved, that my note of 21st October, should be passed to that minister, *to the end that through that department, the royal resolution should be given.* "Se pasa la citada nota al señor secretario de dicho departamento para que por su conducto recayga la real resolucion."

In consequence (I presume) of this measure, the treasurer general, Senor Navaretti, wrote to the consulado of Cadiz, on the 19th November, requiring that tribunal to inform him particularly as to the aforesaid deposit. The consulado replied to the treasurer on the 29th November, that the deposit had been made by its order, that it had been made "ineffective," ("*en libramientos de plata efectiva,*") that it existed at the treasury, and that the treasurer had made himself responsible to the said consulado, for the amount.

I annex to this note, a copy of that most important correspondence between the treasurer and the consulado, (marked A,) and which your excellency was pleased also to procure a copy of, from the minister of Hacienda, pursuant to the request contained in my note of December 25.

This correspondence leaves not the least doubt as to the nature of the deposit, or its actual existence; and I assured myself, that it was all that could be desired, and that it must necessarily produce an immediate order for the release of Mr. Meade from prison. I am therefore much surprised to find, that the affair, instead of having been despatched, as I understood by your excellency's note of November 7, that it would be, has again fallen back into the hands of the council of war, which tribunal, as before observed, cannot have any control over the operations of his majesty's treasury.

If the council of war should enter into any inquiry as to the nature of the deposit, can the result, whatever it may be, of that inquiry, be opposed to the complete, plain, unequivocal declaration of the consulado of Cadiz, the very tribunal, by order of which the deposit was made, which is most interested to ascertain its nature, and its actual existence? But in no view can it be of the least importance in

considering, or should it have the least influence in deciding upon my reclamation, whether the deposit is, or is not satisfactory to the council of war; and therefore, I will not here enter into its past and present proceedings, or will I advise Mr. Meade to appear before that tribunal, to prove any thing, which may relate to the nature of that deposit. It is sufficient that the deposit was made by the order of the consulado; that it was paid into his majesty's treasury, and is now there. All this is proved by the confession of the consulado, itself; and I cannot acknowledge the justice of any plea for holding Mr. Meade in prison, by a decision of another of his majesty's tribunals, for the very sum thus deposited.

His majesty's treasury has the money in question; Mr. Meade is suffering in prison under his majesty's authority! What can be more simple, than the course pointed out by justice in this case?

As the representative of the American government, the natural protector of its citizens against all injustice, I appeal directly to his catholic majesty against the injustice of those acting in his name, and under his authority; and I request your excellency, as the proper channel of communication, to lay my reclamation before him. And if his majesty should desire to be more particularly informed of the proceedings of the council of war, and of all the persecutions which this American citizen (who, I cannot but remind your excellency, so much contributed to support the cause of Spain in the most critical epoch of her affairs) has suffered; then if his majesty will condescend to peruse the last memorial, which Mr. Meade addressed to him, he will, I doubt not, see enough to reprehend.

(Signed)

GEORGE W. ERVING,

No. 12.

Mr. Erving to Mr. Pizarro, dated

Madrid, March 24th, 1817.

SIR,

With my note of the 14th inst. upon the case of R. W. Meade, an American citizen confined in the castle at Cadiz, I transmitted to your excellency what ought to be considered as the most satisfactory and conclusive evidence, relative to the nature and the actual existence of the deposit made by him in the royal treasury of that district, by order of the consulado of Cadiz; it appeared to me that nothing further could be required, and that if your excellency would lay it before his majesty pursuant to my request, that it must produce an instant order for the release of Mr. Meade: but seeing that the sufferings of this individual still continue, I cannot omit any measure, however super

uous it may appear, which may possibly contribute to his release, heaping proof upon proof of the injustice done to him. It is therefore that I now send to you (herewith inclosed) a certificate dated 15th March (regularly authenticated) of Don Antonio Y Zarbee, "Contador principal de ventas provinciales" of Cadiz, who is the only person authorized to grant certificates relative to the operations of the treasury in that district, and through whose hands all such matters must necessarily pass. This certificate has been granted on the petition of Mr. Meade, which I also take the liberty of inclosing.

I beg your excellency's particular attention to this certificate: it is ample and explicit in every respect, and I am persuaded must convince you that no further research on the points in question can be necessary. I therefore confidently reurge my request, that your excellency would be pleased to lay my reclamation before the king, and I rely on his majesty's just dispositions for the immediate release of Mr. Meade.

(Signed) **GEORGE W. ERVING**

No. 13.

