

A Scripted Lesson on the Spanish Hindrance of American Rights on the Mississippi River during the Confederation Period

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Primary Sources Used to Support the Lesson:

[Maryland Journal, 3 July 1786](#). Copy of letter from a gentleman at the Falls of the Ohio.

[Maryland Journal, 3 July 1786](#). Extract of a letter from Kentucky, Fayette County

[Pennsylvania Packet, 7 July 1787](#) (excerpt). Extract of a letter to the Honourable B.H dated at Nashville in Davidson County, May 1, 1787

[New York Journal, 12 July 1787](#) (excerpt).

[A Plebian: An Address to the People of the State of New York, 17 April 1788](#)

Cast (In order of appearance)

1. Moderator
2. A Plebian from NY
Considers the demands of those in favor of a stronger approach exaggerated and dangerous
3. A gentlemen from the Falls of the Ohio
Angry about the Spanish and seeming inaction by Congress
4. Gentleman from Nashville
Angry about the Spanish and seeming inaction by Congress
5. Gentlemen from Kentucky
Angry about the Spanish and seeming inaction by Congress
6. Edmund Randolph
Lawyer from Virginia, delegate to Philadelphia Convention.
7. *Correspondent from the New York Journal*
Angry about the Spanish and seeming inaction by Congress

Lesson Objectives:

- Students will be exposed to the issues surrounding Spanish interference of American rights on the Mississippi River under the Articles of Confederation.
- Students will be exposed to the weaknesses of the Articles of the Confederation.
- Students will be exposed to the counterpoint of someone in favor of the Articles of Confederation

Procedures:

- 1) The day before the script is used, assign the roles. Ensure that students read over the roles and familiarize themselves with any complicated words.
- 2) On day of presentation, pass out the following graphic organizer (much larger version) to the rest of the class so they may follow along and discuss later.

Against AOC

For AOC

**Value of the Mississippi River
and Surrounding Areas**

Severity of Spanish in the Area

**Ability of the Articles of
Confederation to take action**

**Thoughts on military action
against the Spanish**

Any other Considerations

A large, empty rectangular box with a blue border, intended for students to write their arguments against the Articles of Confederation (AOC).A large, empty rectangular box with a blue border, intended for students to write their arguments in support of the Articles of Confederation (AOC).

- 3) After presentation, utilize the organizers to formulate a class discussion on the issue.
- 4) Before end of the class, students will produce an Exit Slip articulating their opinion of the single biggest danger associated with this issue.

Script

Moderator: Good afternoon everyone and welcome to today's show. As you undoubtedly all know, there is currently a spirited debate going on in our young country over strengthening the Articles of Confederation and giving Congress or another central entity more powers while decreasing the sovereignty of the states. Among the issues driving this proposal is our inability to muster the necessary force to require other countries to respect our territorial integrity and rights of commerce. This is particularly important in regards to Spain and the control of the Mississippi River. Today I am joined by an esteemed panel of guests who are articulate defenders of both those who want to strengthen the powers of a central government and those who believe that the fears guiding their arguments are overblown. First, let's hear from a defender of the Articles of Confederation as they are:

A Plebian from NY: With regard to our public and national concerns, what is there in our condition that threatens our national danger? We are at peace with all the world; no one menaces us with war; nor are we called on by any cause of sufficient importance to attack any nation.

Moderator: Would anyone like to address *A Plebian's* point?

A gentlemen from the Falls of the Ohio: [D]ear sir, Politics, which a few months ago were scarcely thought of, are now sounded aloud in this part of the world, and discussed by almost every person. The [proposed] commercial treaty with Spain, in shutting up (as it is said) the navigation of the Mississippi River for the term of twenty-five years, has given this western country an universal shock, and struck its inhabitants with amazement.—Our foundation is affected—it is, therefore, necessary that every individual exert himself to apply a remedy.

Moderator: Just a minute please, could someone expound on why this treaty evokes such emotion?

Gentleman from Nashville: It would be natural for us to conclude, that the navigation of the Mississippi is open to the citizens of the United States, since the letter and spirit of every treaty on this subject declare, that it shall be open. But there is one title remaining, and that title appears to be vested in the crown of Spain. She is supposed to have the longest sword. She has taken possession of the river, and in contempt of arguments and treaties she continues to hold it by force.

Moderator: I suppose we should be fearful of this policy of Spain.

A Plebian from NY: Hope and fear are two of the most active principles of our nature.

