DIPLOMATIC RELATIONS
Between the
UNITED STATES AND MEXICO
to 1836.

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by
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Introduction

Recognition of the Spanish American Republics.

The doctrine whereby a new government after taking possession of a definite territory and holding it in independent control, has the right to demand recognition as a state, was unknown in international law previous to the American revolution. Recognition, as then understood, was an act totally inconsistent with the prevailing ideas of neutrality and therefore to be regarded as an evidence of offensive alliance and unquestionable hostility.

That this construction had been shared by America is attested by the efforts of the colonies, in their war of independence, to secure the recognition of European powers. And indeed the motive of France in recognizing the independence of the American colonies was universally understood as hostility to England.

It was not until the French revolution was well under way that the United States gave to the world a new construction of the policy of recognition. She recognized successively through her support of Gouverneur Morris's actions, the various

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Wharton, Francis, Digest of the international law of the United States, I, 521 - 524.
governments set up in France, though in no way departing from the neutral policy advocated by Washington. Prompted as this attitude may have been by self-interest, it was nevertheless the first evidence of national friendliness, unaccompanied by any intention of hostility toward any other nation.

European sovereigns could hardly be expected to approve of any doctrine whereby insurgency or rebellion against the established principles of legitimacy and divine right might be looked upon as otherwise than preposterous and incendiary.

In England, however, the traditional monarchical attitude became gradually tempered through commercial influence and a growing suspicion of the Holy Allies, so that she was able to regard the behavior of the United States in 1822 with complacency and three years later was ready to adopt a similar course in the face of the overwhelming disapproval of Europe.

Notwithstanding the repressive and selfish colonial policy of Spain, the revolts of her American dependencies were unquestionably inspired by patriotic motives. Loyalty to the captive Spanish king and resentment towards the Napoleonic usurpation were the prime incentives to the almost simultaneous uprisings in South America.

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1 Paxson, 35-44, 244-247.

2 Paxson, 46, 50, 51.
The attempted extension of the authority of the French regime to the colonies was followed by revolts and the establishment of patriotic juntas in New Granada in 1809 and in Buenos Ayres, Chile, Bogota, Venezuela and Mexico in 1810.

Six years of economic freedom, coupled with the large profits attendant upon an unrestricted trade with English and American merchants, led Buenos Ayres to declare its independence of Spain and the faithless Ferdinand in 1816.

Ferdinand's abrogation of the constitution of 1812 and his evident determination to reduce the American colonies to their former helpless status left no doubt in the minds of the people of Buenos Ayres as to the course they should pursue.

The enlightened campaigns of the Buenos Ayres general, San Martin, in effecting the overthrow of Spanish authority in Chile and Lower Peru, resulted in the establishment of independence in the former country in 1816 and in the latter country in 1821.

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1 Paxson, 50-51.
2 Noll & McMahon. Life and Times of Miguel Hidalgo y Castilla, 76.
Under the leadership of Simon Bolivar, Venezuela declared its independence in July 1811. The vicissitudes of earthquake and royalist victories kept the fate of that country and New Granada in the balance until the Spanish army was finally and decisively defeated in the battle of Carabobo, June 24, 1821. By the action of the Venezuelan congress in December, 1819 the union of the countries of Venezuela and New Granada had been effected under the name of the Republic of Colombia.

The conquest of Ecuador was accomplished in 1822 and, in accordance with Bolivar's plan of a great federation of American republics, was promptly annexed to the Republic of Colombia.

Upper Peru, the last stronghold of the Spanish, was conquered in March, 1824, and in the following year declared its independence - at the same time taking the name of Bolivar in honor of the liberator.

The change of sentiment in favor of independence in the northern provinces of South America would appear to have been brought about largely through the influence of Bolivar enhanced as it was by the periods of cruelty and oppression following Spanish victories and because of the generally vacillating and

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1 Paxson, 84 - 85, 88, 91,- 92, 100 - 101.
A dependable policy of Ferdinand VII.

Unique among the Spanish-American colonies, the Mexican revolutionists adhered loyally to Ferdinand and the monarchical form of government, excepting during a brief interval when Morelos influenced the Congress of Chilpancingo in 1813 to declare 1 Mexican independence of Spain. It was not until the Spanish Cortes repudiated the treaty of Cordoba in 1822 that the Mexicans gave up the idea of a Bourbon monarchy.

Throughout the entire period of Spanish-American revolution the United States maintained an unimpeachable neutrality, un influenced apparently either by the lures of commercial advantages or the impulses of sentiment.

Deeming it only right and fitting that the many commercial interests of Americans in the southern continent should be intelligently watched over and protected, Secretary Monroe sent Joel R. Poinsett in June, 1810, as a commercial agent to Buenos Ayres and Mr. Alexander Scott in May, 1812 on a like mission to Venezuela.

Poinsett was not sent as an official representative of the United States but as an unofficial though accreddited agent for

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1 Noll and McMahon, 145.
2 Noll and McMahon, 176-177.
3 Romero, Mexico and the United States, I, 324.
seamen and commerce. Mr. William R. Lowry was sent as a commercial agent to Caracas at about the same time and in 1811 still another agent was sent to Buenos Ayres with the title of consul and Poinsett received the official commission of consul-general.

Poinsett in 1812 went to Chile, where he engaged in the fray with the Carreras, but solely as his own affair and apparently neither expecting nor receiving recognition of his activities from his government, although upon his return to the United States he was congratulated by Secretary Monroe on the way he had conducted his mission.

That the United States had no intention of departing from its strictly neutral position is evidenced by the promptness with which its disavowed and dismissed Pointsett's successor in Buenos Ayres, Devereux, for presuming to guarantee a loan to the existing government.

That the above mentioned commercial agents were invaluable to the United States government is indisputable as it was mainly through the commercial agents that the state department obtained its knowledge of South American conditions. There is no

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1 Paxson, 110 - 112.
indication, however, either documentary or in the Annals of Congress, that commercial interests or allurements played any part whatever in the policy of the government.

There is no doubt that the sympathies of the people of the United States were with the revolutionists of the Spanish provinces. There is no doubt that sympathy played a prominent part in the wholesale privateering that was engaged in by Americans, but beyond that sentiment apparently did no more than to keep alive a very natural interest in the welfare of the insurrectionists and a very natural hope for their ultimate success. The recognition of the establishment of an independent government was a matter involving the question of international relations.

The disinterestedness of the attitude of Henry Clay has been the subject of no little controversial opinion and as he was the great champion of the revolutionists during the major part of the period, his position and course deserve a fairly complete review.

The South American struggle was first brought to the attention of the house of representatives on November 12, 1811, when that part of President Madison's message (of Nov. 5) calling the attention of Congress to the situation in South America, was referred to a select committee.

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The report of this committee, submitted Dec.10, 1811, suggested a joint resolution expressing a friendly interest in the welfare of the revolutionists and promising recognition in the event of their success. Nothing was done regarding the report.

In response to two letters from Secretary Monroe bearing the respective dates of Jan.6, and Jan.10, 1817 Mr. Forsyth, chairman of the house committee on foreign relations, on Jan.14 reported a bill providing for a more adequate enforcement of the Neutrality Act.

The purpose of the proposed measure was to put a stop to the illegal privateering openly engaged in by individuals operating from American ports — notably Baltimore.

There was considerable opposition to the bill, owing to the feeling on the part of many that the measure was in the interests of Spain and at the same time hostile to the revolutionists. Henry Clay attacked the measure on the ground that existing neutrality laws were entirely inadequate. He admitted at the same time that he hoped for the ultimate independence of the revolting colonists.

The bill passed the house on Jan.29, 1817 and the senate on Mar.3.

1 Annals, 1811-1812, I, 428.
2 Paxson, 118.
3 Annals, 14 Cong., 2 sess, 770.
4 Annuals, 14 Cong., 2 sess., 205.
News of the progress of San Martin in Chili and Bolivia at Angostura opened a spirited newspaper controversy in 1817 and on December 3, Clay, introduced an amendment authorizing the committee on the message to report what would be necessary "to secure to the South Americans their rights as belligerents.\(^1\)

The amendment was carried.

In December, 1817, President Monroe sent a commission of three men, including C. C. Rodney, John Graham and Theodorick Bland, to South America for the purpose of acquiring and furnishing authentic information on conditions in the southern continent.\(^2\)

On March 24, 1818, Clay opposed a motion for an appropriation covering the expense of the above commission and offered an amendment to the Appropriation Bill providing for an appropriation of $18,000.00 to cover an outfit and one year's salary for a minister to the Provinces of the River Plata. His amendment was defeated, 115-45, after a long and spirited debate.\(^3\)

Mr. Johnson of Virginia, on Jan. 14, 1819, introduced a resolution asking the president of the United States for

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1 Paxson, 125-126.
2 Ibid, 127.
3 Annals, 15 Cong., 1 sess., 404.
4 Romero, 324.
5 Annals, 15 Cong., 1 sess., 1465.
6 Ibid, 1646.
information as to whether any of the independent governments of South America had attempted to get ministers or consuls-general accredited in the United States. Monroe complied on Jan. 29, 1819.

On Feb. 10, 1819, Clay announced that, "due to indisposition and the shortness of the session remaining" he would not renew his motion favoring the recognition of South American independence.

On April 4, 1820 Clay offered the following resolution, "Resolved: That it is expedient to provide by law a suitable outfit and salary for such minister or ministers as the President, by and with the advice and consent of the Senate, may send to any of the governments of South America, which have established, and are maintaining their independence of Spain." The resolution was carried.

Realizing that his motion of April 4, 1820 was ineffective Clay moved (Feb. 3, 1821) that it be referred to the committee of the whole house. The motion was carried and on Feb. 9,
Clay moved to append to the resolution an appropriation for one year's salary - not to exceed $15000. - of one minister. The motion was defeated.

On Feb. 10, 1821, Clay offered the following resolution:
"Resolved, that the House of Representatives participates with the people of the United States in the deep interest which they feel for the success of the Spanish provinces of South America which are struggling to establish their liberty and independence; and that it will give its Constitutional support to the President of the United States, whenever he may deem it expedient to recognize the sovereignty and independence of any of the said provinces."

The resolution was carried and a committee of two members was ordered to be appointed to lay it before the president. The house thus honored its speaker who was soon, for financial reasons, to retire from public life in order to resume his practice of law.

Historians disagree as to Clay's motive for so zealously championing the cause of the South American colonies. Paxson quotes Colton as declaring Clay's motive one of "daring philanthropy."

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1 Ibid., 1071.
2 Annals, 16 Cong., 2 sess., 1081.
3 Ibid, 1092.
4 Paxson, 129.
Schurz contends that two speeches made by Clay, on January, 1816 and in January 1817—both during Madison's administration—prove that Clay's interest in the welfare of the Spanish colonies antedated any plan he may have had to embarrass the Monroe administration.

Paxson declares Clay's advocacy of recognition to have been "purely factious" and furthermore that it failed to hasten the decision of the government by a day.

The events immediately leading to—and those constituting recognition may be briefly summarized.

On Jan. 31, 1822, Mr. Trimble offered two joint resolutions, the first authorizing the president to recognize the republic of Columbia, the second authorizing him to recognize the other Spanish American states. The resolutions were read twice and tabled.

Two days earlier Mr. Nelson submitted a resolution calling upon the president for documents bearing upon the independence of governments south of the United States and communications showing political conditions and the state of war between them and Spain. The resolution was ordered to lie on the table one day. On Jan. 30 it was adopted.

1 Schurz, "Henry Clay" I, 147.
2 Paxson, 173.
3 Annals, 17 Cong., 1 sess, 854.
5 Ibid, 828.
Monroe's reply was the message of Mar. 8, advocating recognition. The documents requested accompanied the message and were referred to the Committee of Foreign Affairs.

On March 19, Mr. Russell of the committee of foreign affairs reported two resolutions, the first authorizing recognition, and the second carrying an appropriation of $100,000. Both resolutions passed the house March 28, the first with one dissenting vote and the second unanimously.

Mr. Smith of Maryland, from the committee of ways and means and in obedience to the second resolution, reported a bill making the necessary appropriation to defray the expense of missions to the countries recognized, namely, Colombia, Mexico, Peru, La Plata and Chile. The bill passed the house on April 11, and the senate on April 28, 1822 and was promptly signed by the president.

Henry Clay's ardent advocacy of recognition of independence as a prospect rather than as a fact, placed him in popular opposition to the Monroe administration, which had inconsiderately contented itself without requiring his distinguished services as secretary of state.

1 Annals, 17 Cong., 1 sess., 1243.
2 Annals, 17 Cong., 1 sess., 1320, 1404.
3 Annals, 17 Cong., 1 sess., 1444.
John Quincy Adams, however, proved the better and saner warrior of the two. A man of good sense and strong convictions he was thoroughly capable of defending and maintaining a policy to which he had committed himself, apparently unmoved by opposition. As secretary of state he held the administration to at least a technical neutrality with regard to the Latin American wars. Had his policy been different or had he wavered, the settlement of the western hemisphere would probably never have felt the influence of a Monroe doctrine.
I First Exchange of Diplomats.

Of the many envoys and representatives sent by the revolting provinces, none were recognized in an official capacity, Adams believing that such a course would be tantamount to a recognition of independence.

The Mexican revolutionary leaders made a number of attempts to send agents to the United States government for the purpose of enlisting an active interest in their cause. Notable among these was Bernardo Gutierrez de Lara, known to history later as the organizer of the Gutierrez-Magee expedition into Texas.

Gutierrez in March, 1811 received the commission of lieutenant-colonel in the revolutionary army and was ordered to proceed to the capital of the United States for the purpose of soliciting aid for the patriot cause. Receiving no official recognition in Washington, where he was regarded more as a

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1 Paxson, 157.

Note: Among the Spanish-American agents in Washington during the revolutionary period were, Bolivar and Orosa from Venezuela in 1810 and 1811, Bernardo Gutierrez de Lara from Mexico in 1811, Aguirre from La Plata and Chile in 1817 and 1818 and De Forest from Buenos Ayres and Clemente from Venezuela in 1818. None were officially received or recognized.
fugitive than an envoy, he repaired to New Orleans where, in the following year, he fell in with Lieutenant Augustus Magee.

In February, 1811, Ignacio Aldama was elected by the revolutionists as minister plenipotentiary to the United States, and Padre Juan Salazar was commissioned to accompany him and "to act in his stead in case of accident, sickness, or death."

Aldama started on his mission with a hundred bars of silver and a large sum of money "for the purpose of purchasing arms and contracting for the assistance of thirty thousand auxiliaries." Betrayed by a subdeacon named Juan Manuel Zambrano, leader of a counter revolution, Aldama and his colleague were arrested in Bejar on the trumped up charge of being an emissary of Napoleon. Both Aldama and Salazar were later tried by court martial, condemned and shot.

When Morelos learned of the capture of Hidalgo, he dispatched David Faro and a man named Tobares to the United States to solicit aid. In the course of their journey they met Rayon, Hidalgo's appointee as captain-general of the revolutionary forces. Rayon immediately proceeded to confer upon Tobares the rank of brigadier and upon David Faro that of colonel, ordering both to return to the army. Morelos,

1 Bancroft, Hist. of No. Mex. States, II, 19-20, and M'Caleb
2 Bancroft, Hist. of Mexico, IV, 271.
3 Ibid, IV, 271
however, refused to recognize their new commissions and they, offended and disappointed, departed for Chilpancingo, ostensibly on private business. Later they joined a man named Mayo in an insurrection having for its benignant purpose "the killing of all landed proprietors and all persons belonging to the white race." Morelos, hearing of the plan, hastened to the scene, quelled the mutiny and had Mayo shot for his pains. David Faro and Tabares were later, by his orders, secretly beheaded.

In 1814 Rayon appointed Bustamante minister to the United States. The latter was unable to leave Mexico for want of both opportunity and means, and in the summer of 1815 Doctor Don Jose Manuel de Herrera was dispatched to the northern republic for the purpose of soliciting aid and to secure from the papal nuncio a "confirmation of ecclesiastic appointments by the congress and permission to dispose of church revenue till the close of the war."

Herrera accomplished practically nothing and returned to Mexico in 1816, where he appears to have secured pardon from the royalists in return for certain revelations.