[Translation.]

Mr. Pizarro to Mr. Erving, dated

Madrid, April 12th, 1817.

SIR,

Immediately that I received your note of the 24th of last March, I directed, by order of the king my master, the supreme council of war, to despatch with all urgency, the "consulta" which had been required of it, relative to the affairs of Mr. Richard Meade, with the house of Hunter, Raynes & Co. of London, and I wait for the said consulta, to lay the matter before his majesty, and to obtain his sovereign resolution.

I renew, &c. &c.

(Signed)

JOSE PIZARRO.

No. 14.

Mr. Erving to Mr. Pizarro, dated

Madrid, May 9, 1817.

SIR,

I have the honor to acknowledge the receipt of your excellency's note, of the 12th April, in reply to mine of the 24th March, relative to the case of Mr. Meade. You are pleased to inform me

that on sight of my said note you ordered the council of war to despatch, in all haste, the "consulta," which you had previously asked of it, relative to the affairs "between Don Ricardo Meade, and the house of Raynes, Hunter, and Co. of London." I ought to presume that by this order your excellency meant to promote the object of my former representations; but permit me to observe, referring to those representations, that in no part of them have I considered the termination of any process which may be pending before the council of war, between Mr. Meade and the English merchants, as at all essential to my purpose, which has been simply to obtain the release of an American citizen, from an unjust imprisonment. An imprisonment which you yourself, in a letter of December 8th, to the council of war, have declared to be illegal. In that letter, your excellency has said that Mr. Meade's case is not sufficiently comprehended within the law, under the pretence of which he has been imprisoned: "quon, (Meade,) no esta bas tante determina dameate comprendido en el caso de la ley que se cita para sa aresto." Independent of this legal point, I have shown to your excellency, in my former notes, that the imprisonment is unjust, because his majesty's treasury has the very funds which should be paid to satisfy the judgment of the tribunals. It was long since decided that Mr. Meade was a debtor to the English merchants; the funds in question had been deposited in the royal treasury, by order of the competent tribunals; and, it has been proved, by authentic and complete documents, that the deposit exists in the treasury as effective cash. What I have required, then, as a measure of the plainest justice, is, that these funds should be paid by the treasury to satisfy the judgment. Thus, Mr. Meade would be released from prison, of course, and all necessity of legal decision, as to the nature of his imprisonment, would be superseded, and all litigious questions between him and the English creditors would cease. I had certainly succeeded in impressing your excellency with this view of the subject, for, as far back as the 7th November, you informed me that the affair was properly within the department of Hacienda, and that his majesty would give his decision through that department. Under the same impression, doubtless, you wrote to the minister of Hacienda, on the 4th December, desiring that a statement of the facts within the cognizance of his department might be sent to you, to the end that you might submit them to his majesty, to enable him to decide on the consulta of the council of war, (of November 28,) at that time before him. In the same way your excellency wrote to the council of war, on the 8th December, requiring that all the original documents which relate to the nature of the deposit, made by Mr. Meade, should be sent to you. Even in your letter of February the 7th, to the same council of war, by which you return to it the "antececdents," you confine your view principally to the existence and nature of the deposit.

Convinced, then, as your excellency was, that the imprisonment of Meade was illegal, and, as to the nature of the deposit, a point which you considered all important in the case, having before you

the certificates of the officers of Hacienda, as well as of the consulado of Cadiz, proving that it existed in effective specie, I could not doubt but that you intended to submit the case to his majesty's decision, as announced in your letter of December 4th, to the minister of Hacienda, and conformably to what I had repeatedly proposed. You have not been pleased to acquaint me with whatever motives you may have had for deviating from this intention; but it does appear that you have required of the council to determine on the legality of the imprisonment which was its own act—an act of which, in your letter of December 8th, you expressed his majesty's disapprobation, and the injustice of which has been made still more apparent, by the abovementioned proofs, as to the nature of the deposit. It appears, also, that you transmitted to the same council, in the month of February, documents which you demanded from it in the month of December, for the purpose of being laid before the king, but which are now to be enveloped in questions from which they had been, and stood, entirely separated.

