

T H E
SPANISH PRETENSIONS

FAIRLY DISCUSSED,

by

Dalrymple.

Nequid falsi audeo dicere.

CICERO.

L O N D O N,

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To the KING!

SOVEREIGN!

Ever zealous for the
Honour and Welfare of my COUNTRY,
I approach YOUR MAJESTY with
This Discussion of The Spanish Pretensions.

That my SOVEREIGN may *long*
reign in the *Hearts* of a FREE and
HAPPY PEOPLE, is the sincere wish
of

Your MAJESTY'S

Faithful Subject

11th May, 1790.

Datrymple.

11th May, 1792.

P R E F A C E.

NO Man more devoutly wishes, that PEACE may spread forth her Olive Branch, in every Region of The Earth : and my individual Experience of the Liberality and Generosity of The Spaniards, convinces me, that the Good - Faith and Honour of the Spanish Nation, will incline them, on conviction, to make full satisfaction, for the Indignity that has been offered to the Flag of Great Britain ; and ample recompence for the Losses that Her Subjects have sustained. — But if the King of Spain, misled by Evil Counsellors, should PERSIST in WRONG ! It must be remembered, that The ALMIGHTY hardened the Heart of Pharoah, to bring forth Israel FREE with a strong hand and an outstretched arm !

Inheriting

Inheriting, as I do, from illustrious
ancestors,

Mens inimica Tyrannis,

I shall not despair, before the conclusion
of the present Century, not only to
see the Natives of Old Spain in *full*
enjoyment of all their ancient rights!
but to find the Standard of Freedom
displayed, in every quarter of the
New World!

redeunt Saturnia regna,

When Universal Commerce shall in-
vigate the hand of Industry, by
supplying the mutual Wants, and
maintaining the Common - Rights of
ALL MANKIND; instead of the *Lives*
and *Property* of the PEOPLE being
spoiled away; at the caprice of a Fool!
or a Tyrant!

Dalrymple.

7th May, 1790.

THE fundamental Principles of the Law of Nations, are *Justice* and *common Interest*: In former times, when Ignorance prevailed, and narrow prejudices, ever consequent to Ignorance, the Law of Nations was not extended to *Infidels* or *Pagans*; who were then considered, by *Christians*, as free Objects of Injury and Oppression; but, in these enlightened Times, The Catholic King has no hesitation in concluding Treaties with Mahometans, with whom, by the absurd Oaths of ancient Bigotry, He was engaged to perpetual Warfare.

How far the *Right of Discovery, without occupancy*, can be construed to extend over *uninhabited Countries*, I shall not at present enquire; but Common Sense must evince that Europeans, visiting Countries *already inhabited*, can acquire *no right in such Countries*

Countries but from the *good will* of the *Friendly Inhabitants*, or by *Conquest* of *Those* who are *Agressors in Acts of Injury*: nor can the right of *Conquest* be *justly* extended, when *Acts of Injury*, in the *Natives*, can be construed to proceed from *fear* of the *Strangers*, or from *mistake*: In either case, Both Parties being equally culpable, though no criminality in Either; the European in not sufficiently explaining his peaceable intentions, and the Native in not readily apprehending those intentions.

The Spanish Claims are of Two Kinds:
—Of all the Magallanic Regions, and of all Parts on the NW Side of America.

In Disputes concerning Geographical Limits, The proper Authorities to consult are *Geographers*; for although a *Map* may not be considered as *conclusive*, it must be admitted as *presumptive*, testimony of a *fact*; especially

especially the Evidence of *foreign Maps*, wherein no obvious Interest, or Passion, can be supposed to deviate the Geographer from the Truth.