A gentleman from the Falls of the Ohio: To sell us and make us vassals to the merciless Spaniards, is a grievance not to be borne. The parliamentary act which occasioned our revolt from Great-Britain, was not so barefaced and intolerable.

Moderator: Why is this a problem for you? I thought the Treaty of Paris granted Americans the right to use the Mississippi to transport their goods?

A gentleman from the Fall of the Ohio: [Exactly.] To give us a liberty of transporting our effects down the river to New-Orleans, and then be subject to the Spanish laws and impositions, is an insult upon our understanding.

Moderator: Specifically, what are your concerns?

A gentleman from the Fall of the Ohio: We know, by woeful experience, that it is in their power, when once there, to take our produce at any price they please.—Large quantities of flour, meat, &c. have been taken there the summer past, and mostly confiscated. Those who had permits from their governor, were obliged to sell at a price he was pleased to state, or subject themselves to lose the whole. Men of large property are already ruined by their policy...

Moderator: The situation sounds bad. Please go on.

A gentlemen from the Falls of the Ohio: Shall all this country now be cultivated entirely for the use of the Spaniards?—Shall we be their bondmen, as the Children of Israel were to the Egyptians?—Shall one part of the United States be slaves, while the other is free?—Human nature shudders at the thought, and despises those who would be so mean as to even contemplate on so vile a subject. Our situation is as bad as it possibly can be.

A Plebian from NY: We are amused with the fair prospects that are to open, when this government is put into operation—Agriculture is to flourish, and our fields to yield a hundred fold—Commerce is to expand her wings, and bear our productions to all the ports in the world.

Moderator: I have heard that the area affected by the treaty is already quite bountiful.

Gentlemen from Kentucky: [True.] Flax and hemp, the best in the world grows here.

A gentlemen from the Falls of the Ohio: Three times the quantity of tobacco and corn can be raised on an acre here, than can be within the settlements on the east side of the mountains, and with less cultivation

Moderator: That is a pretty impressive claim! Anything else?

A gentlemen from the Falls of the Ohio: Here is a soil richer, to appearance, than can be possibly made by art!—Large plains and meadows, without the labour of hands, sufficient to support millions of cattle, summer and winter!—Cane, which is also good nourishment for stock, without bounds!—The spontaneous production of this country surpasses your imagination—consequently I see nothing to prevent our herds being as numerous here, in time, as they are in the kingdom of Mexico.—Our lands north of the Ohio, for the produce of wheat, &c. I think will vie with the Island of Sicily.

Moderator: *A Plebian from NY*, I see you shaking your head in agreement.

A Plebian from NY: It is true, many individuals labour under embarrassments, but these are to be imputed to the unavoidable circumstances of things, rather than any defects in our governments. We have just emerged from a long and expensive war.

Moderator: Whoa, are there those who are suggesting using force against the Spaniards?

Gentleman from Nashville: The . . . the rule by which kings are governed, the long sword, or if you please the short rifle, will presently be a conclusive argument in our favour. We shall not fail to use it. Spain has set us a fair example. She has not been delicate on this head. She has seized the property of our fellow citizens, and converted it to her own use.

A Plebian from NY: We may safely take time to deliberate and amend, without in the mean time hazarding a condition, in any degree, worse than the present.

Gentleman from Nashville: Perhaps I shall be told that Spain is a powerful nation; that in case of a rupture, she can oppress the United States, and crush their commerce. I am not to learn, that the United States will not go to war with Spain, for the sake of the Mississippi.

Moderator: What would you say to those suggesting this is not a national problem? In other words, its only a regional problem.

Gentleman from Nashville: People who live on the sea coast have too much at stake; they are too much exposed to the insults of a Spanish fleet, and too little interested in our happiness ever to enter seriously into this dispute. You may [protest] the encroachments of Spain, but all your efforts will [be] a harmless war on paper.

Moderator: I must admit, I had no idea tensions were this high. However, lets say that we do **not** produce a stronger government capable of providing a strong military deterrent to Spain or any other country for that matter. What, if anything, can you do?

A gentlemen from the Falls of the Ohio: We can raise twenty thousand troops this side of the Allegany and Appalachian mountains, and the annual increase of them, by emigration from other parts, is from two to four thousand.

Gentleman from Nashville: To such accessions you must add the natural increase of citizens in a country where the soil is fertile, the climate healthy, and where men are tempted to marry early in life. In the space of ten years we shall muster at least 60,000 men, capable of bearing arms. Is it probable, that at such a period we shall suffer our lands to lye without cultivation, or our produce to perish on our hands, from the want of a river by which that produce may be carried to market? Is it probable that we shall suffer a few Spanish soldiers to seize our boats? I think not.