In thus sending the affair back to the council, the parties, Meade and M'Dermont, are made uselessly to litigate about the nature of a deposit which the government knows to exist in specie, in its own treasury. Thus, the simple act of justice, which I have demanded, is procrastinated to an indefinite time, being made dependent upon contentious questions, with which it has no necessary connexion. Your excellency is perfectly convinced, by documentary evidence of indisputable authority, from every department of the Hacienda, that the royal treasury is debtor to Meade for the amount in specie of the deposit made by him; that with, or without law, Meade has been twelve months, and still is, in prison, for the same amount due to the English claimants, for whose benefit the said deposit was made, by order of the tribunal, which, at that time, had cognizance of the then pending suit; and it is evident that the repayment of this money would release Meade from prison, at the same time that it would satisfy the English creditors. Allow me, then, to ask, to what useful end is the council of war now employed? To declare the illegality of its own acts? But all investigations of that nature will be rendered unnecessary, by the repayment of the money now in the hands of government. The council can decide to whom of right the money deposited belongs: but on this point there is no dispute. The deposit belongs, of right, to the English creditors, represented by M'Dermont. The council has no control over the treasury. In examining, therefore, into the nature of the deposit, it can have no other guide than the very official documents which have been before your excellency. These are unequivocal and conclusive. It matters not, now, whether the deposit, in its original form, was, or was not, of a nature to satisfy the demands of the English creditor. We can dispense with an examination of that question, also; because, in whatever form the deposit was originally made, it has been now converted, by regular fiscal operations, into effective cash, and in that

form exists, and in that form will be readily received by Mr. McDermot. The documents which certify the real nature of the deposit, can neither be called in question or set aside by the council; nor is there any necessity of a judicial investigation, to establish the authenticity or validity of them. Upon those grounds, therefore, I renew my demand, in every aspect of it so just, that your excellency would lay this case ministerially before the king, and procure his order for the immediate repayment of the deposit existing in his treasury.

(Signed)

GEO. W. ERVING.

*Pétition of Mrs. Meade, and papers communicated by her in relation to
Richard W. Meade.*

A.

To his Excellency, the President of the United States—the following case is respectfully submitted:

Richard W. Meade was born in Chester county in Pennsylvania, in June, 1778. He went to Spain in 1803, to claim restitution of property detained at Buenos Ayres, in which claim he was unsuccessful. He then established a commercial house at Cadiz, where he has ever since resided, in the character of an American citizen; and having held, from 1806 till the present year, the station of navy agent of the United States for the port of Cadiz. Mr. Meade has a wife (the undersigned) and nine children, now residing in Philadelphia.

In their late struggles, he rendered essential services to the people of Spain, as repeatedly and publicly acknowledged. In 1812, being in actual advance to the government of Spain, to the amount of near eight hundred thousand dollars, and being satisfied that the treasurer general, Don Victor Soret, was using the funds, which by contract had been appropriated to repay that advance, he appealed to the regency against the conduct of the treasurer; and, receiving no satisfaction, published a pamphlet, containing a statement of his contracts with the government, and its injustice towards him; in consequence of which publication, he was imprisoned for three months, and then released on bail. On an appeal to the cortes, Mr. Meade obtained an order for the payment of his advances, which order has been but partially complied with, and that under enormous sacrifices, amounting, in many instances, to one-third of the capital, besides several years' interest, for which no allowance has ever been made. Mr. Meade also appealed to the cortes against the unjust proceedings of the regency in imprisoning him: the cortes reported the proceedings as illegal and unjust, and decreed the constitutional penalties against the minister who gave, and the judge who executed, the order. The dismissal of the regency by the cortes, and the subsequent dissolution of the cortes itself, on the arrival of king Ferdinand, prevented the report of the cortes against the regency being acted on, and the affair being revived by the supreme council of war, composed of men subservient to the old regency, (who are now all in high offices round the court) it was lately decreed that Mr. Meade should pay a fine of two thousand ducats for the publication; which they termed a libel on the late regents.

It is to be understood that the affair above related, of the imprisonment in 1812, is altogether distinct from the present confinement of Mr. Meade and its causes, though often erroneously blended with it: it will clearly appear, however, that the rancour produced by the events related, has operated with many now in power in stimulating the present persecution, the circumstances leading to which are as follow:

In 1811, Mr. Meade was appointed assignee to the estate of James W. Glass, of Cadiz, declared bankrupt in England, in consequence of his connection with the house of Hunter, Rainey & Co. of London, against whom a commission of bankruptcy had issued: the appointment of Mr. M. was made by the tribunal of commerce of Cadiz, with the approbation of all the creditors in Cadiz, and was confirmed by the assignees in London—the tribunal of commerce having cognizance of all commercial affairs in Spain, and all persons carrying on trade there (even foreigners) being amenable thereto. Mr. M. gave bonds accordingly, to take charge of the effects of the estate, and to be *responsible solely to the tribunal for the proceeds*, being prohibited, under the penalty of the bonds, from disposing of the funds without the sanction of the tribunal.