The Spaniards have not even the pretence of *first Discovery* to the Magallanic Regions; for Magallan first came upon this Coast in 1520, and the Map of the discovered parts of the New World, in the Rome Edition of Ptolemy 1508, expressly says, The Portuguese had then traced the Coast to 50° South without reaching Its Southern Extremity; and this Book, coming into the World with the Licence of Pope Julius II., under date 28th July 1506, must be admitted, by His *Catholic Majesty*, as *infallible Authority*: *Herrera*, the Spanish Historian,* acknowledges, that the *Extremity of Terra del Fuego* had been discovered, by the *English*,

10

* Descripcion de las Indias, P. 77, Edit. 1601.

to be *Ijlands* in an *open Sea*: This Discovery of *Sir Francis Drake*, 1578, is clearly marked in a *Map of the World*, by *I. le Clerc*, 1602, engraved by *I. Hondius*; long before the Voyage of *Le Maire* and *Schouten* round *Cape Horn*. The late Spanish Voyage, to the Strait of Magellan, has indeed alledged, that this Discovery was made by the Spaniards in 1526; One of Loyfa's Squadron, without the Strait, having been carried by a strong wind as far South as 55° South Latitude, on rejoining their comforts, said " That there appeared to be " the end of the Land." Admitting this *Affertion* without limitation, it must be obvious, it can have no relation to the *Southern Extremity*, which *Drake* called *Queen Elizabeth's Island*, and which is commonly known by the appellation of *Cape Horn*, because *Cape Horn* is in 55° 58' South Latitude, and therefore had the Spaniards gone down the *East Coast* of *Terra del Fuego*

as far as 55° South Latitude, they could not have seen the *Land terminate there*: In all probability the Spaniards were off the Eastern part of *Staten Land*, where, in Latitude 55° South, the Land would seem to terminate; or, if they had passed (which is not probable) through *Strait Le Maire*, the Land, of *Terra del Fuego*, adjacent to *Success Bay*, would have had the same appearance, though it was not actually the Extremity.

The *only Discovery* then, which the Spaniards can claim here, is the *Discovery* of the *Strait of Magellan*, the *Portuguese* having discovered the *East Coast* of Patagonia, long before *Magellan's Voyage*, and the *English*, having completed the *Discovery!* consequently, as much *exclusive right* to *That Navigation*, must belong to the *English*, as the Spaniards can pretend to, from their having gone *beyond* the *Portuguese*; but a Pretension of the *English* to

an *exclusive Right of navigating on the South of Cape Horn*, could They be so absurd to make it! would be laughed at, by all The World, as too ridiculous to merit serious attention.

It appears that the Spaniards settled, in 1740, a Line of Limit with the Indians of Patagonia, whereby they renounced every pretension beyond that Limit, which was a little to the Southward of *Buenos Ayres*.

Having, I conceive, fully refuted every Claim, the Spaniards can alledge to an exclusive possession of the *Maollanic Regions*; Their pretensions on the *North* are now to be considered.

How far the Spaniards, before Sir *Francis Drake*, in 1579, had gone on the West Coast of America? may be difficult exactly to ascertain, because the *Arcano del Mare*,
published

published at *Florence* in 1661, says, that some Maps had misrepresented *Cape Mendocino* to be in 50° North Latitude, which the *Spanish* Pilots and *Sir Francis Drake* concurred in placing in the Latitude of 40° North; and therefore a question may arise, whether the Spaniards ever reached the Latitude of 44° North? beyond which, it does not appear, from *Herrera*, they had pretended ever to have navigated. *Abraham Ortelius*, the King of Spain's Geographer, in the Map of America 1574, declares these Regions to be *unknown*; the last Place, marked in this Map, is *Tuchano* in *Quivira* about 45° North Latitude. But *Quivira* was a Land Discovery, and consequently ill-determined. *Sir Francis Drake* discovered this Coast in 1579* to the Latitude of 48° North, at least, and not only the *Arcano del Mare*, and *Le Clerc's*

* World Encompassed, 4^o Edit. 1628, P. 64.

Ortelius in his later Maps carries *Cape Mendocino* above 50° North, but the Modern Spanish Chart has brought it back into 40° North.

Clerc's Map 1602, but almost *all Maps*, particularly the Maps of the French Geographers, *M. De Lisle* 1700, and *M. Robert de Vaugondy* 1750, name this part *New Albion*, from Sir Francis Drake's *Discovery*. But *Discovery* without *occupancy* does not merit much attention, whether the Discoverers were English or Spaniards: Nor is even the *honour* of *Discovery* due from the Publick, where the Voyages have been kept secret; for *Latent Surveys*, do not merit the name of *Discovery!* which, by the *very word*, implies *Notoriety!* Whereas what is not communicated to the World at large, for Publick Benefit, ought rather to be an Object of condemnation than of honour and advantage.