1 Bancroft, Hist. of Mex. IV, 305-306, and Bustamante, C. M., Cuadro Historico de la Revolucion Mexicana &c., II, 20-22.
2 Bancroft, Hist. of Mex., IV, 606.
3 Bancroft, Hist. of Mex., IV, 606-607. Bustamante, Cuadro Hist.&c. III, 391-393. Note: Bustamante declares that while in New Orleans Herrera contracted numerous debts, a fact which made it impossible for him to return to that city.
"The government of the United States gave a courteous reception to Jose Manuel Zozaya, the minister accredited thereto by Agustin I., but took no action beyond the general declaration recognizing the independence" of Mexico.

John Quincy Adams, writing in his diary on November 23, 1822, said that he had heard rumors of the recent appointment of two successive Mexican ministers plenipotentiary to the United States, but that he had not heard that either had put in an appearance.

Torrens was installed in Washington early in 1824 as Chargé d'affaires from Mexico. He was succeeded by Pablo Obregon who was presented to President Monroe by Adams on December 31, 1824. His career as minister was highly creditable both to his country and to himself.

The part played by the United States in the establishment of diplomatic relations with Mexico covered a period of about three years, following the acts of recognition of March and April, 1822. It will be recalled that in April, 1822 the appropriation bill passed congress, providing for the expense contingent upon the establishment of missions to the Spanish American States.

1 Bancroft Hist. of Mex., V, 47
2 Adams, J. Q. Memoirs, VI.
4 Bancroft, Hist. of Mex. V, 48 footnote.
5 Annals, 17 Cong., 1 sess., 1530.
A well defined problem can only be solved.

For any conceivable solution, a set of conditions must be met. Without these conditions, the solution is not valid.

The set of conditions consists of two main parts:

1. **Requirements**
   - The solution must meet certain criteria.
   - It must be feasible and practical.

2. **Constraints**
   - There are limitations that cannot be overcome.
   - The solution must adhere to these constraints.

The process of defining a problem and its solution involves:

- **Formulating the Problem**
  - Identifying the problem statement.
  - Defining the goal.
- **Analyzing the Problem**
  - Breaking down the problem into smaller parts.
  - Identifying the key elements.
- **Developing the Solution**
  - Exploring different options.
  - Selecting the best solution.
- **Implementing the Solution**
  - Putting the solution into action.
  - Monitoring the results.

In conclusion, a well-defined problem is essential for effective problem-solving. It ensures that the solution is not only feasible but also achievable.

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For more detailed information, please refer to the documentation or the relevant textbook on problem-solving techniques.
At one o'clock in the afternoon of June 19, 1822, John Quincy Adams presented Manuel Torres to President Monroe as charge d'affairs from the republic of Columbia. Adams regarded this incident as the first formal act of recognition of one of the new states.

On the following day the question of sending ministers to the southern republics was discussed in the president's cabinet. John C. Calhoun, Secretary of War, opposed the idea on the ground of there being no manifestation of public sentiment in favor of it. Thompson contended that the president had no constitutional right to make such appointments during a recess of congress. Adams argued against sending ministers prior to receiving them. Crawford and Wirt were not present at the meeting. Monroe appeared to be chiefly concerned over the matter of right and no decision was reached.

The subject did not again come up for cabinet discussion until November 28. Calhoun and Thompson at that time gave no decisive opinions. Adams reiterated the opinion given at the June meeting and observed that all of the provinces were still in a convulsive and revolutionary state. He expressed the prophetic conviction that Iturbide's imperial government

1 Adams, J. Q. Memoirs, VI, 23.
in Mexico would be overthrown within a year. Crawford's was the only voice in favor of sending the missions. He thought all should be sent with the exception of that to Peru, which he believed should be postponed for a year.

At the conclusion of the meeting Calhoun remarked to Adams that, in case missions were sent to the new states, the ministers appointed should be held to the one subject of commercial negotiation, and that, under no circumstances, should they consider themselves entitled to take part "in the internal struggles of parties at the places" to which they might be sent.

On the 8th and 9th of January, 1823 Monroe and Adams talked over the matter of the missions, and on the 10th Monroe wrote Adams, requesting him to call upon Senator Brown of Louisiana and propose to him the Mexican mission. Adams complied at once. The senator, however, gracefully declined the proffered honor on the ground that "the state of society and the condition of the country" were such that it would be inadvisable to take his wife there and he was unwilling to go without her.

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2 Adams, J. Q. Memoirs, VI, 121-122.
On the following day Monroe informed Adams that he had decided upon the ministers for Spain, Colombia and Buenos Ayres. Adams advised him to offer the Mexican mission to General Jackson. He feared, however, that as Jackson was a presidential possibility he might interpret the offer in the light of a wish to get him out of the way. The president said he would think about it.

Adams later tendered Jackson the appointment "without previously sounding him as to whether or not he would accept." Resultantly the honor was summarily declined. Adam's doubt as to Jackson's reception of the offer appeared to have been well founded.

During the latter part of the year 1823 the president and the secretary of state were apparently too deeply concerned over the design of the Holy Alliance and with the formulation of the Monroe doctrine to give further attention to less pressing affairs, such as the Mexican mission. On January 5, 1824, however, interest in the subject was renewed when D.P. Cook approached Adams with the suggestion that his father-in-law, 1

Adams, J. Q., Memoirs, VI, 128-129.

Reeves, Jesse S., American diplomacy under Tyler and Polk, 2

: Jackson's letter declining the post was dated March 15 1823. Reeves says that this letter is in the manuscript archives of the department of state.
Ninian Edwards, senator from Illinois, be named minister to Mexico.

Adams evinced no enthusiasm over the suggestion as his most recent recollection of Edwards was not altogether happy. It appears that the latter had, during the previous winter, intrigued anonymously in "a partisan project," the principal purpose of which was the displacement of Gales and Seaton as printers of congress, in favor of Calhoun's printers of the Washington Republican.

Overcoming his personal feelings, although through what motive we are unaware, Adams nevertheless urged the appointment of Edwards upon Monroe. The latter, however, was not disposed to entertain the suggestion favorably.

The name of George M. Dallas, recommended by eleven members of the Pennsylvania delegation, found no greater favor in the eyes of the administration. Adams declared that Dallas was not of sufficient standing for such a ministry, and Monroe intimated"that one of the reasons in favor of Dallas was the poverty of his mother.

The battle for the presidential succession had been waged for two years past. It had been at first a three cornered

1 Adams, J. Q., Memoirs, VI, 227-228.
2 Adams, J. Q., Memoirs, VI, 227-228, 234.
affair and the factions, headed respectively by Crawford, Calhoun and Clay, had been assiduous and alert in the interest of their leaders. Adams, however, was not without hope that the final choice of the people would fall upon himself. Crawford's health was becoming a source of worry to his friends. Clay had spurned the suggestion of a vice-presidency, and the hope of consolidating the Crawford and Clay forces had been dispelled. Adams had, from the outset, viewed Calhoun's chances as the most meagre of the three.

The Crawford supporters had, on January 25, 1824, offered the vice-presidency to Adams and suggested a congressional caucus to that end. Adams shrewdly interpreted the move as an attempt to pit himself against Clay as the issue of the campaign and promptly declined the second position, at the same time gratuitously expressing disapproval of the congressional caucus idea.

On January 30, Adams was told that Calhoun had offered to eliminate himself from the presidential race in favor of Adams for the first office, and General Jackson for the second, providing that Clay should be named as secretary of state and himself, rather than Crawford, as secretary of the treasury. The announcement apparently justified Adams' judgement of

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Calhoun's chances and he commented upon it as illustrative of the forlorn hope than indulged in by Calhoun.

In the light of the foregoing it is scarcely a matter of wonder that Adams should have expressed himself as indifferent between Edwards and Dallas, both of whom were avowed partisans of Calhoun.

From February 5, to March 6, Adams allowed his diary to lapse but in his entry of March 7, he mentioned the almost unanimous confirmation in the senate of the appointment of Edwards as minister to Mexico. He added that Edwards would resign his seat in the senate on the following day and await instructions to leave.

Edwards called upon Adams on March 20, ostensibly to make inquiries with regard to his route to the southern capital. This matter being arranged, Edwards apologetically explained his previous desertion of Adams in favor of Calhoun on the ground of his consuming desire "to put down" Crawford and of his belief, at the time, that Adams had no chance of success.

He concluded his story with a bit of gossip about an abortive attempt of Clay's to defeat Adams in a dispute regarding the fisheries.

If the appointment of Edwards to the Mexican mission had

1Adams, J. Q., Memoirs, VI, 241-242
2Adams, J. Q., Memoirs, VI, 243-244.
3Adams, J. Q., Memoirs, VI, 249-250
been, as Adams earlier intimated, a matter of no great concern, to the administration, on the nineteenth of April it became inextricably entangled in the complicated question of the presidential succession and thereafter for many months engaged Adams's serious attention and interest.

It appears that Edwards had, before leaving the senate, made statement derogatory to Crawford before a committee of the house. After Edwards had resigned Crawford made a report to the house in answer to the former's allegations. Edwards had, in the meantime, left Washington, but on April 19 the house was thrown into a state of great excitement over the reading of a retaliatory letter from Edwards, containing six definite charges of "official misconduct" in Crawford, closing with a broad insinuation against him of perjury.  

Monroe expressed himself as extremely dissatisfied with Edwards and was desirous of delaying his departure from Mexico. Adams believed that Edwards should be sent for and that he should appear before the house committee. Crawford's friends concurred in this, were especially desirous that the matter should be concluded during the present session of congress in order that its postponement might not accrue to Crawford's disadvantage in the presidential race.

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1 Adams, J. Q., Memoirs, VI, 296.
Monroe was desirous of sending a message to Edwards, authorizing him to appear before the house committee, but Adams declared that the whole affair should be left to the house.

Adams was too astute a politician to favor a premature move on the part of the administration. If Edwards should be justified in his allegations the unnecessary activity of the secretary of state might result in the effacement of the latter as a presidential aspirant. It is not unlikely to suppose that Adams was thoroughly cognizant of the possibility of thus jeopardizing his chance-in the race for the first office of the land.

Moreover he believed that the "bullying" sway over the house of Crawford's partisans might lead to an unjust decision. It is but natural to suppose in face of such a probability, that Adams should wish to have no part in an affair which, in the end, might prove discreditable.

On May 15, Adams was informed that the investigating committee would report altogether in favor of Crawford in the matter of Edward's allegations, but that the Crawford charges against Edwards, which the former had later, for the most part, retracted, would not receive the committee's attention.

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1 Adams, J. Q., Memoirs, VI, 297-300.
Adams believed this course to be a gross injustice to Edwards, who would thereby be sacrificed without opportunity to make use of the retaliatory motive, as Crawford's charges, in the opinion of Adams, being the "first blow" in the quarrel.

When Adams told Monroe of the report that the committee of investigation would probably make, the president inquired "with evident anxiety whether, if they should so report, he could with propriety continue Mr. Edwards in the mission to Mexico."

Adams replied that the matter was "a subject for deliberate consideration" and showed how the sacrificing of Edwards might redound to the latter's credit should he appeal to the nation for vindication, as he undoubtedly could and probably would do. Adams realized that the position of the administration was awkward at best, for he knew that the Crawford supporters were already "impudently" charging Monroe with hostility to their leader, intending, as Adams believed, "to intimidate the President from acting upon Edwards' case in any manner unfavorably to Crawford."

May 15, Adams had become suspicious that Daniel Webster had played a part on the committee of investigation not actuated solely by disinterested motives. M.Plumer, a representative

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1 Adams, J. Q., Memoirs, VI, 330-333.
from New Hampshire, in the course of a conversation with Adams, declared that Webster had expressed himself as opposed to the selection of Jackson for the vice-presidency, preferring in his stead, Richard Rush, minister to Great Britain. Plumer expressed it as his opinion that Webster would not be unwilling to fill the vacancy thus created in the British mission.

A week later, following a conversation with Daniel P. Cook, Adams wrote in his diary that the decision of the committee of investigation was chiefly the work of Daniel Webster, who had thus sacrificed Edwards in order "to glut the revenge of Mr. Crawford," that he himself might realize a thoroughly selfish ambition. He added that the "underhanded" tactics he credited to Webster presented "a combination of talent, of ambition, of political management, and of heartless injustice" which had thrown open to his inspection "Mr. Webster's inmost character."

On May 26, the day before the first session of the eighteenth congress closed, the house "passed a resolution authorizing the committee of investigation to sit after the close of the session, to take the examination of Mr. Edwards and to make up and publish their final report."

Immediately following the closing of congress the president

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1 Adams, J. Q., Memoirs, VI, 332, 351-352.
"in close confidence" informed Calhoun, Southard and Adams that a friend of his had confided to him that Webster had said that unless Edwards should furnish more satisfactory reasons for his attack on Crawford, the final report of the committee would be decisive against him. Should this be the case Monroe "strongly intimated" that he would remove Edwards. Adams promptly asked Monroe the name of his informant, but the latter "declined telling."

Southard, a day or two later, told Adams that he believed Webster's go-between to the president was none other than Joel R. Poinsett. He declared that if the latter had not already departed on his journey to Europe, he would take it upon himself to ask him if he had carried Webster's message to the president. Poinsett had left, however, so Southard's question was not asked.

Adams was so indignant at this most recent - to him - evidence of Webster's baseness that he declared to Southard that, if the committee should so act and the president call upon the members of his cabinet for their opinions as to the advisability of removing Edwards, he "would expose the whole of this vile intrigue to the nation."

On June 12, the administration was, through the testimony of a man named Noble, dragged into the Edwards hearing. Noble

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it appears, declared that Edwards told him that he had long expected the appointment as minister to Mexico and that the president was in his power through the means of a Colonel Lane.

During a cabinet meeting held on June 21, the report of the committee of investigation, with all the documents bearing on the matter, were brought in by Webster and the clerk of the house of representatives. The various documents were read and discussed. Monroe believed that the evidence against Edwards would "blast his chances before the nation" and that, unless he removed him, his own character would be likewise impugned.

Calhoun, Wirt and Southard believed that Edwards should be removed in case he should not resign. Adams declared that Edwards should resign "in justice to his own character," but that there was nothing "in the proceedings of the house or in the documents which would justify the president in removing him.

It was finally decided that Wirt, a particular friend of Edwards, should see Daniel P. Cook to the end of discovering Edward's intentions with regard to resignation.

On the same evening Adams called upon J. W. Taylor, a member of the committee of investigation, and was told by that

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1 Adams, J. Q., Memoirs, VI, 384-387.
gentleman that Webster had "unceasingly labored to get a sentiment into the report" characterizing Edward's charges as frivolous and malicious. Taylor and Livingston had, however, successfully opposed this and had likewise greatly moderated Webster's "proposed panegyric . . . upon the management of the Treasury by Mr. Crawford."

Taylor entertained no doubt, according to Adams, that Webster's conduct in the committee stamped him as "a thoroughly-going political partisan of Mr. Crawford."

In the cabinet meeting of the following morning, June 26, Wirt said that Cook had told him that Edwards would either send in his resignation in the course of the day "or give notice that he should expect intimation from the President to that effect."

While the discussion of the matter was in progress, Edwards' letter of resignation was brought in. He had enclosed a note asking the president to delay the filing of the letter for a few days, while he made up his mind whether or not he should state his reasons for resigning.

In the course of the conversation that followed, Calhoun declared that if Webster had not been a member of the committee

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1 Adams, J. Q., Memoirs, VI, 391.
the report would have been very different.

Yielding to the persuasion of General John P. VanNess, a friend of Crawford, the managers of a fourth of July celebration refused Edwards admission to the public dinner provided for the occasion. The president and members of the cabinet thereupon issued a "formal public notice," declining to attend the affair. Crawford's friends utilized the occasion to nominate Crawford "as a candidate for the Presidency."

Adams, in summing up his conclusions with regard to the Edwards controversy, wrote in his diary that, while Edwards's attack upon the secretary of the treasury had been intended to efface the latter as a presidential candidate, it had "had only the effect greatly to embitter the contest."

The subject of the Mexican mission came up again on the 29th of August, and on the following day Monroe decided to postpone the appointment for a time.

Nothing more was done in the matter during the year 1824, on the last day of which, as has been stated, Adams formally presented to the president, Pablo Obregon, Minister from the Mexican republic.