Moderator: Wow. Before we move on, I would now like to get another opinion on the matter from Edmund Randolph. Mr. Randolph is a lawyer from Virginia and one of the likely delegates to the up coming convention in Philadelphia.

Randolph: Its nice to be here.

Moderator: Mr. Randolph, you have been listening to the discussion. What do you have to say about the obligation of anyone outside of the affected area to do anything?

Randolph: The character of such a government ought to secure, first, against foreign invasion. . . . The Confederation produced no security against foreign invasion.

Moderator: Ok, I get that. However, let's say folks in the western part of the US provoking military action. Is there anything that could be done, in a legal sense by Congress to stop them?

Randolph: If a State acts against a foreign power contrary to the laws of nations or violates a treaty, it cannot punish that State, or compel it's obedience to the treaty.

Moderator: If certain people were to take military action against, lets say, a fort of a foreign entity such as Spain, it could be conceivable that that entity may see that as an action by the entire country. This could draw unaffected states into the conflict. Congress truly couldn't stop them?

Randolph: A State may encroach on foreign possessions in its neighbourhood and Congress cannot prevent it.

Moderator: I am going to play devil's advocate here. Let's just say that that military action was taken and Congress did step in to stop it under the guise of preventing a larger war for the country as a whole. What may happen?

Gentleman from Nashville: To send an army across the mountain to punish your brethren for defending their property, would be the beginning of a very unnatural war. A war that could neither be profitable nor pleasant, and assuredly it would not be honourable.

A Plebian from NY: Those who can remember our situation after the termination of the war preceding the last, will recollect that our condition was similar to the present, but time and industry recovered us from it.

Moderator: Does anyone agree that time is our friend here and maybe the situation isn't as dire as it seems and we should step back from the situation for awhile?

A gentlemen from the Falls of the Ohio: Preparations are now making here (if necessary) to drive the Spaniards from the settlements at the mouth of the Mississippi.

Moderator: Is it true that some settlers in the west might go so far as to ally themselves with Spain or even Great Britain?

A gentlemen from the Falls of the Ohio: In case we are not countenanced and [nourished] by the United States . . . our allegiance will be thrown off, and some other power applied to. Great-Britain stands ready, with open arms, to receive and support us. They have already offered to open their resources for our supplies. When once re-united to them, a long farewell to all your boasted greatness. . . . You are as ignorant of this country as Great-Britain was of America.

Moderator: Unfortunately, we are almost out of time. I would like one last comment from both sides if I may. *Correspondent from the New York Journal*, you have been quiet today. Would you like to comment?

Correspondent from the New York Journal: When we cast our eyes around, my countrymen,

what feuds, what discords do we behold from the several quarters of the United States! while those in the east only *appear* to be dying away, new, and accumulated evils seem to be getting in the west. The treaty with Spain, relative to the navigation of the Mississippi, has set the people, on the falls of the Ohio, &c. into a political phrenzy; the general voice of the western community (who, it is said, can raise 20,000 militia) is, equal liberty with the thirteen states, or a *breach of peace*, and a *new alliance!* . . . These circumstances greatly corroborate the necessity of an immediate *Efficient Federal Government!* consequently, to blow the trumpet, and sound the alarm, is incumbent on every public printer, who, with the honorable chancellor, in his late oration, acknowledges, that *the joys of the American independence are mingled with anxiety*. If any *grievances* exist, what they are, and their tendencies, ought doubtless, coolly, and impartially to be discussed, by some adequate pen, in the public papers; but, to suffer *pieces*, which are studiously calculated to alarm the community (and which perhaps originate with our internal enemies) to circulate unanswered and undetected, is *criminal negligence*, and the height of *impolicy*. . . .

Moderator: Thank you. You were really saving that up. *A Plebian from NY*, I will give you the last word before we leave the air. Thank you all for watching. It has been a great discussion and I am sure that the upcoming months will be eventful indeed. *A Plebian from NY*, you have about 30 seconds.

A Plebian from NY: With such vain and elusive hopes are the minds of many honest and well meaning people fed, and by these means are they led to inconsiderately to contend for a government, which is made to promise what it cannot perform; while their minds are diverted from contemplating its true nature, or considering whether it will not endanger their liberties, and work oppression.