From the time of Sir *Francis Drake*, no circumstantial and authentic documents, have been laid before the Publick, of Voyages on this Coast, till that of the Spaniards in

1775,

1775, in which they examined several Harbours in Latitude 55° to 58° North, but they visited no part of the Coast, between 48° North and 55° North Latitude, so that the first Publick and Authentic Description of *Nootka*, or *King George's Sound*, in $49^{\circ} \frac{1}{2}$ North Latitude, and the parts adjacent, was given to The World in Captain Cook's last Voyage 1778.

I have not mentioned the Discoveries, attributed to *John de Fuca* in 1592, nor *Thofe*, to *Bartholomew De Fonta* 1640, because they are *disclaimed* by the Spaniards, and the *reality* of *such Voyages* positively *denied*: * So that *if true* (as I am disposed to think they are, however vaguely and imperfectly recited) They

* *Noticia de California*, dedicated to the King of Spain, and published with the approbation of the Council of the Indies, and with all formal Licences, Madrid, 4^o 1757, Vol. 3, P. 426.

They must be considered as *Discoveries*, outcast and abandoned by *Spain!* and are, by adoption, become *English*, in which Language only (or in translations from It) They have been communicated to The World, and in *Communication alone!* the true Right of *Discovery* must be grounded.

Amongst Nations, ignorant of Letters and the Diplomatic Rules of Europe, Treaties of Amity cannot be executed according to European Forms; but the Natural and Expressive Form, is *by exchange of Names*; and, in this manner, The English have the strongest Alliances, with the Natives in that part of The World.

Dalrymple.

P. S.

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The Renunciation of the Spaniards to the Discoveries of *De Fonta*, &c. are so strong in the last page of the *Noticia de California*, that I cannot omit an Extract: The Author, after a long dissertation to prove *De Fonta's* Discoveries to be spurious, and declaring that he was not at all interested whether they were true or not, concludes,

“ Solo si me creo obligado por quantas
 “ razones honestas pueden concurrir en mi,
 “ à decir, y publicar los fundamentos, que
 “ prueban, que hay poco que fiar de
 “ semejante Relacion, y descubrimientos.
 “ Y bien? Segun esto, (diga alguno) què
 “ Mares, què Costas, què Rios, Lagos,
 “ Provincias, Naciones, y gentes se hallan
 “ en la America Septentrional, desde el
 “ ultimo termino de la *California*, *Cabo Blanco*,

C

“ *Rio*

“ *Rio de Martin de Aguilar, Rio Colorado,*
“ *Moqui, y Nuevo-Mexico* hesta el Norte,
“ por espacio de cinquenta grados? Es
“ decir en todo el grande espacio de *America,*
“ que en nuestro Mapa encerramos con
“ una linea de puntos? A excepcion de
“ lo que se ha averiguado por el lado de
“ nuestro Mar Atlantico, y de lo poco,
“ que nos han certificado las Navegaciones
“ *Ruffianas* por el lado del Mar del Sùr,
“ respondo facilmente en una palabra, la
“ qual, si para otros es de mucho rubor,
“ à mì no me cuesta dificultad; y
“ creo, que tampoco la debe costar à
“ ningun hombre de bien. *Ignoro. Nescio.*
“ *Tò no lo sè.*”

TRANSLATION.

To the question, “ What Seas, what
“ Coasts, what Rivers, Lakes, Provinces,
“ Nations, and People are there in North
“ America,

“ America, from the farthest Extremity
“ of *California*, &c. to the North, for a
“ space of fifty degrees? i. e. in all the
“ great space of America, which in our
“ *Map* we *enclose with a dotted line?*
(beginning on the West Coast, about the
Latitude of 43° North) “ except what is
“ known on the side of our Atlantic Ocean,
“ and the little which the Russian
“ Navigations have ascertained to us on
“ the side of the South Sea? I answer
“ readily in one word, *Ignoro. Nescio.*
“ *I know not!*”

F I N I S.