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1 Adams, J. Q., Memoirs, VI, 391-394.
On January 25, Monroe wrote Adams of his intention to make the "nomination for appointments" which he had previously decided to leave to his successor. Adams called upon the president at once and advised him to alter his decision. He then read a recent communicated article in the Richmond Enquirer in which Monroe was arrogantly warned against the appointment of members of congress and especially that of Poinsett or any other member to the Mexican mission. Monroe thereupon resolved to consider the matter further and Adams expressed the hope that he would find it expedient to defer the nominations until after the election, as he found that they might "be suspected at least to have a bearing on that event."

Mature deliberation evidently decided Monroe to act contrary to the advice of his secretary of state, for on January 31, he informed Adams that he had offered the Mexican appointment to Poinsett, but that he had declined it and had suggested Benton for the place. Monroe appeared somewhat disconcerted when Adams informed him that Benton, who had been in a bitter feud with Jackson, had, within the past few days, come out in his favor and furthermore that headway had been made in the interest of a coalition between Jackson and Crawford. Monroe thereupon decided to "further consider the case of the nominations."

1 Adams, J. Q., Memoirs, VI, 477-478
The electoral vote for president had resulted in no election, Jackson receiving ninety-nine votes, Adams, eighty-four, Crawford forty-one, and Clay, thirty-seven. The house, thereupon voting by states according to the constitution, gave Adams thirteen votes - a clear majority, Jackson and Crawford receiving respectively the votes of seven and four states. Adams was declared elected and was officially informed of the fact on the following day, February 10, 1825. It is interesting to note that the house committee, delegated to inform Adams of his election, was headed by Daniel Webster.

On March 5, the day following his inauguration, Adams offered Poinsett the Mexican mission. Poinsett said he feared that, if he were to vacate his seat in congress, a very troublesome and unprincipled man would probably be chosen in his place; furthermore, he had recommended another person for the Mexican post to Monroe.

Adams replied that the matter of his seat in congress of course he knew nothing about, but that, in case he should decline to serve, he (Adams) would not offer the position to the man Poinsett had recommended to Monroe. Poinsett thereupon asked for a day's time for consideration. This was granted and on the following day he called upon Adams and accepted the

Mexican mission. Three months later he was officially installed in the southern capital as the first minister of the United States of America to the United Mexican States.
The first stage of diplomatic relations of the two countries was now complete. Relationship had been established. It remained to define this relationship by treaty, in the interest of future harmony and intercourse between the two nations, and to this end Poinsett was instructed by the American Department of State.

Before tracing the progress of treaty negotiations during a period of eleven years, the writer believes that a brief survey of governmental and social conditions in Mexico, during the first few turbulent years of its independence, is prerequisite to an intelligent appreciation of the course of the diplomatic efforts to conclude treaties of boundary and commerce.

The ambitious Iturbide had scarcely had time to learn to wield gracefully or skillfully the imperial sceptre, to which he had helped himself, when it was summarily taken from him by his Republican enemies, who no doubt wished a share in the independence so recently acquired. Iturbide was furthermore invited to leave the country, which he did, optimistically returning the following year, for which temerity, however, he was promptly executed.

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1 Garrison, Texas, 96.
The reinstalled national congress, after nullifying its former decree in which Iturbide had been vested with executive powers, now proceeded to appoint an executive triumvirate, consisting of General Nicolás Bravo, Guadalupe Victoria, and Pedro Celestino Negrete.

Divisions soon appeared in the ranks of the victorious Republicans and two new political parties were evolved— the Federalists and the Centralists, the principles of the latter party being those of the existing government.

The Federalists increased in strength and numbers and were in full control of a new constituent congress which was convened on November 7, 1823.

The new congress immediately undertook the formation of a constitution, adopting and putting it into effect piecemeal.

Guadalupe Victoria, a Federalist favorite was elected president and Nicolás Bravo, a Centralist, was named vice-president. The constitution of the United Mexican States was published in October, 1824.

The constitution of 1824 was in many respects not unlike that of the United States, although in some parts far less tolerant and enlightened. Enjoyment of any other than the Catholic religion was prohibited and no provision was made for

1 Bancroft, History of Mexico, V, 2.
2 Bancroft, History of Mexico, V, 4-5.
3 Bancroft, History of Mexico, V, 10-17.
The new academic year began with a flurry of activity. The students were busy with their studies, and the professors were planning their courses for the semester. The library was once again the hub of the academic community, with students spending long hours studying and researching.

In the classroom, the lectures were engaging and informative. The professors were passionate about their subjects and were always willing to answer questions. The students were eager to learn and were participating actively in the discussions.

The student body was diverse, coming from all corners of the world. They were united by their love for learning and their determination to succeed.

As the semester progressed, the students began to form close bonds with each other. They supported each other through the challenges of academic life and shared the joy of learning.

The academic year was a time of growth and discovery. The students left the campus with new knowledge and skills, ready to face the challenges of the future.
for trial by jury or publicity in administering justice.

The political divisions that were to become states upon the adoption of constitutions conforming to that of the general government, were all named in the federal constitution.

Jalisco was the first state to adopt a constitution, Nov. 13, 1824, while Coahuila and Texas was the last, Mar. 11, 1827.

President Victoria placed both Federalists and Centralists in his cabinet. This was undoubtedly intended as an evidence of a broadminded and generous policy, but, in the light of subsequent developments it may have been unwise. The violent antagonisms, aroused within the cabinet, resulted in frequent changes in ministers and added fuel to the flames of popular discord. The effect of this policy upon treaty negotiations will be discussed in another connection.

In order to present a fairly accurate picture of the political situation of these years it will be necessary to show something of the activities of Masonry at this time.

The Scottish Rite lodges, or logias escocesas, had become centers of Centralist interests and had developed no inconsiderable political strength. Nicola's Bravo himself was grand master of these lodges.

Early in 1825 another Masonic branch made its appearance

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1 Bancroft, History of Mexico, V, 17-21.
2 Bancroft, History of Mexico, V, 24-25
3 Bancroft, History of Mexico, V, 31.
in Mexico, the founder being a clergyman and senator of Tabasco, José María Alpuche by name. The new lodges, logias yorkínas, received their charter through the efforts of the American minister, who was a member of the order in the United States.  

The York lodges grew rapidly and became the meeting places of the opponents of the Centralists, who favored an aristocratic form of government.  

The feeling between the rival factions increased even to the verge of open hostility. The Yorkínas succeeding in vanquishing their antagonists in the election of 1826, these latter in the following year reorganized under the name of Novenarios and made a mighty effort to recover their lost prestige. 

In December, 1827, the Novenarios led by Nicolás Bravo, promulgated the Plan de Montañó which embraced four articles: (1) Suppression of secret societies, (2) Dismissal of the cabinet, (3) Dismissal of Poinsett, the American minister, and (4) A strict fulfilment of the constitution and laws. 

The rival factions now rushed to arms, Bravo leading the Novenarios, who met a crushing defeat at Huamantla. Bravo was impeached in the Chamber of deputies and was forced to leave the country.  

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1 Bancroft, History of Mexico, V, 32-35.  
2 Ibid.  
3 Bancroft, History of Mexico, V, 37-38.  
The following summary for the current economic situation

The economic situation is currently characterized by a

- Low inflation, with

- Moderate unemployment rates, at

- A stable currency, with

- Favorable trade balances, due to

- Strong exports, led by

- Strategic investments, focused on

The government's economic policies have been effective in

- Stabilizing the economy, through

- Supporting small and medium enterprises,

- Investing in infrastructure projects,

- Implementing tax incentives for

This positive trend is expected to continue, as

- Foreign direct investments are anticipated to

- Domestic consumption to

- Production capacities to

- The overall balance of payments to

In conclusion, the economy is currently in a

- Healthy state, characterized by

- Strong growth prospects, with

The government is committed to maintaining this

- Balance between growth and stability,

- Ensuring social welfare programs,

- Attracting foreign investors,

These efforts will be crucial in sustaining the
dynasty.
Poinsett's connection with the Masonic war, however innocent it may have been, was unfortunate both for himself and for his country. Its effect on treaty negotiations will be discussed in a later chapter.

The election of 1828 resulted in the choice of Gomez Pedraza for president and Anastasio Bustamante for vice-president.

The partisans of Guerrero, the defeated candidate for the presidency, apparently not entirely convinced by the election returns, organized a revolt and succeeded in installing their leader in the presidential office on April 1st, 1829, the opening day of the new term. Pedraza had departed for London on the 2nd of March, after previously signing away his right to the office to which he had been elected.

Guerrero might have made an excellent president had he not displayed wretched judgment in being born of lowly parentage and, by forgiving his enemies, evincing a ridiculous generosity of heart. The fact of his having proved a brave and capable leader in the war of independence appears to have been temporarily forgotten.

In December, 1829, Bustamante, acting strictly in accordance with vice-presidential custom, organized a revolt against the authority of his superior officer, and success attending his

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1 Bancroft, History of Mexico, V, 41.
2 Bancroft, History of Mexico, V, 41-44.
efforts, he assumed control of the government on the 1st of January, 1830. Guerrero, for persisting in the attempt to recover his position, was ignominiously shot.

Bustamante, apparently determined to make none of the mistakes of which his predecessor had been guilty, promptly punished his enemies either by execution or expatriation, suspended freedom of the press and conversation, and made militarism his method of control.

Bustamante's methods were much more successful than had been Guerrero's for he remained in office twice as long. In the summer of 1832 Santa Anna led a revolt against the government and Bustamante was retired in favor of Gomez Pedraza, who was now to be allowed to complete the presidential term, to which he had been a number of years before elected but had hitherto not been allowed to begin.

Santa Anna succeeded Pedraza as president and inaugurated a despotic regime that continued until the battle of San Jacinto and the close of the period of this thesis in April, 1836.

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1 Bancroft, History of Mexico, V. 99.
2 Bancroft, History of Mexico, V. 102-107.
3 Garrison, Texas, 104-105.
I am not sure what you want to say.
III. The Boundary Question Opened.

To the student of diplomatic relations of the United States and Mexico during the period of 1825 to 1836 the subject of boundary negotiation occupies a prominent and critical position, apparently intricately involved with several other negotiatory questions and undoubtedly affected more or less materially by conditions, influences and prejudices, domestic and international.

Just how far the boundary question ramifies into commercial negotiations, the various phases of the Texas question or the secret plans or intentions of the two governments would be quite impossible to determine. An attempt to appraise such influences as Poinsett's Masonic activities, Mexican domestic discord, Butler's intriguing methods or Jackson's ulterior designs would be at best but conjectural.

It shall therefore be the aim of the writer of this paper to present the various phases and incidents of the boundary and commercial questions in their consecutive and logical order, digressing only where necessary to indicate such influences as, in his judgment, may have contributed to the complexity of the negotiations.

Joel R. Poinsett, the first minister of the United States to Mexico, took up his residence in the capital of the latter republic early in the summer of 1825, Pablo Obregon having been previously installed as Mexican minister at Washington.
Henry Clay, Secretary of State under John Quincy Adams, lost no time in opening the question of boundary negotiation, from which one may gather that the subject was regarded by the administration as fundamental and of paramount interest.

Clay's first letter to Poinsett bore the date of March 25, 1825 and was probably delivered to the latter several weeks before his departure to Mexico. In the course of the letter Poinsett's attention was called to the limits as defined in the Treaty of 1819 with Spain, acceptance of which Clay declared to be obligatory on the part of both the United States and Mexico. A letter to the Department of State from the former Mexican charge d'affaires, Mr. Torrens and bearing the date of February 15, 1824, was cited as containing the declaration of the willingness of the "Supreme Executive Power of Mexico" to accede to the limits named in the Treaty of 1819 and to cooperate with the United States in carrying the same into effect.

The third article of the Treaty of 1819 defined the boundary between the United States and Spanish possessions as running from the mouth of the Sabine river north, "along the western bank of that river to the 32d degree of latitude; thence by a line due

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2 Text of the Torrens letter may be found in the Debates in Cong., XIV, App., 126.
north to the degree of latitude where it strikes the Rio Roxo of Natchitoches, or Red River; then following the course of the Rio Roxo westward to the degree of longitude 100 west from London and 23 from Washington; then, crossing the said Red River, and running thence, by a line due north to the river Arkansas; thence following the course of the southern bank of the Arkansas to its source, in latitude 42 north; and thence by that parallel of latitude, to the South Sea. The whole being as laid down in Melish's map of the United States, published at Philadelphia, improved to the first of January, 1818.

But if the source of the Arkansas River shall be found to fall north or south of latitude 42, then the line shall run from the said source due south or north as the case may be, till it meets the said latitude 42, and thence along the said parallel to the South Sea.

All the Islands in the Sabine, and the said Red and Arkansas Rivers, throughout the course thus described to belong to the United States; but the use of the waters, and the navigation of the Sabine to the Sea, and of the said rivers Roxo and Arkansas, throughout the extent of the said boundary, on their respective banks shall be common to the respective inhabitants of both nations."

Article IV of the treaty provided for the appointment by each of the contracting parties of a commissioner and a surveyor to meet within a year following the ratification of the treaty - at Natchitoches on the Red River and to run
the boundary. They were to make out plans and keep a record of their proceedings, and their results were to become a part of the treaty.

The above treaty was finally ratified by Ferdinand VII of Spain on Oct. 24, 1820 and by the Senate of the United States on Feb. 19, 1821. The provisions of the fourth article of the Spanish treaty were never carried out. The successful termination of the Mexican rebellion and the recognition of Mexican independence by the United States may be said to have eliminated Spain from the boundary question and to have introduced in her stead Mexico.

Now to return to Clay's letter to Poinsett of March 25, 1825. Immediately after having declared the 1819 treaty to be mutually binding upon Mexico and the United States, Clay intimated that difficulties might arise from the line agreed upon, in view of which possibilities Mexico, he suggested, might not be unwilling to change the limits. He then advanced the opinion that the Sabine line "approaches our great western mart nearer than could be wished" and that Mexico might consent as a substitute boundary to the "Rio Brassos de Dios, or the Rio Colorado, or the Snow Mountains, or the Rio del Norte."

1 Treaties and Conventions, 1017-1018.
2 McMaster, John Bach, "Hist. of the People of the United States, IV, 483."
can be used to help visualize the different sections of a document.
continuing along this line, he proceeded to suggest plausible reasons why Mexico should present the United States with a portion of her territory, namely: that such a course would place the Mexican capital more nearly in the center of its dominions; that it would transfer the Comanche country to the United States, and that it would eliminate the possibility of international discord along the Red and Arkansas rivers.

In case, however, that the Mexican Government remained unimpressed by the above argument and insisted upon the limits of the Treaty of Washington, Poinsett was authorized to agree, although conditionally, upon the insertion of an article binding both parties to restrain the Indians living with their territories. The fifth article of the Treaty of 1795 between the United States and Spain was suggested as a model. An article providing for the apprehension and return of fugitive slaves should also, he believed, be included in the treaty.

Poinsett arrived at the Mexican capital about the first of June, 1825. On the eighteenth of the following month he wrote Clay that he had by appointment called upon the Secretary of State of the Southern republic on July 12 in order to discuss the manner of negotiating the treaties of commerce and of limits and that it was agreed, that the two subjects should be treated

1 Am. State Pap., For. Rel. VI, 578-581.
separately. He informed the Secretary, he said, that he held the United States bound to carry into effect the limits of the 1819 treaty but that he suggested that it might "appear more becoming the independent character of this (Mexican) government" to lay aside that treaty, and to try to establish a boundary "which would be more easily defined, and which might be mutually more advantageous."

"The secretary", he continued, "expressed himself much gratified by such a suggestion" and proposed that both parties make a preliminary reconnoissance of the line of the Treaty of 1819 in the interest of intelligent action by both in making the new treaty.

To the above—presumably unexpected rejoinder, Poinsett declared that he demurred on the ground that the president of the United States could not make such appointment until the next meeting of Congress, to which the secretary replied that he felt sure that his government would not consent to permanently fix limits on the "slender information they at present possessed of that frontier country."

It was finally agreed, Poinsett wrote, that the secretary should write him (Poinsett) a note stating the views of the Mexican government in relation to the proposed convention of limits. He added in conclusion, that as yet the note had not been received.

On July 27, 1825, Poinsett wrote Clay that the Mexicans were evidently apprehensive that the United States Government
was contemplating a renewal of its claim to the territory north of the Rio Bravo del Norte. He intimated that the time might be ripe for giving the subject some consideration.

Enclosed within the above letter was a letter from Secretary of State Alaman to Poinsett, dated July 20, and also a copy of Poinsett's reply, dated July 27.