Having settled the affairs of the estate, and paid all demands thereon, there remained in his hands about fifty-two thousand dollars, which he several times petitioned the tribunal to be permitted to remit to the assignees in London. The delays attending all Spanish proceedings prevented the petitions being acted upon, until Mr. Duncan Hunter, one of the principals of the bankrupt house, was sent to Cadiz, and when on the eve of getting the business settled, Mr. Glass (escaping from his bail in England) appeared also in Cadiz, and laid an *embargo* on the funds, under the pretence of having been illegally included in the bankruptcy. John M'Dermot was appointed as the agent of Hunter, and Mr. Meade offered to pay to Hunter or M'Dermot the amount in his hands, on their giving bonds satisfactory to the tribunal of commerce, in lieu of his own: those persons not being able to procure such sureties as the tribunal would accept, that body, suddenly, and of its own accord, decreed that Mr. M. should, on the following morning, place the money in the king's treasury, until M'Dermot or Hunter should give the security required; it being declared that all Mr. Meade's property should be *embargoed* in case of nonpayment at the time limited. In pursuance of the said order, Mr. M. made the deposit on the following morning, and presented to the tribunal the receipt in which the treasurer acknowledged to have received the sum in question by order of the tribunal, to be held subject to the future disposition of that body. A question having been made, at the instigation of M'Dermot, whether the sum had been paid into the treasury *in specie*, or in treasury notes, the intendant answered, to an official inquiry of the tribunal, that "the deposit had been made in due form under his inspection, *in effective specie*."

and that whenever the tribunal should order its payment, his majesty would pay it in the same coin."

Notwithstanding this, a suit was brought against Mr. Meade by McDermot, and the tribunal, aware that it had done wrong in ordering the deposite, decided that Mr. Meade should *pay the money a second time!* An appeal was entered from this decree to the superior tribunal, called *abradas* (Mr. M. having a right to that appeal by the 7th and 20th articles of the treaty between the United States and Spain.) While the cause was there pending, the plaintiff (through the English minister) procured an order for the removal of the case to the council of war, at Madrid, where the sentence was confirmed. Mr. Meade had a right of appeal, but was refused. He petitioned the king, who commanded that he should be heard by the same court; but as Mr. M. conceived the judges to have evinced a partiality in the case, at Mr. M's request five new judges were added to the five, of which the court was before composed. In this state of the case, McDermot presented a petition, stating that Mr. M. was about to leave Spain, and praying that he should be compelled to pay the money or be put into confinement, and the order was accordingly granted (through the influence of the British minister) by the five primitive judges, though the king had expressly decreed that no measure should be taken in the case of Mr. Meade, but with the presence of the new judges. On the 2d of May, 1816, Mr. Meade was seized and imprisoned in the castle of Sta. Catalina, at Cadiz, confined in a dungeon, with a centinel at his door, and for several months locked up at night.

The minister of the United States, Mr. Erving, has made strong remonstrances to the Spanish government against these unjust and cruel persecutions of an American citizen; those remonstrances have drawn from the king an order to the council, to *despatch* Mr. Meade's case; but there is at the same time strong reason to believe, that while such an order is given, to amuse the American minister, a secret order is given to delay the decision, as *the present state of the treasury would render the payment of the money inconvenient*, it being apparant that the money must be paid on the liberation of Mr. Meade.

For corroboration of the principal facts of the foregoing statement, and particularly those respecting the *deposite*, and the circumstances under which it was made, the President is referred to the documents herewith sent (No. 1 to No. 8.) Copies of those relating to Mr. Erving's correspondence with the Spanish government, have also been transmitted to the Department of State at Washington.

The undersigned, in making this appeal to the President, will not presume to add a single comment, but must await the result in trembling anxiety; she cannot however avoid respectfully intimating a hope, that if kindly disposed to act efficiently in a case so interesting to Mr. Meade and his family, the President will adopt some other means of attaining his purpose, than through the agency of Mr. Erving, it being now perfectly ascertained, that the representations of

that gentleman to the Spanish government on Mr. Meade's case, are not received with that respect, or attended to with that promptness and desire of accommodation, due to their justice, to his station and conduct, or to the character of the country he represents. On the contrary, his communications have been treated with marked disregard, or answered by trifling equivocations, insomuch as to render his exertions, however well intended and spirited, utterly useless.