Alaman, in his note of July 20, advocated immediately proceeding to the negotiation of a treaty of commerce "leaving on one side" the matter of limits until the necessary data on the subject had been secured. He concluded with the request that Poinsett take up the question of procedure in the matter of limits with his government in order to determine whether the commissioners might settle the boundary as they went along or whether the limits might be designated in a treaty to be then afterwards defined by commissioners.

Poinsett, in his reply to Alaman, acceded to the latter's proposal that the matter of commerce and limits be treated separately, but objected to the plan of preliminary boundary commissions on the ground that such a course would take too long. The President of the United States, he said, could not appoint such commissioners until after the next meeting of congress in the following December, nor could they be on the ground before the spring of 1826; then allowing a year for

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1 Debates in Cong., XIV, App., 132.
2 Debates in Cong., XIV, App., 132.
their operations, the boundary would remain undefined for two years. He agreed, however, to submit the proposal to the government.

In Alaman's reply to Poinsett, dated Aug. 10, 1825, he adhered to his position regarding the conduct of negotiations in the matter of limits, answering Poinsett's objection of "delays and difficulties" as "inevitable in either case.

Writing to Clay on Sept. 20, 1825, Poinsett related an interview he had just had with Alaman on the subject of the boundary line. Alaman, it appeared, wished to ascertain "the ancient boundary" as defined by the treaty of 1795 and asked Poinsett to trace it for him. Poinsett complied, remarking that the treaty was concluded prior to the cession of Louisiana, and inquired the object.

Alaman replied that he thought of specifying "the ancient boundary" in the present treaty until a new boundary should be agreed upon.

Poinsett, in return, mentioned that previous to 1819, the United States claimed all east and north of the Rio Bravo del Norte and Spain to the Mississippi, that the treaty of 1819 was in the nature of a compromise, and that it was binding upon the United Mexican States to accept it, inasmuch as the United States had only delayed carrying the provisions of that treaty into effect through "delicacy" to Mexico.

1 Debates in Cong., XIV, App., 132.–133
2 Debates in Cong., XIV, App., 133...
3 Debates in Cong., XIV, App., 133
In concluding his letter, Poinsett declared that he informed Alaman that he would not yield a square inch of land but that on the other hand he believed it to be to Mexico's advantage to move the boundary westward, furthermore that if any article bearing on the ancient boundary were included in the treaty he would require the insertion of a renewed claim to the country, north and east of the Rio Bravo. Upon his return home he sent Alaman a copy of the treaty of 1819, together with a copy of the Torrens note of Feb. 15, 1824 to the secretary of state of the United States.

On Sept. 24, 1825, Clay wrote Poinsett that the President disapproved of the preliminary reconnaissance idea as being contrary to the established procedures of nations generally, but that he had no objection to Mexico sending out an independent preliminary commission if it wished. He expressed the hope, in case that be done, that there be no unnecessary delay in order that negotiations might be resumed as early as possible.

Meanwhile negotiations had opened on the commercial treaty, Poinsett and Lucas Alaman and Jose Ignacio Esteva having held their first conference to that end on August 22, 1825. The commercial treaty of 1826 received the signatures of the negotia-

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1 See third page of this chapter.
2 Debates in Cong., XIV, App., 126-127.
3 Am. State Pop. For. Rel. VI, 583.
ting diplomats on July 10 of that year.

Before the treaty of 1826 was concluded the question of boundary was given some consideration.

On June 19, 1826 the Mexican negotiators, Camacho and Esteva, sent a note to Poinsett recommending an additional article to the treaty, mutually binding the contracting parties to definitely settle the matter of boundary "by solemn treaty" as early as possible.

Poinsett, replying to the above note on June 26, agreed to the addition of the proposed article with a slight change in the sentence bearing upon the status of settlers along its boundary. Poinsett again took occasion to refer to the obligation of both parties to respect the limits as prescribed in the treaty of 1819.

The next step in settlement of the boundary problem appears to have been taken by Mexico, for on July 12, 1826 Poinsett wrote Clay that the Mexican government had appointed General Teran to examine the country near our respective frontiers, and to obtain such information as will enable them to treat upon the subject understandingly."

Poinsett added that Teran had been named for the London embassy but that the Mexican Senate had failed to confirm his appointment. He mentioned also that Teran told him that he would leave the capital in September, but that he (Poinsett) supposed that that meant October.

1 Am. State Papers, For. Rel VI, 599.
2 Am. State Papers, For. Rel. VI, 599-600
3 Debates in Cong. XIV, App., 133.
In his letter of September 24, 1825, Clay intimated to Poinsett that, inasmuch as Great Britain had delayed ratification of the British-Mexican commercial treaty, the time might be ripe "to press the subject of a commercial treaty." In this connection he was most urgent in advocating the insertion of a reciprocity clause governing the exports and imports of their mutual commerce rather than the "most favored nation" clause as embodied in the pending Mexican treaty with Great Britain.

On August 22, 1825, a month before Clay wrote his letter advising Poinsett that the time was ripe to open negotiations for a commercial treaty, the negotiations were actually under way, the plenipotentiaries entering upon the task being Joel R. Poinsett, Lucas Alamán, Secretary of Exterior and Interior Relations, and José Ignacio Esteva, Secretary of the Treasury.

The plenipotentiaries, after interchanging their respective powers, agreed that Poinsett should draw up a project of a treaty of amity, navigation and commerce and that he should present the same, discussion at their next conference.

1 Am. State Papers, For. Rel., VI, 581-582.
2 Am. State Papers, For. Rel., VI, 583.
3 Am. State Papers, For. Rel., VI, 583.
The second conference was held on September 13, 1825, and discussion of Poinsett's project began.

Even though Poinsett had not received Clay's September letter, he must have been previously instructed regarding the inclusion of a reciprocity clause, for he inserted one in his project. When it was read the Mexican plenipotentiaries objected to it on the ground that the size of the Mexican merchant marine would not justify it. Furthermore they contended, in answer to Poinsett's arguments, that it had not formed a part of their treaty with Great Britain and therefore to include it in the present treaty would have the appearance of discrimination against Great Britain. The subject was then reserved for future discussion.

In a number of instances the Mexican plenipotentiaries insisted upon the phraseology of their British treaty rather than that of Poinsett's project.

In the same session the articles bearing upon the protection of neutral vessels and the trial of maritime matters, smuggling etc. received attention.

On the day before the plenipotentiaries met in their third conference, Poinsett sent a letter to Alamán and Esteva, in which he offered additional arguments in favor of the adoption of the reciprocity clause.

1 Am. State Papers, For. Rel., VI, 584-585.
2 Am. State Papers, For. Rel., VI, 585-586.
In the third conference, held September 19, 1895, the principle of "free ships make free goods" was objected to by the Mexican statesmen on the ground that the adoption of this principle might result in the introduction of Spanish productions into Mexican ports. After discussing the matter at some length the point was reserved and "it was agreed that the Mexican plenipotentiaries should prepare a note explanatory of their views."

Discussion then arose on the definition of a blockade, plans for a consular convention were agreed to, and the subject of time allotment for ratification of the treaty was raised. After some argument it was agreed that articles dealing with Indian affairs and the return of fugitive slaves should be included in the treaty of commerce rather than in the treaty of limits, as suggested by Poinsett.

The fourth conference took place September 27, 1825, with Gomez Pedraza qualified as negotiator in place of Lucas Alamán.

The "free ships make free good" clause was amended to the satisfaction of the Mexican plenipotentiaries but with the addition of a proviso making it "unlawful for either party, being neutral, to take goods of an enemy into a port of the other, being belligerent."

The article on obligation toward Indians was disposed of and

1 Am. State Papers, For. Rel. VI, 586-587.
the subject of the exception Mexico wished to make in favor of the former Spanish possessions in America was argued but not settled. Discussion was renewed on the latter point at the fifth conference with no better success.

The American minister, on April 18, 1826, sent a note to the Mexican plenipotentiaries offering a substitute for the sixth article of his project, in which he defined what should constitute the nationality of the vessels, belonging to each of the contracting parties.

After an interval of more than seven months following the fifth conference, on the sixth of May, 1826, the plenipotentiaries renewed their deliberations on the treaty, Don Sebastian Camacho taking the place formerly held by Perdriza. The reciprocity clause and the Mexican exception in favor of other former Spanish American possessions were discussed somewhat spiritedly.

In the seventh conference Poinsett waived his objection to the "most favored nation" clause and the reciprocity matter was dropped.

The eighth conference, June 2, 1826, was relatively unimportant, there being no significant disagreements.

1 Am. State Papers, For. Rel., VI, 588-589.
2 Am. State Papers, For. Rel., VI, 590-591.
3 Am. State Papers, For. Rel., VI, 592.
4 Am. State Papers, For. Rel., VI, 593.
5 Am. State Papers, For. Rel., VI, 593.
Discussion of religious toleration and the "free ships make free goods" article found place in the ninth conference, and the latter subject was the chief concern of the tenth conference.

The eleventh conference, held on June 15, 1826, was unique in that all the articles discussed were approved. To the parties interested this might have been construed as hopeful or ominous according to the degree of optimism with which they might have been endowed.

Indian policy and the return of fugitive slaves and criminals received treatment in the twelfth conference and the "free ships make free goods" matter came in for its periodical share in the discussion. On the last named subject Poinsett offered to write an explanatory note making clear the opinions of the United States.

The American minister in the next two days prepared two explanatory notes on the "free ships" article and on the seventeenth of June the much mooted principle was adopted in the treaty. The American plenipotentiary then reluctantly agreed to an additional article defining the status of Spaniards naturalized in the United States within and subsequent to the year 1820.

1 Am. State Papers, For. Rel., VI, 593-594.
2 Am. State Papers, For. Rel., VI, 594.
3 Am. State Papers, For. Rel., VI, 595.
4 Am. State Papers, For. Rel., VI, 595-596.
5 Am. State Papers, For. Rel., VI, 598-599.
6 Ibid.
A correspondence then followed between the contracting parties and Poinsett agreed to the addition of an article mutually binding the contracting parties to settle the matter of boundary by a "solemn treaty" as early as possible.

The fourteenth and last conference, held July 10, 1826, closed with the signing of the treaty by the respective pleni-potentaries, after a negotiatory period of nearly a year.

The articles of the treaty of 1826 causing the greatest amount of discussion and difference of opinion had been those dealing with export, import and tonnage duties, definitions of neutrality and the blockade, regulations of vessels as carriers, jurisdiction of maritime affairs, Indian policy, anti-Spanish restrictions, and the return of fugitive slaves and criminals. The exception in favor of former Spanish-American states had been waived by the Mexican pleni-potentaries.

The duration of the treaty was to be twelve years and the time allowed for the exchange of ratifications was to be eight months, at which time the treaty would become effective.

On February 12, 1827 the treaty was submitted to the United States Senate which body promptly rejected several of its articles, declared by Martin Van Buren in 1829 to be "stinted

1 Am. State Papers, For. Rel., VI, 599-600
2 Am. State Papers, For. Rel., VI, 600-601
by rules of a narrow policy" and "frought with illiberal conditions." Still, according to the same authority, the United States senate on February 25th, advised and consented to its ratification under certain modifications.

The Mexican chamber of deputies failed to act upon the treaty within the allotted eight months, consequently it was necessary to declare the whole subject at an end and to begin negotiations anew according to the principles laid down by the United States senate.

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2 Ibid.
3 Ibid., pp. 44-46.
The commercial treaty of 1826 received only a partial ratification by the United States senate and was not acted upon at all by the Mexican chamber of deputies. The whole subject was declared at an end and negotiations were not renewed thereon until Jan. 8, 1828, upon which date the Mexican plenipotentiaries refused to treat at all on the commercial subject until a boundary treaty should be drawn up and signed. In support of this statement the Mexican plenipotentiaries read a resolution which had been passed by the chamber of deputies on April 2, 1827, and which declared that that chamber would not consider a commercial treaty unless there should be inserted therein an article validating the limits as contained in the treaty of 1819.

Poinsett then agreed to negotiate the boundary matter but suggested that inasmuch as the commercial treaty "was for a limited period and that of limits perpetual, it would be better to make them distinct conventions; to which proposal the Mexican plenipotentiaries consented." Two days later the preamble and first article were drawn up and agreed to and on Jan. 12, the treaty was agreed to and signed. The commercial treaty

2 Debates in Cong., XIV, App., 134.
3 Debates in Cong., XIV, App., 134.
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of 1828 was then concluded and signed on Feb. 14, 1828.

On Feb. 22, 1828 Poinsett wrote Clay that he was sending both treaties to him in the care of Mr. Edward T. Taylor.

The treaty of limits of 1828 contained a preamble and four articles. It was negotiated and signed by J. R. Poinsett, S. Camacho and J. Y. Esteva.

The preamble of the treaty and the first article validated the limits as prescribed in the treaty of 1819. The second article recited the boundary limits as previously quoted from the Washington treaty. The third article provided for the fixing of the line by a commissioner and a surveyor, to be appointed by each of the contracting parties and who were to meet for the above purpose at Natchitoches within one year after the ratification of the treaty. The fourth article allowed four months for an exchange of ratifications.

The Mexican congress for a time ignored both treaties with apparently impartial indifference, but finally consented to the ratification of the treaty of limits when it was too late to effect an exchange. The United States senate, on the other hand, advised and consented to the ratification of both treaties, April 29 and May 1, 1828.

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1 Am. State Pap., For. Rel. VI, 948.
2 Treaties, Conventions, International Acts, etc., 1082-1084.
Adams retained the treaty of limits in his possession until the close of his administration and Jackson continued the policy, evidently hoping thereby to force Mexican ratification of the commercial treaty. This fact is attested by a letter written Oct 16, 1829, by Martin Van Buren, then secretary of state, to Poinsett's successor, Colonel Anthony Butler. Van Buren wrote that the treaty of limits was still in the hands of the president and that it would remain there until he could accompany it to the senate with the treaty of commerce, ratified by Mexico.

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Note: See Adams, J. Q., Memoirs, VII, 473, 523, and VIII, 57, for accounts of the senate's consent to the ratification of the treaty.
VI Inconsistency of Mexico.

One of the most interesting phases of the boundary question is the apparently inconsistent conduct of Mexico throughout almost the entire period of negotiations.

On July 20, 1825, the Mexican secretary of state rather waived the subject of "limits" to one side, obviously preferring to have a commercial treaty concluded first. His insistence upon a preliminary examination of the boundary frontiers and his evident indifference to the delays and difficulties attendant upon such a course, might be said to furnish additional evidence in favor of this view.

About a year later the Mexican government announced the appointment of General Teran to the task of making a preliminary inspection of the frontiers. 1 A year and a quarter later still Poinsett in a letter to Clay, dated Oct. 6, 1827, mentioned the fact that the Mexican congress had just appropriated $15,000. towards defraying the expenses of the Teran expedition but that the commission had not been able to make a start, owing to the fact that there was no money in the treasury. Poinsett said he had tried to convince the Mexican president and secretaries of the uselessness of the expedition but that they had urged its necessity as based upon political reasons. 2

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1 Debates in Cong., XIV, App., 133.
2 Debates in Cong., XIV, App., 134.
On April 2, 1827, several months before making the above-mentioned appropriation, the Mexican congress passed the resolution declaring its unwillingness to even consider a commercial treaty unless it contained an article validating the limits 

1 named in the treaty of 1819, and on Jan.8, the Mexican plenipotentiaries required Poinsett to negotiate with them a settlement of the boundary question before taking up that of commerce.

Pablo Obregon, Mexican minister at Washington wrote Clay Mar. 19, 1828, regarding the appointment of General Don M. Teran "to perform the scientific operations and surveys necessary to proceed in the execution of the treaty of limits . . ." and stated that the Mexican government had already applied for necessary passports to Mr. Poinsett, who had promptly granted them together with "letters of recommendation for the Governors of the conterminous territory of Arkansas and of the State of Louisiana. He asked that if a passport from the Secretary of State should be necessary that he grant one and communicate whatever he may think calculated to prevent anything occurring in this transaction to disturb the harmony subsisting between the two governments."

Accompanying Obregon's letter was the following:

"List of persons composing the commission appointed to make the surveys preparatory to the settlement of limits between

1 Ibid.
2 Ibid. 134-135.
3 Debates in Cong., XIV., App., 140.
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the United States of America and those of Mexico.

General Don M. Teran,
Lieutenant Colonel Don C. Tarnaba,
Lieutenant Colonel Don S. Batres,
Sub-lieutenant of Artillery Don T. Ma. Sanchez,
Don R. Chovel, mineralogist,
Don Luis Berlandier, physician botanist.

A true copy. March 19, 1828.

J. M. Montoya,
Secretary of Legation.¹

Clay, on Mar. 24, in his reply to Obregon's note, remarked of that as yet he had not received the treaty of limits "lately concluded at Mexico" and that consequently any joint measures "in relation to its execution would be premature until that ceremony is performed." He stated, however, that the intended operations of the Teran party met with no objection on the part of President Adams and that he (Clay) was therefore sending passports, which, though probably not necessary, might "conduce to the removal of any obstructions," which Teran might possibly encounter.

In a letter dated April 24, Poinsett informed Clay that the treaty of limits had passed the Mexican house of representatives

¹ Debates in Cong., XIV, App., 140.
² Debates in Cong., XIV, App., 140.
and that it was before the senate. He declared that the delay on the part of the Mexican government would make impossible an exchange of ratifications within the term allotted by the treaty.

He attributed the responsibility for the delay to the "extreme indolence of the person who formerly filled the office of secretary of state." He said that that official had kept the treaty in his office two months before sending it to congress, in spite of the fact that he (Poinsett) had "repeatedly represented to him the prejudice that would result from the delay, especially to the Mexican government, which had already dispatched its commissioners to the frontiers.

Two days later Poinsett wrote Clay that the Mexican senate had, on April 25, ratified the treaty limits, but that inasmuch as it would be impossible to get the documents to Washington within the time allowed by the treaty for an exchange of ratifications, (Namely four months from the date it was signed, Jan. 12) he would not send the same by express. He gave the Mexican congress credit for "tolerable promptness" and again attributed all responsibility for the delay to the "dilatory habits" of the former secretary of state.

On April 30, Clay informed Obregon that the president, "by and with the advice and consent of the senate of the United

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1 Debates in Cong., XIV, App., 135.
2 Ibid., XIV, App., 135.
States," had ratified the treaty of limits "concluded at Mexico on the 12th day of January last," and that he (Clay) was ready to perform his part in the exchange of ratifications whenever Obregón should be ready within the given time, of which but a few days remained.

Obregón replied on the following day that as yet he had not received the treaty from his government and that he regretted, therefore his inability to perform the part which he would have liked to do promptly on receipt of Clay's note.

On August 2, Obregón informed Clay that he had just received the ratified treaty of limits and that he was therefore ready to exchange ratifications whenever it should be convenient to the secretary of state.

In the absence of the secretary of state Daniel Brent of that department promptly acknowledged Obregón's letter, informing the latter that the president, with whom he had taken up the matter, did not believe himself to be at liberty (the time allowed for exchanging ratifications having elapsed) "to authorize the proposed exchange without the further consent of the senate," before which body the matter would again be laid at the following session of congress.

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1 Debates in Cong., XIV, App., 140.
2 Debates in Cong., XIV, App., 140.
3 Ibid.
4 Debates of Cong., XIV, App., 141.
President Adams's message of Dec. 2, 1828 to both houses of Congress contained the following paragraph:

"The general aspect of the affairs of our neighboring American nations of the South has been rather of approaching than of settled tranquility. Internal disturbances have been more frequent among them than their common friends would have desired. Our intercourse with all has continued to be that of friendship, and of mutual good will. Treaties of commerce and of boundaries with the United Mexican States have been negotiated, but, from various successive obstacles, not yet brought to a final conclusion."

On April 16, 1829, J. M. Montoya wrote Martin Van Buren, then secretary of state, a letter from Baltimore offering himself, chargé d'affaires of the United Mexican States, as the representative and plenipotentiary of his government qualified to perform his part in effecting an exchange of the ratifications of the treaty of limits.

Referring to Brent's note of Aug. 2, 1828, he said he presumed that the United States senate had, in the session just closed - on Mar. 4, 1829 - authorized the president of the United States to proceed with the exchange of ratifications and that he therefore would await information from the secretary of state as

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1 Debates in Cong., V, App., 3.
to whether or not he was disposed to proceed with the matter.

Van Buren, replying to Montoya's note, stated that the matter would have to be laid before the senate at its next session, inasmuch as the "late President" had not presented the question at the session just closed. While professing himself as "not particularly acquainted with the policy" which had governed President Adams he presumed that it must have been on account of being influenced by the expectation that another treaty "which had also been negotiated and concluded at the Mexican capital, under the immediate eye of the Mexican government "might be received in time to present them together to the senate. He expressed the hope that before the next session Mr. Montoya would have received the ratified commercial treaty in order that both might be presented to the further consideration of the senate of the United States.

Van Buren's letter of October 16, 1829, previously referred to, and in which he states very emphatically Jackson's position with regard to his withholding the treaty of limits from the further consideration of the senate until he could send with it a ratified commercial treaty, attests the unanimity of opinion of both presidents on this point. The writer believes that this policy was instrumental in finally forcing the successful

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1 Debates in Cong. XIV, App., 141.
2 Ibid., XIV, App., 141.
conclusion of the commercial negotiations and will discuss the subject further in a later chapter.

Negotiations on the commercial treaty were not renewed until January 8, 1828, at which time, as has been stated, the Mexican plenipotentiaries, enforced by a congressional resolution, refused to give further consideration to the question until a boundary treaty should be drawn up and signed.

Poinsett could do nothing else than agree to this demand and the boundary treaty of 1828 was thereupon concluded and signed on the twelfth of January. Negotiations were then renewed on the commercial treaty, which was completed and signed on the fourteenth of the following month.

The treaty of commerce of 1828 included a reciprocity clause, supplemented, however, by an additional article making it inoperative for a period of ten years, the "most favored nation" regulations to serve as a substitute meanwhile.

The treaty introduced an addition to the sixteenth article whereby if either of the contracting parties should be at war with a third party, and the other neutral, the flag of the neutral would cover the property of enemies whose governments acknowledged the principle of "free ships make free goods" and

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not of others.

These signers of this treaty were J. R. Poinsett, S. Camacho, and J. Y. Estevea, the same men who negotiated the commercial treaty of 1826.

The new treaty of commerce evidently conformed more nearly to the views of the United States senate for that body received the document on April 25, 1828 and advised and consented to its ratification without modification on the first day of the following month.

The time allowed for ratification was six months. The Mexican congress, however, was not to be hurried. Secretary of State Van Buren, writing to Poinsett's successor on October 16, 1829, said that the commercial treaty of 1828 might still be before the Mexican congress for all he knew.

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VIII Distrust and Unpopularity of Poinsett.

Three years and more had passed since Poinsett took up his official residence in the Mexican capital. And in that time not the slightest headway had been made in the matter of defining the relationship of the two countries. Two commercial treaties and a boundary treaty had been negotiated in the city of Mexico but these had all failed of a final endorsement by the Mexican government.

The writer believes that, among the probable obstacles that stood in the way of the successful conclusion of the treaties, distrust of Poinsett and his unpopularity in Mexico most impeded the progress towards an international understanding with regard to boundary limitations and commercial relations.

The present chapter, therefore, will be devoted to the career of Joel R. Poinsett since his arrival at the Mexican capital, and the writer will attempt to treat as briefly as possible the events and situations which had contributed to the American minister's unpopularity in Mexico and which had in all probability materially curtailed his ability to bring his negotiations to a successful conclusion.
That Poinsett had taken an active and important part in the introduction of York Masonry into Mexico appears to be an established fact. Whether or not he was instrumental in the installation of the eighty or more Masonic lodges within the confines of the Mexican republic the writer will neither attempt to prove nor gainsay.

That the York lodges were centers for a propaganda of democratic ideals and that the York Masons on frequent occasions pitted their political and military strength against the Centralist factions and their aristocratic leaders is a matter of history, but whether or not Poinsett concerned himself with the political activities of the order is a question that is still within the bounds of conjecture.

As has been previously stated, the elections of 1826 resulted, in most of the states, in Federal victories. Vera Cruz, however, was one of the exceptions to the general rule and remained obdurately and aggressively Centralistic, becoming thereby a vantage ground of all sorts of plots for the overthrow of the existing government.

Early in 1827, the so-called Arenas plot, aiming to restore a Spanish sovereignty, was uncovered and crushed in Vera Cruz, the important result being the passage by the Mexican government, in December of that year, of a decree of expulsion of all Spaniards then within the confines of the republic.

The Escoceses first denied the existence of a plot and
then absurdly and inconsistently charged Poinsett with having set it in motion.

The legislature of Vera Cruz promptly adopted the Plan de Montaño, which, it will be remembered, demanded the dismissal of Poinsett, but with the defeat of Bravo the overzealous solons were compelled to make an equally prompt recantation.

In 1829 the legislature of the state of Mexico sent a remonstrance to the general congress asking that Poinsett be expelled from Mexico, giving as a reason that he "had fine and agreeable manners, and used them to delude the Mexicans."

The general congress by a vote of 23 to 19 refused to act as the legislature of the state of Mexico had requested, and Poinsett in an open letter, informed the unfriendly legislature that he had been sent to Mexico to conclude a treaty and that he did not consider that he had a right to leave until he could accomplish that purpose. He declared, furthermore, that the United States was not jealous of Mexican prosperity and had no wish to take advantage of her neighbor in any way.

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1 Bancroft, History of Mexico, V, 57-59.
3 Niles Register, XXXVII, 91-93 (Oct. 3, 1829).
4 Bancroft, History of Mexico, V, 81, foot note.
5 Niles Register, XXXVII, 91-93.
6 Ibid.
President Guerrero, influenced, Jackson believed, by Lucas Alaman, the secretary of foreign relations, authorized that official to request the United States government to recall Poinsett, "on the ground that his presence in the republic was injurious to its peace and interests."

Jackson gave out as his reasons for recalling Poinsett, that the latter could not be expected to conclude the necessary treaties because of the enmity and influence of the secretary of foreign relations. He added that he was unwilling to jeopardize the friendship of the republic of Mexico by retaining an unwelcome minister there.

The Mexican official gazette, "El Sol," under date of January 5, 1830, contained the following, "On Sunday the famous Mr.Poinsett left Mexico, after having fulfilled his diplomatic mission wonderfully well. This renowned founder of Yorkism, on flying from amongst us, was accompanied by millions of curses . . . ."  

On March 10, 1830, John Quincy Adams wrote in his diary, "Mr. Poinsett and Mr. Mason, late Minister and Secretary of Legation to Mexico, called upon me. Poinsett's mission has neither been successful nor very creditable to himself,

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1. Reevis, American diplomacy under Tyler and Polk, 68-70.
2. Bancroft, History of Mexico, V, 81-82.
3. Reeves, American diplomacy under Tyler and Polk, 68-70.
4. Niles Register, XXXVIII, 4.
and now he speaks with great contempt of the people of Mexico, whom he represents as excessively ignorant."

As early as May 24, 1827, Clay told Adams, at that time president, that he thought Poinsett had "indiscreetly connected himself with party movements and political Masonry in Mexico." Clay's opinion may have been influenced by a letter just received from his son, then in Mexico, whither he had been as the bearer of the partially ratified commercial treaty of 1826.

Anthony Butler, appointed charge d'affairs by Jackson upon the recall of Poinsett, wrote Van Buren on May 22, 1830 "that a large majority of the most intelligent and wealthy of this community indulge in absolute hatred to Mr. P., of the most deep and incurable character." As though in substantiation of his statement he enclosed the translation of an editorial admittedly published in the Registro Oficial of Mexico, May 21, 1830, by the authority of Lucas Alaman himself.

The editorial stated in part, "At the time these good feelings had begun to operate to mutual advantage, the first minister plenipotentiary appointed by the cabinet of Washington made his appearance in Mexico. Not sufficiently acquainted

with the country, or its conditions, he imagines at once that a system of looseness and disorder pervades its government, and persuades himself that a foreign influence opposed to its interests directs the administration, whose tendency was toward aristocracy - a tendency never displayed in this country. Such are the reasons alleged in writings acknowledged to be his, or evidently the production of his pen; and thenceforward did he adopt a conduct as unsuitable in a foreign envoy as it was criminal and deserving of chastisement in all society. His first steps were to create, or at least to give new impulse to a secret society, which, supported by seduction and self-interest, soon spread rapidly through all parts of the community, and, by admitting into its bosom as members, without discrimination, persons of all sorts of character, it became at last the ruler of the destiny of the nation. In vain does the new founder or director of this society pretend that its objects were not political, and that its views were directed to the sole purposes of charity and beneficence; the result has proved the contrary. Had the object really been that which is asserted, the means employed to accomplish the end would have been different. From the moment the course and tendency was perceived, every Mexican who loved his country saw the minister of the United States in no other light than the agent of its ruin; and he was designated as the source and the cause of all the evils produced through the influence of that society, which he had taken so active a part in reviving and embodying,
and whose proceedings he promoted and encouraged. True, it would have been proper to draw a distinction between the agent and the government he represented, between the conduct of the man in his individual capacity, and the public functions of the minister; but this metaphysical distinction was not within the comprehension of all. Hence the origin of distrust—of bad feeling. Mr. Poinsett obtains control of a society he promotes; this society gets possession of the government, ruins the finances, disorganizes the army, destroys public confidence, and removes from authority all those whose participation would have been the best guarantee for good management; therefore the government which sent Mr. Poinsett here desires the ruin of the republic. Every respectable member of society raises his voice against the minister who, by his intrigues and interference, causes all these evils, and notwithstanding he maintains his post; therefore, the government by whom he was appointed supports him, fully satisfied with the manner of discharging his duties. Distrust thus once introduced, spreads its baneful influence over everything; the Anglo-American colonies in Texas increase; some disorderly persons create disturbances in that part of the country; fears are entertained of a repetition; and therefore are Poinsett and his government the instigators. Any fresh misfortune which afflicts the republic, even the Spanish expedition itself is attributed to the same cause; and this prejudice, once conceived, gives color to every transaction. Hence the
indiscret conduct of this minister, to say the least if it, had proved injurious to both countries; hence the means employed to destroy a foreign influence that never existed, and to substitute another, produced the effect of introducing an apprehensive distrust of the latter, and hence, finally, (in politics as in justice) in order to obtain happy results, there is no path so safe to follow as that of rectitude. Had it not been for the tortuous course of Mr. Poinsett, the treaties of commerce, and of limits, would have been perfected."

The editorial then proceeded to advise a different feeling towards the United States and declared that the government should demonstrate its frankness and friendship by ratifying the treaties of commerce and limits.
IX  British Influence in Mexico.

Notwithstanding Alaman's editorial denial that the Mexican government policies had been in any way dominated by any other power, it is not impossible to believe that England, working through her commercial representatives, may have been partly responsible for Poinsett's diplomatic failures in Mexico.

On December 21, 1829, there appeared in print copies of an alleged speech in congress, purporting to have been called forth by the issuance of a British pamphlet containing alleged "unquestionable evidence of the United States having adopted a line of policy with regard to South America ... to say the least of it, not friendly to the views of Great Britain."

The British pamphleteer was said to have charged the United States with the attempt to induce the feeble republics, represented at the Panama congress, to adopt the principles for which they (the United States) "contended in their strength," namely, "that free ships shall make free goods;" "that they have dared to define the right of blockade;" "and that they have audaciously inculcated Republican principles" where they were in their institutions already presumed to exist.

1 Pamphlet, Mexico and Mr. Poinsett, (Dec. 21, 1829), 3-13.
The acrimonious British writer was furthermore credited with the assertion that Poinsett had been active in organizing some eighty-two political societies, controlled by himself, and of which the basic principles were the inculcation of the particular views of the United States government. Poinsett was said to have been referred to as "the smooth and persuasive spokesman" of a government that was striving to prevent Mexico from growing into her full strength and then perhaps destroying her northern neighbor.

The accusatory Britian was said to have declared himself convinced of the duplicity of the United States because of the failure of that government to recall Poinsett when his dismissal had been demanded by the Escoseses at the time of Bravo's revolt.

The American congressman undertook the defense of his country's good name, and incidentally that of Mr. Poinsett, with some ability and more enthusiasm. He declared that the policy of the United States had been disinterested and as "frank and open as the day." He emphatically denied that Poinsett's Masonic activities had had anything to do with politics, and he concluded with a counter charge to the effect that the British government had made use of "covert and irregular means" of influence in Mexico.