(Signed)

MARGARET MEADE,

Wife of Richard W. Meade.

Philadelphia, 4th December, 1817.

B.

Copy of an official letter addressed by Don Victor Soret, treasurer general of Spain, for the year 1817, to the treasurer of the revenue or provincial rents of Cadiz.

By return of post without fail, you will please state, if the deposit exists as yet, which R. Meade made on the 19th February, 1814, of reals 1,050,327 and 20 maravedis, in virtue of a sentence of the royal tribunal of the consulado of the day prior thereto.

God preserve you many years.

(Signed)

VICTOR SORET.

Madrid, 22d of April, 1817.

(Answer.)

In the moment that I received your official letter of the 22d of the present month, relative to the deposit of R. Meade, I sent a copy of said letter to the administrator general of the revenue of the province, on the 28th of the same month, in consequence of all the archives corresponding to the year in which the said deposit was made, existing in his department and under his control, and under this date he answered me as follows:

General administration of the rents of the province. By the archives of judicial deposits and corresponding to the year 1814, which exist in this administration, it appears unquestionably that R. Meade deposited on the 19th February of said year, in virtue of a sentence of the royal tribunal of the consulado of the day before, the sum of reals of vellon 1,050,327 and 20 maravedis, and that no sum has ever been returned to the present day on account of said deposit, which I beg

leave to state in answer to your official letter of yesterday, in which you transmit me a copy of the letter received by you from the treasurer general of the 22d of this month.

God preserve you many years,

(Signed)

ANTONIO Y SARBE.

"Cadiz, 29th April, 1817."

And which I therefore beg leave to transcribe to you as an answer to your official letter.

God preserve you many years.

(Signed)

BENITO ELERS,

Treasurer of Cadiz.

Cadiz, 29th April, 1817.

An exact copy.

(Signed)

R. W. MEADE.

C.

Correspondence referred to by Mr. Erving, in his letter 14th March.

Copy of an official letter addressed by Don Julian Fernander Navanete, treasurer general of Spain, for the year 1816, to the prior and consuls of the royal tribunal of commerce of Cadiz, and their answer.

In order to answer with due or correct knowledge, a certain information or request, which has been demanded of me, by my superiors, with the least possible delay, you will be pleased to inform me, as early as possible, whether, by order of your tribunal, R. Meade made a deposit in the treasury of royal finances, or in that of the revenue? Of what amount said deposit was? If it exists at present, and whether there is any impediment to returning the same to him?

God preserve you many years.

(Signed)

JULIAN FERNANDER NAVANETE.

An exact copy.

(Signed)

R. W. MEADE.

Madrid, 19th November, 1816.

D.

(Reply.)

Under date of the 19th instant, you were pleased to say to this royal tribunal, that, in order to answer certain information which had been demanded by your superiors, that this tribunal should state whether it was true, that by its order R. Meade had made any deposit in the royal treasury of finance or that of the revenue? Of what amount it consisted? If it existed at present? And if there was any impediment to its being returned to him?

In reply to these questions, the consulado begs leave to state, that, at the suit of John M'Dermot, who claimed from R. Meade, for balance of accounts, the sum of reals of v. 1.050.327 16 maravedis. In the course of the proceedings, this tribunal gave its sentence, commanding R. Meade to deposit the aforesaid sum in the royal treasury of the revenue, and this was done in treasury notes of effective cash, which said Meade had to receive from said department, and the deposit was thus made, the treasurer obliging himself to hold the amount at the disposition of this tribunal. The sum deposited subsists, and though M'Dermot afterwards pretended that R. Meade should deliver him said sum, without any regard to the deposit, it did not take place, on account of R. Meade having appealed. The said Meade applied to his majesty, and, through the minister of finance, there was issued a royal order, dated 10th August, 1815, in which it was commanded that in the mean time, that funds could be collected, wherewith to return the aforesaid deposit, this tribunal should suspend its proceedings. This tribunal consulted the supreme council of war on this point, and in virtue of a despatch, of which the adjoined is a literal copy, they submitted the *auto*, or proceedings, to the supreme council, as commanded by said royal order. The supreme council makes merit of the same in the aforesaid document; and it is the strongest proof that the deposit exists at the disposition of this tribunal, from the circumstance of the *auto*, or suit, being still pending in the appeal before the supreme council. This tribunal cannot resolve to whom the sum so deposited is to be returned, and whilst the suit is dependent on the appeal, this tribunal cannot regulate its sentence or proceedings.