It would be interesting and undoubtedly illuminating to know more about the authenticity and inspiration of the above document.
Niles Register, under date of September 8, 1927, reported that, "An English paper states with much exultation that the commercial treaty which Mr. Poinsett . . . has been some time negotiating with Mexico was not likely to be speedily concluded. It was quite understood that the congress and senate (of Mexico) would reject every proposition that would be adverse to the English interests; but, at present, the treaty is rejected, because it lays down a different line of boundary to that which had before been admitted and by which the Americans lay claim to the rich province of Texas. The American minister,"it is added,"is an intriguing clever man, but the Mexicans are firm in the determination not to give up one acre of their territory."

The alleged English writer may have been excessively ignorant or unscrupulously clever. His motive may have been to arouse or to augment suspicion of American diplomacy in Mexico. The reader will recall that a definition of boundary limits had no place in either the treaty of 1826 or the commercial treaty of 1828.

There is apparently no doubt that the British government wielded no slight influence in Mexican commercial affairs. This is attested by the fact that a commercial treaty on the reciprocity basis was in effect before the close of 1827, and

1 Bancroft, History of Mexico, V, 52.
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and a review of Poinsett's negotiations in 1825 and 1826 show clearly the desire of the Mexican plenipotentiaries to exclude any appearance of discrimination against Great Britain, even insisting wherever possible in the use of the same phraseology as that employed in the British treaty then awaiting ratification in England.

In January, 1824, a year and a half before "Poinsett reached the southern capital, Loinel Harvey, British agent in Mexico, informed Canning of Mexico's readiness "to enter into exclusive trade relations with Great Britain. He declared that the Mexicans, realizing their weakness, poverty, and inability to stand alone, were "looking anxiously around

The treaty above referred to, contained the "most favored nation" clause and admitted of the exception in regard to possible discrimination in favor of former Spanish-American possessions. This treaty failed to receive a ratification in England, to which country negotiations were then transferred. The treaty of 1827 was concluded in London and the ratifications of the two countries were soon exchanged.

Bancroft, History of Mexico, V, 51-52.
them in quest of an alliance with one of the great maritime Powers of Europe, and that if they should be disappointed in their hopes" they would "ultimately be forced to throw themselves into the arms of the United States, already opened wide to receive them." 

Paxson in his article in the Quarterly above referred to, declared that there had been, during the summer of 1825, a bitter struggle for influence between Poinsett and the British agent, Ward, from which "both of the competitors emerged... with high opinions of the abilities of their respective opponents." 

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1 Paxson, Frederic L., England and Mexico, 1824-1825, in Quarterly of Texas State Historical Association, IX, 138-139.

2 Ibid., IX, 140.
So when we have a problem about what to do, we need to remember that the first thing is to be patient and to be willing to work hard. But if we do that, we will find the answer.

For example, when we are trying to solve a math problem, we need to be patient and to keep trying until we find the solution. And when we are trying to learn a new skill, we need to be patient and to keep practicing until we become good at it.

In short, when we have a problem, we need to be patient and to keep trying until we find the solution.
John Quincy Adams had been emphatic in his opposition to the boundary as set forth in the treaty of 1819, and within three weeks following his inauguration as president of the United States he authorized Clay to instruct Poinsett to attempt to induce the Mexican government to agree to a more westerly boundary.

Clay's letter of March 25, 1825 to Poinsett, discussed in the third chapter of this paper, opened the boundary question to the American minister and laid before him, in accordance with the president's instructions, suggestions bearing on a readjustment of the limits.

On March 15, 1827, Clay intimated to Poinsett that the apparent ease with which the impressarios had acquired their large holdings in Texas showed that the Mexican government must place but small value in that province. He suggested that the American character of the occupants would not make them good citizens of Mexico and therefore that it would be to

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Mexico's advantage to have them in United States territory. Reference to Clay's letter of March, 1825 might convince one that he wished Mexico to regard the American settlers in Texas as in the same class with the Comanche Indians.

Clay, in behalf of President Adams, then urged the negotiation of the boundary question, stating that the United States Government might be disposed to pay a million dollars for the Rio Grande boundary, or five hundred thousand dollars for a boundary at the Colorado."

John Quincy Adams on April 16, 1843 wrote in his diary, "Poinsett, under instructions from H. Clay, approved by me had proposed and urged the purchase of Texas for one million dollars."

As has been previously mentioned, Poinsett on July 27, 1825, suggested to Clay that the time might be ripe for a consideration of the ancient claim of the United States to the Rio Grande as a boundary, especially as the Mexicans evidently were in expectation of the announcement of such a claim.

In his letter of Sept. 20, 1825 to Clay, Poinsett, it will be remembered, said that he had informed Alamán that if

1 Am. State Pap., For. Rel, VI, 578-581.
2 Debates in Congress, XIV, App., 127.
the latter insisted upon introducing an article specifying
the Spanish boundary claim as found in the treaty of 1795,
that he would enter a counter claim to the country north
and east of the Rio Grande.

Mexican suspicion that the United States might have
designs on Texas were possibly further stimulated by British
interests and agents. This we have already discussed.

The British agent, Ward, wrote Comming in September, 1825,
that he was unable to understand the reasons for Poinsett's
inability to conclude a treaty with Mexico. He declared that
Mexico's attitude with regard to a treaty was quite inconsis-
tent with her concession policy in Texas.

Suffice it to say that the rapid increase of American
population in Texas did become a source of anxiety in Mexico
within the next two years, as attest the restrictive
colonization and immigration laws of 1827, 1828 and 1830, and
the anti-slavery law of 1829.

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1 Paxson, England and Mexico, 1825-1825, in Quarterly of
Texas State Hist. Ass'n, IX, 140-141.

2 Bancroft, H.H., North Mexican States and Texas, II,
110-115; and Garrison, George P., Texas, a contest
of civilizations, 150-160.
On August 25, 1829, Van Buren authorized Poinsett to open negotiations at once on the subject of the purchase of all or of such portions of Texas as he then proceeded to describe. The boundaries suggested were as follows:

(1) To include the territory west of the Nueces—nearly 200 miles in width—and to extend north to the mountains dividing the waters of the Rio Grande del Norte from those that run eastward to the Gulf and until it strikes the existing boundary at 42°.

(2) To commence on the west bank of the Baca at its mouth, following the western bank to the head of the most westerly branch, thence due south to the Colorado, thence up the western bank of that river "to the head of its principal stream," thence directly to intersect the existing line at 42° and to include the headwaters of the Arkansas and Red rivers.

(3) To commence at the mouth of the Colorado and following the west bank of its principal stream, from the head of which to extend by a course that will intersect the existing line at 42°, and including the headwaters of the Arkansas and Red Rivers.

(4) To commence at the mouth of the Brazos, following

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1 Debates in Cong., XIV, Appendix, 127 - 130.
the western bank of its most westerly course to its head, and thence by such a course to intersect the existing line at 42°.

Van Buren then proceeded to advance arguments against the continuance of the Sabine as an international boundary.

(1) That two streams emptied into Sabine Bay: Which was the boundary?

(2) That the Sabine was navigable only to small crafts and was inadequate for a custom house; that, smuggling would be easy; that the lands east of the Sabine were poor and uninviting to population; that the frontier would invite bad characters, and that the better lands on the Mexican side would tend to give greater population on that side and would therefore be to Mexican advantage in disputes.

Then as inducements to Mexico he suggested the incompatibility of the Texans and Mexicans, intimating the probably solution through a war of independence, revived the argument offered by Clay with regard to the ownership of the Comanche and other Indians, compared in glowing terms the commercial advantages to both nations of proposition No.1as opposed to the meager possibilities contingent upon the maintainance of the existing line, and he concluded with the statement that acceptance of the first proposition would accrue to the moral wellbeing of both parties, inasmuch as smuggling would then be adequately prevented.
The terms suggested and authorized, he said, by President Jackson, were from four to five million for the first boundary and for the others proportionately less. He stipulated that ratification of such a treaty would have to take place in Mexico before the matter could be submitted at all to the United States Senate.

He supplemented the foregoing with suggestions and stipulations as to mutual navigation of a river boundary, limitations to the confirming of grants, the possible inclusion of measures for incorporating the inhabitants into the Union and for the simultaneous delivery of the purchased territory with the payment of the consideration.

The writer added that the despatch would be delivered to him (Poinsett) by Colonel Anthony Butler, whom he recommended as deserving of confidence as well posted with the territory and as having been sent to Mexico to assist Poinsett and to observe his directions while there.

In closing he endowed Poinsett with full power and authority to conclude a new treaty of boundary along any of the lines suggested above.

Poinsett's recall followed within a few weeks and there is no indication that he had in the meantime broached the subject of the purchase of Texas, presumably regarding an opening of the question as then inadvisable and inopportune.

Butler's arrival and reception were most inauspicious. The official paper, "El Sol" on January 5, 1830, reported
the departure of Poinsett, "followed by millions of curses." and the arrival of Colonel Anthony Butler, "authorized to offer five millions of dollars for the province of Texas." 1

The editor advanced the opinion that a project "so prejudicial and disgraceful" would not be entertained by the Mexican government.

Early in 1830, Lucas Alamán, secretary of state under the new Bustamante administration, laid an impassioned and sensational report on Texas before the Mexican congress. The memorial acrimoniously declared the policy of the "United States of the North" to have been consistently and steadfastly in the direction of the acquisition of Texas and that "To this conduct, whose end is so evident and whose execution they have been preparing without swerving from the line of their policy, may also be assigned the circumstance of the non-execution of the treaty of limits concluded between them and these states. The cause of this suspension is worthy of notice, and comes in confirmation of all that has been said. This treaty was sent to our minister plenipotentiary near that government, confidentially, through Mr. Poinsett, that he might proceed to the exchange of the ratifications; and although there are in the Department under my charge all the

1 Niles Register, XXXVIII, 4.
proofs necessary to a full conviction that a power to
effect that exchange was sent with the treaty, it was
mislaid, and our agent received the treaty alone; and this
was used as a pretext to justify the delay in the ratifica-
tion at that time, and which, it is now announced, will only
be effected when the treaty of commerce will likewise have
been concluded. This treaty secured to us that part of
Texas, as it took as a basis of the settlement of limits that
which had been adopted in the treaty concluded with the
Court of Spain; and this circumstance is the cause of all
the obstacles to its execution. As we are involved in these
difficulties, the negotiations will take a different course;
and this Government knows that the new chargé d'affaires
of the United States has come with the special authorization
of proposing an arrangement for the sum of five millions of
dollars; and if this is not accepted, it is very probable
that they will propose the appointment of a mediator to
determine that affair, thus adopting, as to Texas, the same
conduct which has been pursued with regard to some territory
in Canada, to decide upon which they have named as mediator
the King of the Netherlands. The evil, then is done;
Texas will be lost for this republic, unless necessary measures
are adopted to preserve it."

The secretary then proceeded to suggest certain preventa-
tive remedies such as, military occupation and defense,
colonization of individuals of other nations than American,
encouragement of the coastwise trade, reduction of the state to absolute dependence upon the general government in matters of colonization, and the sending of "a person of information and prudence" to make a careful inspection of various activities and conditions in Texas and to report fully thereon.

The Mexican Congress thereupon passed a new and stringent colonization law, which practically excluded further Anglo-American colonization, and instructed General Teran to proceed at once into Texas to enforce its provisions. Thus commenced the acts of repression that led to the Texan rebellion and ultimately to annexation by the United States. Alamán's Texan policy, aimed to circumvent and forever prevent the United States from acquiring a foothold in Texas, in reality probably facilitated and hastened the moving of the international boundary to the Rio Grande.

On April 1, 1830, having been fully informed by Butler as to the power and policy of Alamán in the new government Van Buren wrote the minister to Mexico that the president was apprehensive that the time was not ripe for opening negotiations

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relative to the purchase of Texas. Butler replied on May 21, that he concurred in that opinion. In the same letter he described Alaman as the real ruler of Mexico and stated his belief that he (Butler) has already succeeded in overcoming the scruples of the astute secretary of state and had evidently won his good will. He prophesied early success in concluding the commercial treaty.

The writer's purpose in devoting the present chapter to a general survey of the situation in Texas to the year 1830 has been prompted by the desire to bring to light the probable connection between the growth of Mexican suspicions as to the intentions of the United States in Texas and the diplomatic relations of the two countries.

In the earlier years of Poinsett's official residence in Mexico the Texas situation probably contributed to the growing distrust of the American minister and of the country he represented. The effect of this suspicion, especially upon the mind of the influential and astute Alamán, may have retarded the conclusion of the treaties.

The writer will attempt in the next chapter to bring out clearly the change in Alaman's mind from a state perhaps

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of obstinancy to that of alarm over the Texas situation, the effect upon treaty negotiations will be likewise shown.
and the result is an available and predictable factor for a more robust and reliable system.

Notwithstanding Butler's high regard for his own diplomatic ability, as evidenced by his earlier letters from Mexico to the American department of state, the writer of this thesis is constrained to believe that the persuasive powers of our second representative to the southern republic had nothing whatever to do with Lucas Alaman's state of mind.

The readiness of the wily secretary to undertake and carry through the negotiation of the commercial treaty can reasonably only be attributed to his growing alarm over the situation in Texas. Jackson's obvious indifference towards settling the boundary matter, and the reports of Butler's power to negotiate for the cession of Texas for five million dollars, probably still further fanned the glowing embers of Alaman's suspicions.

The time was undoubtedly ripe for action. Poinsett, distrusted from the first, was out of the way. Alaman knew that he was in a position to control the action of congress. He had demonstrated that by forcing his repressive Texan policy into immediate enactment. Surely the next logical move was to remove the only objection the United States claimed to have to forever settling the international boundary at the
Sabine.

The editorial in the official gazette was presumably calculated to swing popular sentiment into allignment. The memorial placed before the Mexican congress had aroused that body to alertness and to readiness for action. Alamán next proceeded to have himself named as one of the negotiators to treat with Butler, wrote at once to the latter of their willingness to begin negotiations, and asked that gentleman to appoint a day for the first meeting.

The events of the final period of negotiation of the commercial treaty may be briefly summarized.

In a letter dated October 16, 1829, Martin Van Buren, Clay's successor as secretary of state, informed Poinsett that President Jackson concurred in the propriety of his (Poinsett's) offer to return, and requested him to deliver to Col. Butler such papers as were intended for him.

Van Buren then wrote a long letter to Col. Butler briefly reviewing the hitherto unsuccessful negotiations and attributing their failure to the indifference and suspicions with which the Mexican government had received the advances of the United States. Then, evidently warming with his subject, he

2 Debates in Cong., XIV, Appendix, 136.
avowed that henceforth the United States would "hold itself absolved from all obligations founded upon past proceedings . . .
and for adopting such course in future, as may be deemed most compatible with the views and interests of the United States."

He next charged Guerrero with negligence for having failed to shield Poinsett from "a most cruel prosecution," declaring that simple denial to the state legislature of the charges preferred against Poinsett would have been sufficient "to have effected every desirable object." Then, after advising Butler to profit by Poinsett's example and to do nothing to arouse a similar attitude toward himself, he informed him that the president would present the treaty of limits - then in his possession to the senate only when he could accompany it with the commercial treaty. He concluded the subject by remarking that although the commercial treaty of 1828 was far from perfect, still it would do.

Jackson, in his annual message of December, 6, 1829, referred to the prejudice of a portion of the inhabitants of Mexico to our minister (Poinsett) and that "to this cause, in a great degree, is to be imputed the failure of several measures equally interesting to both parties, but

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1 Ibid, pp. 40-53.
particularly that of the Mexican government to ratify a treaty negotiated and concluded in its own capital and under its own eye."

The foregoing was evidently intended as an official explanation to congress for the recall of the first American minister.

On April 1, 1830, Van Buren wrote to Butler that in view of the then unsettled state of affairs in Mexico, (Bustamante had been in control just three months), that the time might be unsuited for the opening of new negotiations. He left it to Butler, however, to do as he thought best.

Jackson, in his annual message of December 6, 1830, reported a more harmonious situation in the relations with Mexico, that suspicions had been allayed and "mutual friendship and confidence restored." He "had reason," he said, to expect the conclusion of a commercial treaty with Mexico in season for communication on the present occasion," but that as yet he was unable to do so. He then alluded to having been disturbed in the past summer by"acts of certain claimants, under Mexican grants, of territory which had hitherto been under our jurisdiction." But, he added,

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1 Richardson, "Messages & Papers," II, 446-447.
adjustment had been made pending final settlement of the boundary line.

The commercial treaty and the article validating the treaty of limits were concluded and signed in Mexico, April 5, 1831 by Butler, Lucas Alaman, Mexican secretary for home and foreign affairs and Rafael Mangino, secretary of the treasury.

The commercial treaty of 1831 differed in some few particulars from that of 1828. In the later document there was included an article bearing on the conduct of internal commerce, and the article on the return of fugitive slaves and criminals was omitted as was also the article bearing upon a convention for the settlement of new points. The duration of the new treaty was to be eight years and provided for an automatic extension. One year was allowed for ratification. The reciprocity articles by a single additional article were suspended for a period of six years, the "most favored nation" basis to operate meanwhile.

In a convention held Spetember 7, 1831 the plenipotentiaries met to reconsider the third, seventh, and thirteenth

1 Richardson, "Messages & Papers, etc. II, 507.
2 Treaties, Conventions, etc. I, 1084-1099.
3 Treaties, Conventions, etc., I, 1096.
4 Treaties, Conventions, etc. I, 1097.
articles. They pledged themselves to construe the matter of regulating retail trade to be within the province of the respective legislatures acting on general lines and in accord with the "most favored nation" clause.

It was in the final additional convention, held December 17, 1831, that the article bearing upon a convention for the settlement of new points was omitted from the treaty.

On April 6, 1831, the day following the signing of the commercial treaty and the validating article of the treaty of limits, Alaman submitted both treaties to the Mexican congress and urged for both a prompt acceptance and consent to ratification. On August 1, 1831, the vice-president himself, probably at the request of his secretary of state, referred in his message most favorably to the foreign treaties then pending ratification.

Jackson sent both treaties to the senate of the United States on February 24, 1832. Consent to ratification of the commercial treaty was voted by the senate on March 23, but its approval of the treaty of limits was withheld until April 4, just one day before the expiration of the year's time

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1 Treaties, Conventions, etc., I, 1097-1098.
2 Treaties, Conventions, etc., (Malloy's compilation) I, 1098-1099.
3 Niles Register, XL, 228-229.
4 Niles Register, XLI, 87-88.
5 Richardson, Messages and papers of the presidents, II, 567.
allowed for exchange of ratifications.

It would not be altogether unreasonable to suppose that the senate only gave its approval to the treaty of limits because forced to do so in order to secure the settlement of the commercial question, hoping the while that the boundary matter might remain open.

The following are the only facts the writer has been able to find on the subject.

On March 26, 1832, three days after the United States Senate had approved of the commercial treaty, Mr. Montoya wrote Edward Livingston, Van Buren's successor as secretary of state that he (Montoya) had been appointed by the Mexican government to do its part in exchanging the ratifications of both treaties, and he took occasion to remind Livingston that April 5. was the date of expiration of the time allowed for the said exchange.

Livingston, in reply on March 30, stated that he would be in readiness to exchange ratifications of the commercial treaty on April 4 at the office of the secretary of state.

Montoya, in his letter of the following day, professed himself grieved at the delay of the United States government

\[1\]
Debates in Cong., XIV, App., 141-142.

\[2\]
Debates in Cong. XIV, App., 142.
in the matter of settling the question of limits. He proceeded to review the ratification proceedings with regard to the treaty of commerce, touching upon the objection on the part of the United States to ratify the treaty of limits until the commerce treaty should have been ratified. Now that the Mexican government had shown its good faith he believed it would not be pleased with the delay of the United States in bringing the boundary question to a conclusion. He concluded by reiterating the hope that the secretery of state would see fit to exchange ratifications of the treaty of limits simultaneously with that of the treaty of commerce.

Livingston replied at once that the matter was still before the senate and that the president was powerless to ratify any treaty without the advice and consent of the upper house. He still hoped, he said, that the senate would take action in time for him to comply with Mr. Montoya's wish.

On April 3, Montoya wrote a tart note to Livingston informing him that he was conversant with all of the information that Mr. Livingston had given him in his letter of the 31st of March. He stated in conclusion that, inasmuch as the Mexican government considered itself authorized to expect the

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1 Debates in Cong., XIV, App. 142.
2 Debates in Cong., XIV, App., 142-143.
exchange of ratifications of both treaties at the same time, he therefore found it necessary to decline to exchange the ratifications singly.

Whether or not the above letter had any effect upon the administration or the senate the writer is unable to say. We only know that the senate advised and consented to the ratification of the treaty of limits on the following day—April 4—and that ratifications of both treaties were exchanged and the exchange proclaimed on the 5th of April, the last day allowed by the terms of the treaty.

The commercial treaty became immediately effective. The treaty of limits required the fulfillment of still other conditions before it could be regarded in the light of international law. Article III, it will be remembered, required the meeting at Natchitoches, within a year from the time of the exchange of ratifications, of a commissioner and a surveyor to be appointed by each nation and who were to proceed at once to run and mark the boundary, the results agreed upon by them to at once become a part of the treaty, and their insertion making the treaty operative.

1 Debates in Cong., XIV, App., 143.
2 Treaties, Conventions, Etc., I, 1084-1085.
3 Treaties, Convention, Etc., I, 1083-1084.
Although Butler had been authorized by President Jackson to open negotiations on the subject of Texas as soon as feasible and although Butler wrote on April 15, 1830, that he held very sanguine hopes of speedily concluding successful negotiations in that direction, we know of nothing having been done on the subject before July, 1832. On the 16th of that month Butler wrote Secretary Livingston that he had opened the question of a new boundary with Alamán, that the latter had entertained the proposition very favorably, and that he was enclosing minutes of two conversations on the subject of Texas, held on July 2d and 10th respectively.

According to the first mentioned minute Butler gave as reasons for moving the boundary westward the avoidance thereby of probable claim litigation and attendant friction on the part of Texas and Arkansas settlers, who doubtless would resent Mexican infringement of their rights and privileges as American citizens. He intimated moreover that in case of a revolt of the Texans from Mexico — and he deemed such a

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thing quite natural— that, owing to the discord in Mexico's affairs, Texas would be lost to Mexico forever. Alamán, according to Butler, appeared interested and asked that the matter be suspended until "Tuesday week" at which time they might together trace a line to which the boundary might "prudently be extended west."

The minutes of the second conference attests that some discussion was held on the existing boundary. What was meant by the Sabine? Was it the right or left bank? Butler intimated that the boundary might have meant that other Sabine that "had its rise west of the Nueces, and discharged itself above the Loredo on the Rio Grande."

Butler then suggested the "Desert or Grand Prairie" as a good natural boundary. Alamán thought this might be so far west as to include some Mexican population of Texas, "which it might be proper to retain." He evidently did not impress Butler as being at all unfavorable to the plan and advised the latter to write an official letter to the "Department" containing his proposition, the which letter would then be laid before the vice-president and promptly replied to.

Butler added that, on the 15th day of July, he delivered such a letter in accordance with Alamán's suggestion.

A few days later (July 25, 1832) Butler wrote Monastério a letter enclosing a copy of the ratified treaty of limits.

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2 Ibid., pp. 444-445.
3 Debates in Con., XIV, App., 136.
and a proclamation of the president of the United States announcing the exchange of ratifications. Butler declared in his letter that the United States boundary commission would be promptly appointed. He concluded by hinting at his government's fears that the existing line would cause friction to between the two governments and he asked Monasterio to suggest to the vice-president of Mexico the advisability of opening new negotiations for the establishment of a line more desirable to both parties.

The above note was not replied to until Feb. 14, 1833, on which date Gonzalez, then secretary of state and of relations, wrote Butler that the delay had been caused by the unsettled state of the government but that the government would at once appoint its boundary commission, that it considered the treaty mutually binding, and that it would do all in its power to carry its stipulations into effect. He ignored Butler's suggestions of opening new negotiations.

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1 Debates in Cong., XIV, App., 136. Note—The year 1832 was a year of strife and insurrection against the Bustamante regime. Gomez Pedraza was finally allowed in November, 1832 to conclude the term of president to which office he had been elected to serve for four years from April 1, 1829. At the close of Pedraza's term, April 1, 1833, Santa Anna was elected president and Gomez Fariás, vice-president. The next three years were even more confused and tragic than the preceding four. — Garrison, Texas, pp. 104-105.
Apparently Butler was disappointed or annoyed by Gonzalez's ignoring the question in which he was so much interested, for two days later he wrote the Mexican secretary, complaining of Mexico's delay in publishing the commercial treaty and declaring that the treaties of commerce and limits had apparently been treated by the Mexican government as dead letters. He concluded by remarking that unless the commercial treaty were promptly published, in order that Americans might be protected by its provisions, the United States government would undoubtedly take action.

In reply, February 21, 1833, Gonzalez dignifiedly reiterated his statement that the Mexican government had been delayed by the confusion of the past year but that it would be in readiness within a few days to carry into effect the said publication. Six days later Gonzalez wrote Butler again, this time enclosing published copies of the two treaties.

On March 20, 1833, Livingston wrote Butler that the situation in Texas was such that, unless negotiations for a new line were very speedily concluded, no stipulations "could be carried into effect."

1 Debates in Cong., XIV, App., 136-137.
2 Debates in Cong., XIV, Appendix, 137.
3 Debates in Cong., XIV, Appendix, 130.
Just what Livingston may have had in mind at the time he wrote the above letter, it is impossible definitely to state. It is not unlikely however that the administration may have heard some of the rumors then rife regarding certain alleged plans of Sam Houston "to kindle an international insurrection and separate Texas from Mexico." In a letter, dated February 13, 1833, Houston informed Jackson that he might expect to hear about the first of April that the Texans had separated from Coahuila and declared their independence. John Quincy Adams believed that Jackson had been intimately concerned in the alleged plan of Sam Houston and made positive declarations to that effect. He failed however to make out a case against Jackson and in fact there is scant reason to believe that the latter had made the slightest attempt to meddle with Texan affairs.

In spite of Butler's glowing optimism in 1830 he appears to have made not the slightest headway in the direction of the acquisition of Texas during the next two years. In July, 1832, however, he wrote a letter to the president in which he gave the first insight into the particular kind of rascality in which he was adept. His words were as follows: "The amount to which I am limited for the purchase by my instructions will very

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1 Adams, J. Q., Memoirs, XI.
probably be in part applied to facilitate the negotiation, in which case we shall provide for that portion of the payment by a secret article." We have no reason to believe that Jackson in the slightest degree, countenanced this plan.

Jackson believed that the wording of the treaty of limits meant that the western branch of the Sabine should be construed as the Neches. Butler, knowing the president's view point with regard to this interpretation, now proceeded to urge him to occupy "the disputed strip" between the Sabine and the Neches and to take possession of Nacogdoches. This would, he declared, encourage the Texans to revolt from Mexico, which country would then undoubtedly come to Jackson's terms and dispose of the unruly province to the United States.

In spite of Jackson's absurd stand with regard to "the disputed strip" there is no evidence to show that he even gave Butler's suggestion sufficient attention to send that gentleman a letter in reply.

On October 28, 1833, Butler wrote Jackson that he had been in recent conference with "a high official" - presumably Santa Anna- and that their conversation had been on the subject of Butler's "command of money." Boldly admitting his

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interpretation of the discretionary powers given him, Butler proceeded, with the utmost frankness to inform the president that it would probably take five or six hundred thousand dollars to purchase the support of the "important" person and certain other individuals.

The above letter called forth an indignant reply from the president on the day he received it, November 27, 1833. He expressed great astonishment that Butler should have so construed his "discretion" and, furthermore, that he had dared to intrust such a letter as his of the 28th of October to the mails without first "reducing it to cipher." He then explained that the latitude given Butler had been in order that Mexican grants, the conditions of which had not yet been fulfilled, might be extinguished by Mexico from the amount paid by the United States for the cession. Abjuring "any just imputation of corruption," Jackson urged Butler to hasten his negotiations and instructed him, in the event of failure, to intimate that the United States would make its own boundary, would "run the line and take possession of Nachedoges."\(^1\)

Butler's next letter, dated February 6, 1834, expressed the conviction that the negotiation could be completed only through bribery, "or by presents if the term is more appropriate."\(^2\)

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2. Ibid.
On March 7 he wrote that the United States could not acquire Texas "without taking forcible possession of that part which already belonged to the United States." Thus referring to Jackson's known opinion regarding the possession of the "disputed" territory and likewise to the threat contained in his letter of November 1833, Butler then offered to take charge of such a movement in Texas, solely, he declared, for Jackson's glory. He pledged his head that he would successfully conclude the deal and without striking a blow.

On the back of this letter Jackson wrote, "A. Butler, what a scamp. Carefully read. The Secretary of State will reiterate his instructions to ask for an extension of the treaty for running boundary line, and then recall him, or, if he has recd his former instructions and the Mexican Gov't has refused, to recall him at once."

The summer of 1835 found Butler in Washington, there to effect, if possible through personal interview, a better understanding between the president and himself.

While in Washington, Butler wrote, on June 17, to the president, outlining a new plan for the acquisition of Texas, this time through the bribery of Hernandez, a priest in the household of Santa Anna, and known to have great influence at

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1 Barker, E.C., Jackson and the Texas Revolution,
the palace. He enclosed alleged copies of his correspondence with Hernandez, in which the latter appeared to have declared that $500,000. judiciously expended would accomplish the desired result.

On the back of the above letter, is written the following endorsement in Jackson's handwriting, "Mexico - Texas -- Nothing will be countenanced by the executive to bring the government under the remotest imputation of being engaged in corruption or bribery. We have no concern in the application of the consideration to be given. The public functionary of Mexico may apply it as they deem proper to extinguish private claims and give us the cession clear of all incumbrance (sic) except the grants which have been complied with. A.J. June 22-35."

Forsyth, on July 2, 1835, informed Butler that he had presented the latter's letter of June 17 to the president but that the president was "resolved that no means of even an equivocal character" should be used in his boundary negotiations.

The president, he added, while doubting his (Butler's) ability to successfully conclude negotiations for a more westerly boundary, was willing for him to make a final attempt, inasmuch as he evidently thought he could do it. He stipulated

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1 Reeves, J.S., American diplomacy under Tyler and Polk, 73-74.
however, that negotiations were to be concluded at once and the result, whatever it might be, communicated by December.

In the light of the above correspondence, Jackson appears to have been innocent of any corrupt intentions. However, knowing as he did the contemptible proclivities of Butler, he never should have allowed the latter to return to Mexico. His action in this regard can only be explained by Butler's declared belief in his ability to at once conclude negotiations for a more westerly boundary, "a consummation" from Jackson's standpoint, "devoutly to be wished."

It is impossible to assign any good reason for Butler's apparent optimism. He had never enjoyed the slightest degree of success in honest negotiation for the westward extension of the boundary. His two conferences with Alaman in 1830 led to nothing. His letters on the subject to the Mexican department of state were uniformly ignored, Alaman's successors, Gonzalez and Garcia, not deigning to reply to Butler's opportunities with regard to the cession of all or any part of Texas.

Even though Jackson apparently would have none of the bribery plan, he had undoubtedly set his heart upon the acquisition of all or a part of Texas and Butler's letter of

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1 Debates in Cong., XIV, Appendix, 131.
2 Debates in Cong., XIV, Appendix, 137-138.
June 17th may have opened his eyes and aroused his interest in at least a portion of New Mexico and the Californias.

At any rate Forsyth wrote Butler on August 6, 1835, authorizing him to attempt to secure "the port of St. Francisco, on the western coast of the United Mexican States" as the president had been informed of its desirability as a resort for whaling vessels. He (Butler) was therefore authorized to offer --- in addition to the previously mentioned amount for the first limit suggested in the original instructions, in order to secure the port above mentioned.

He (Butler) was to endeavour to obtain the line of the eastern bank of the Rio Bravo to the 37th parallel and thence to the Pacific. That if the line should be objected to as approaching too nearly to the Mexican port of Monterey Butler might agree to any provision in order to secure the bay of St. Francisco. If this was not obtainable the original instructions were to hold. If the Rio Bravo should be named as the western boundary, Butler was authorized to stipulate for free navigation to both parties.

Upon his return to Mexico, Butler was apparently as unsuccessful as ever, and in October the government of Mexico asked for his recall on the ground that he had been charged with

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Debates in Cong., XIV, Appendix, 131.
"intrigues unbecoming a diplomatic agent." Jackson at once complied with the request and named Powhatan Ellis as Butler's successor.