(Signed)

MIGUEL DE MARRON,
NICHOLAS BLANCO.

An exact copy.

(Signed)

R. W. MEADE.

Cadiz, 29th November, 1816.

E.

Mr. Erving to Mr. Pizarro.

Madrid, June 29th, 1817.

To his Excellency Don Jose Pizarro, First Secretary of State.

SIR,

My last note to you on the case of R. W. Meade, was on the 9th May; that representation induced your excellency to repeat his majesty's orders to the council of war, to the end that it might forthwith evacuate the consulta, which has been so long since demanded from it. It was to be expected, that in a case of this urgency, where the liberty, fortune, health, and domestic happiness of an innocent man, had been wantonly sacrificed, that the tribunal would have hastened to repair the errors which it had fallen into, more particularly as in the name of my government, I had demanded the liberty of this individual. It was not, however, till the 26th May, that the fiscal's dictamen was given; that document after a vain attempt to justify the anterior proceeding complained of, concluded in these words,* "*Pero en el dice quando existe el deposito como si fuese dinero efectivo segun expone el tesorero general i quando el consulado asegura que preceptuó à Meade verificase el deposito en tesoreria de rentas parece que habiendo cumplido con ambos extremos no debecontinuar por mas tiempo su arresto.*"

The conclusion which the fiscal has thus arrived at, and the facts on which he has founded it, were as true twelve months ago as they are now. In fine, here is a formal confession of the fiscal himself, according to which, there is no ground for continuing the imprisonment of Mr. Meade a single moment; but though the dictamen was given on the 26th May, Mr. Meade has not been released. I therefore pray that your excellency would be pleased to order, that the council act in conformity to it without the least delay.

I renew to your excellency assurances of my most distinguished consideration, &c.

(Signed)

GEORGE W. ERVING.

* "But at present while the deposit exists as if in effective money, as set forth by the treasurer general, and while the consulado declares that they ordered Meade to make that deposit in the provincial treasury, it appears that having complied with both orders, his arrest and imprisonment should not be continued any longer."

a.

Mr. Adams to Mr. Onis.

DEPARTMENT OF STATE,

Washington, 26th December, 1817.

*Don Luis de Onis, Envoy Extraordinary,
and Minister Plenipotentiary from Spain,*

SIR,

I am directed by the President of the United States to invite your immediate attention, and to urge that of your government, to the case of Richard W. Meade, a citizen of the United States, who has been confined since the 2d of May, 1816, in the prison of Santa Catalina, at Cadiz.

It has been repeatedly represented to your government, by the minister of the United States at Madrid, that the imprisonment of this person was under a sentence of a tribunal at Cadiz, condemning him to pay a second time a sum of money which, by virtue of a prior decree of the same tribunal, he had already paid into the royal treasury. This fact has never been denied or contested by your government. It has been proved to them by the attestations and certificates of their own officers.

It was to have been presumed that, upon the first moment that such a fact was authentically presented to your government, an order would instantly have issued from it for the discharge of Mr. Meade from his imprisonment. The President regrets, that after so many and such urgent representations in his behalf by the minister of the United States at Madrid, it should yet be necessary to address this call upon the most common principle of justice to you. I am instructed by him to say, that in renewing this demand for Mr. Meade's immediate liberation, he confidently expects it will not be in vain.

I pray you sir, to accept the assurance of my

Very distinguished consideration,

(Signed)

J. Q. ADAMS.

b.

Mr. Onís to Mr. Adams.

(Translation.)

The chevalier Don Louis de Onís to the Secretary of State.

SIR,

I have received your note dated the 26th of this month, in which, by order of the President, you communicate to me what appears to have taken place in Spain, in the case of a law-suit against Richard W. Meade, a citizen of these states, in order that I should make the necessary representations on this subject to the king my master, and solicit his release from confinement.

In compliance with the wishes of the President, and yours, sir, I shall, with great pleasure, make this request in favor of Mr. Meade, although I am not informed of the details of the suit instituted against him, nor of those which have produced his confinement.

Confiding in the just intentions of the king, and his high consideration for the United States, I must hope that his majesty will attend efficaciously to this request, and so use his authority in having justice promptly done to Meade, that the laws may be observed with the strictest impartiality, and no motive or pretext whatever left to doubt of the immaculate (acendrada) purity which has ever been acknowledged as the particular attribute of the Spanish magistracy.

I renew my respects to you, sir, and pray God to preserve you many years.

(Signed)

LOUIS DE ONÍS.

Washington, 29th December, 1817.