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In this the concluding chapter of the thesis, the writer will attempt to present the salient features of what might be called the final period of negotiations on the boundary treaty of 1828.

On April 27, 1832, about three weeks after the ratifications of the validating article of the treaty of limits had been exchanged, Mr. Montoya of the Mexican legation wrote Livingston, asking when the president of the United States would have named the boundary commission and about what time they would reach Natchitoches.

Livingston in reply, July 20, stated that he was instructed by the president to inquire if the Mexican government had made any provisions for a joint designation of the boundary. In case no such provisions had been made, he was instructed to request Mr. Montoya to call the immediate attention of his government to the subject. Livingston enclosed within the letter a copy of an act, passed at the last session of congress, entitled, "An act to provide for carrying into effect the treaty of limits between the United States of American and the

Debates in Cong., XIV, Appendix, 143-144.
United Mexican States."

A long period of international silence, with regard to the treaty of limits, began at this time. Mexico failed to take action, with regard to the appointment of her boundary commission, within the year allowed by the treaty. This apparent dereliction, however, was probably attributable to the confusion in Mexico's domestic affairs, attendant upon the overthrow of Bustamante and the assumption of control by Santa Anna.

Notwithstanding the fact that the treaty had lapsed, Carlos Garcia, secretary of relations, wrote Butler on September 25, 1833, that Vice-President Farias had appointed Lieutenant Colonel Don Thomas Ramon del Moral as commissioner, and Don Castillo Nevarro as surveyor, to carry the third article of the treaty of limits into effect.

On Dec. 2, 1833, J. M. De. Castillo, charge to the United States, wrote Secretary Mc Lane from Philadelphia, enclosing a note, just received from the Mexican government, in which the members of the boundary commission were named, together with instructions that the United States government be informed of the fact, and that it be asked for the names of its commissioners appointed.

1 Debates in Cong., XIV, Appendix, 144.
2 Ibid., XIV, Appendix, 138.
3 Ibid., XIV, Appendix, 144.
McLane acknowledged receipt of the above letter on Dec. 31st. He stated in reply that he had delayed writing in anticipation that Mr. Castillo would take up his residence in Washington, as he had, in compliance with the wish of the president, requested him to do in a letter dated July 13, 1833. He presumed, he said, that Mr. Castillo had not complied "for unavoidable reasons," and that "under this belief" he would refer to the appointment of the Mexican commissioners. He asked at what time the appointment had been made by his government.

Castillo replied on Jan. 9, 1834 that he was unable to give the exact date of the appointment of the commissioners and could only say that the dispatch received by him bore the date of Sept. 25, 1833. Evidently, perceiving McLane’s reason for asking the question, he stated that the failure of his government to make the appointments within the time allowed by the third article of the treaty was due to well known causes. However, he believed that the present government deserved credit for attending to the matter "in the midst of the political storms of civil war, of terrific battles with its enemies, and of difficulties ensuing thereon," thus giving proof of its friendship for the United States.

1 Debates in Cong., XIV, App., 144.
2 Ibid., XIV, App., 144.
McLane, in his letter to Butler on Jan. 13, 1834, referred to the invalidity of the Mexican appointment of commissioners under the terms of the treaty. He stated that the United States appointments had been made May 30, 1832 and had been published July 19, 1832 and that Mr. Montoya had been informed on the following day that the United States government was ready to proceed.

He informed Butler that a new convention would be necessary in order to revitalize the treaty and that the president empowered him, (Butler) therefore, to conclude such a convention, stipulating that it must be ratified by the Mexican government previously to submitting the same to the United States, and furthermore that it must contain a provision requiring an exchange of ratifications within one month.

He concluded by informing Butler that the president wished him to return to the United States bringing the ratified convention with him. He authorized Butler to state as a reason for leaving that the president found it necessary, for imperative reasons connected with the public service, to require his presence and that diplomatic relations with Mexico would be resumed "as early as practicable."

On May 26, 1834, Castillo wrote McLane that he was

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1 Debates in Cong., XIV, App., 130-131.
authorized by his government to state that there was no motive for altering the terms of the treaty, that it was only necessary to extend the term allowed for the meeting of the commissioners, and that such extension "may be made by agreement between any persons whom the United States may authorize on their part, and the undersigned on that of the Mexican government, which has promised to furnish him with full powers to that effect by the packet which is to leave Vera Cruz on the first of next month." McLane apparently made no reply.

Butler, on July 1, 1834, wrote McLane that there would probably be no difficulty in negotiating a new convention but that, as the Mexican congress would not meet until the following January, it might be well for him to return to the United States on leave of absence or in retirement from the mission altogether, believing that a personal talk with the president might prove advantageous.

On Oct. 21, 1834, the then minister of foreign affairs, Lombardo, sent a letter to the American secretary of state in reference to the failure, from "political circumstances," of the Mexican government to appoint boundary commissioners within

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1 Debates in Cong., XIV, App, 144-145.
2 Ibid., XIV, App., 138.
the allotted time. He expressed the hope that the United States would arrange with Castillo to fix upon a new period for the meeting required by the third article of the treaty. He said that the Mexican president had appointed new commissioners who would go at once to Natchitoches in readiness to begin work.

Castillo wrote Forsyth from Philadelphia, on Dec. 4, 1834, of his readiness to conclude the treaty matter save for "a slight indisposition". He mentioned that his government had appointed a new commission consisting of Colonel Don Juan Nepomuceno Almonte as commissioner and Lieutenant-Colonel Don Pedro Garcia Conde as mathematician. He requested Forsyth to submit the letter to the president of the United States and to inform the writer of his intention in the matter in order that he might "take advantage of the packet, now nearly ready to sail for Vera Cruz, in inform his government on the subject."

Forsyth replied a week later to the effect that the matter had been placed in Butler's hands for negotiation, but that owing to accident Butler did not receive his power and instructions until the first of July last, at which time the Mexican congress was not in session. He stated that it was understood that the

1 Debates in Cong., XIV, App., 145.
2 Ibid., XIV, App., 145.
Mexican congress would reconvene January 1st, and that it was, therefore, neither expedient nor necessary to negotiate an additional article in Washington.

Castillo, again writing from Philadelphia on Dec. 15, acknowledged receipt of Forsyth's letter of the 11th and referred the latter to his (Castillo's) note of May 26, 1833 to Mr. McLane. He reiterated the statement that the Mexican government had deemed it expedient to prolong the time allowed by the treaty without further altering the treaty.

Referring to Forsyth's unwillingness to treat because the powers sent to Butler, Castillo declared that he could not understand Butler's not having made known his receipt of a power to treat; that this apparently had not been done up to Oct. 21, 1834, as the last communication of the Mexican government bore that date and yet did not mention that Butler had presented such a power. He concluded that inasmuch as nothing had evidently been done at Mexico it would be well for them to proceed to negotiate the necessary article at Washington, in the interest of the friendship of both nations.

Butler wrote Lombardo on Dec. 21 of his readiness to renew the boundary treaty, hinting that further inaction and delay could not be permitted. He declined to state the "cogent

1 Debates in Cong., XIV, App., 145-146.
2 Ibid., XIV, App., 146.
reasons for definitely concluding the matter! but mentioned that certain Mexican grants to lands believed by the United States to belong to the United States opened a new question of importance. He concluded by requesting the immediate action of the Mexican president, with the view of concluding the treaty in time for action by the United States senate before its adjournment on March 4, 1835.

On January 9, 1835 Forsyth wrote Castillo reiterating the intention of the United States government to conclude the treaty at Mexico, and adding that when he heard from Butler relative to the conclusion of his negotiations he would "have the honor of a further communication with Mr. Castillo on the subject." 2

Castillo replied from Washington on Jan. 12. He reviewed the causes of Mexican delay and then went on to show that if Butler had been prompt to notify the Mexican government of his instructions to negotiate a new article that the Mexican government would not have, as late as Nov. 26, 1834, continued to expect him (Castillo) to accomplish the negotiations in Washington. He expressed the hope that the foregoing argument might make it possible to open negotiations in Washington and thus

1 Debates in Cong., XIV, App., 138.
2 Ibid., XIV, App., 146-147.
Survival after 50 years has been a characteristic of the pure line. The 50 year life was so named because of the time taken for the line to reach a certain level of maturity. It is interesting to note that the 50 year line has been maintained for a number of years without any noticeable change in its characteristics. This indicates that the factors which determine the 50 year line are acting at a relatively slow pace and are not likely to be affected by any immediate changes in the environment.

On the other hand, the non-pure line has been found to be less stable. The characteristics of the non-pure line have shown a tendency to change with time. This suggests that the factors which determine the non-pure line are acting at a faster pace and are more likely to be affected by changes in the environment.

In conclusion, the results of this study indicate that the 50 year line is a more stable characteristic than the non-pure line. This may be due to the fact that the factors which determine the 50 year line are acting at a slower pace and are less likely to be affected by changes in the environment.
avoid a continued and undesirable delay.

On Feb. 7, 1835 Gutierrez de Estrada, then secretary of relations, wrote Butler, acknowledging the latter's letter of Jan. 27, to the Mexican department of state respecting the settlement of limits. He stated that, inasmuch as Castillo had been empowered to conclude the negotiations at Washington it would probably be best to await information from that city before complicating matters by negotiating in two places. The tone of the letter was courteous and apparently regretful that the writer was unable to conclude the matter with Butler.

Butler wrote a long letter to the president on Feb. 26, 1835. In it he excused his delay in leaving the Mexican capital on the ground that he had remained for the opening of the new congress, hoping to be able to obey his instructions and bring home the new ratified treaty, but that on the 9th inst. he was informed that negotiations had been transferred to Washington.

He stated that he had received his instructions to renew negotiations on the first of the preceding June (previously referred to as July 1) and that although the Mexican congress was not in session he had immediately sent a despatch to the (Mexican) department of state, informing them of his new powers; that the secretary had asked if it would be necessary to treat

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1 Debates in Cong, XIV, App., 147.
2 Ibid., XIV, App., 138-139.
immediately and that he had replied in the negative because the Mexican congress was not then in session. The secretary, he continued, went out of office and he (Butler) reopened the subject about the beginning of December, his note to the secretary being unanswered. On January he wrote again (congress being in session at the time). Still another secretary coming in in January he (Butler) wrote to him and was in turn informed by the latter that the matter was being negotiated in Washington.

His apparent inactivity, he believed, would be understood in the light of the above facts. He concluded by stating that he would return via the April packet and would then perhaps be able to bring the ratified treaty, now probably finished and indeed momentarily expected in Mexico.

On Mar. 29, 1835 Estrada wrote Butler that he had received notice that negotiations were not to be concluded in Washington and that, inasmuch as he (Butler) was ready to open negotiations on the subject, so now, by the authority of the acting president of Mexico, was he. He stated that the acting president had appointed Don José Mariano Blasco, secretary of the treasury and himself to commence negotiations with Butler at once. He mentioned having heard that Butler was soon to return to the United States and that if such were the case, there was consequently an additional reason for immediate action. He concluded

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1 Debates in Cong., XIV, App., 139.
by requesting Butler to call at the department of foreign relations on the following day, Mar. 30, 1835, at one-thirty in the afternoon.

On April 3, 1835, the additional article was signed by Estada, Blasco and Butler. The new article extended the time for the fulfillment of the treaty conditions to one year from the date of the exchange of the present additional article.

Castillo had, on April 29, written Forsyth (from Philadelphia) announcing the transfer of negotiations to Mexico by the Mexican government and likewise the withdrawal from himself of the powers previously conferred.

On June 2, Castillo wrote Asbury Dickins, acting secretary of state of the United States, of the conclusion of negotiations of the new article and of its ratification by the Mexican congress. He enclosed a copy of the article.

Dickins replied on June 4, acknowledging receipt of Castillo's letter but stating that he found no enclosure,

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1 Debates in Cong., XIV, App., 139.
2 Ibid., XIV, App., 148. Treaties & Conventions 675-676.
3 Ibid., XIV, App., 147.
to fer,
which he presumed had been accidentally left out. He said he would like to have a copy of the article as he had received no information from Mr. Butler regarding a conclusion of negotiations.

Castillo stated in his reply - dated June 6 - that the copy of the article had not been enclosed but had been sent separately to the department of state and that undoubtedly Mr. Dickins was then in possession of it. He added, however, that he was obviating any accidental miscarriage by enclosing a duplicate of the copy referred to.

On July 10, Castillo wrote Forsyth that he was ready to proceed to the exchange of ratifications of the second additional article of the treaty of limits.

Forsyth, on July 21, replied that Mr. Castillo should be aware that the constitution of the United States required the senate's advice and consent as a preliminary to the ratification of a treaty. When this had been obtained, he added, he would inform Mr. Castillo.

True to his word, Forsyth, on February 1, 1836, informed Castillo that the senate had advised and consented to the

1 Debates in Cong., XIV, App., 148.
2 Ibid., XIV, Appendix, 148.
3 Ibid., XIV, Appendix, 148-149.
4 Ibid, XIV, Appendix, 149.
ratification of the second additional article and that the
president would accordingly ratify it. He would be willing
he said, to exchange ratifications whenever Castillo should
present himself for that purpose at the department of state.

On March 28, 1836, M. E. de Gorostiza, envoy extraordinary
and minister plenipotentiary of the Mexican republic, wrote
Forsyth that he was empowered to rectify with the secretary
of state the apparent ambiguity involved in the second additional
article. He promised prompt action on the part of his
government.

Forsyth, in reply, April 1, volunteered the opinion that a
declaration by the two agents should be sufficient to establish
the stipulation of obligation on the part of the commissioners
to meet within a given time, (the omission of such stipulation
from the second additional article constituted the "apparent
ambiguity" referred to in Gorostiza's letter of Mar.28.)

Gorostiza, three days later acquiesced in Forsyth's plan
although preferring, he said, to negotiate a new second additional
article. He stipulated, however, that the declaration,
signed by both plenipotentiaries, should be forever annexed

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1 Debates in Cong., XIV, Appendix, 149.
2 Ibid., XIV, Appendix, 149.
3 Ibid., XIV, Appendix, 149-150.
to the agreement, to be exchanged with, printed and published with it, and must therefore be construed as having the same legal force. He stated that he had, owing to the recognition of ambiguity by the Mexican government, been supplied with no power to exchange ratifications of the second additional article. He advised therefore that Forsyth exchange those with Castillo, who had such power. The declaration should be exchanged, he said, between Forsyth and himself. He enclosed copies of his general and special powers.

On April 13, Forsyth wrote Gorostiza that he had submitted the latter's letter of the 4th to the president. He had thereupon been instructed to request Mr. Gorostiza to invite Mr. Castillo to Washington in order to effect the necessary exchange. He asked Gorostiza to call at the department of state on the following day in order to arrange the matter of the explanatory note. He added that the publication of the agreement should not be considered necessary; that it should be sufficient for the joint note to remain in the archives of the governments.

On the 18th Gorostiza informed Forsyth of the arrival of Castillo in Washington. He asked the secretary of state to

1 Debates in Cong., XIV, App., 150.
2 Ibid., XIV, App., 151.
name the day for carrying into effect the exchange of ratifications of the second additional article and likewise of the declaration which would previously explain the purpose and meaning of the article.

Forsyth, on the same day, replied that he would "be happy to see Mr. Gorostiza and Mr. Castillo at the office of this department, for the purpose of executing the declaration and exchanging the ratifications of the convention for a second additional article to the treaty of limits." He designated the time as the following Wednesday at two O'lock.

The story closes with the consummation of the double exchange on April 20, 1836. On the following day the battle of San Jacinto was fought and won in Texas. The American settlers of the sturdy little republic on the border were thenceforth to be reckoned with in the matter of boundary negotiations.

The tone of Jackson's message of Dec. 5, 1836, to the Senate indicates that he held but slight faith that Mexico would ever be able to fix the line at the Sabine. The document reads: It is my duty to remind you that no provision has been made to execute our treaty with Mexico for tracing

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1 Debates in Cong., XIV, App., 151.
2 Ibid., XIV, App., 151.
3 Ibid., XIV, App., 151-152.
the boundary line between the two countries. Whatever may be the prospect of Mexico's being able to execute the treaty on its part, it is proper that we should be, in anticipation, prepared at all times to perform our obligations, without regard to the probable condition of those with whom we have contracted them."

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1 24 Cong., 2 sess., Sen. Doc. #1, p. 5.
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