

Carlos Bosch García

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de México con los Estados Unidos
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4 de febrero de 1827. México. J. R. Poinsett a J. J. Espinosa de los Monteros

Most Excellent Sir,

I have the honor to acknowledge the receipt of your Excellency's note of the 2nd instant, in which you are pleased to communicate to me, by order of the Most Excellent President, an aggression committed upon the alcalde of Nacogdoches by a party of men, some of whom are known to be persons residing on the opposite side of the Sabine River, and course within the territory of the United States of America.

Agreeably to His Excellency's request, I shall lose no time in submitting to my government all the circumstances of this aggression, as they are detailed in Y. E's note, perfectly convinced that all such measures as the law allows, will be immediately adopted to punish the aggressors in this case, and to prevent a recurrence of similar outrages on the part of persons residing within the territory of the United States of America.

I beg Your Excy. to assure the Most Excellent President that my government cherishes the most friendly sentiments towards the United Mexican States, and will use every exertion within its powers to restrain its citizens and all persons residing within its territory from committing any acts that might interrupt the harmony and good intelligence which so happily exists between the two countries.

I take advantage of this opportunity to reiterate to Y. E. the... J. R. Poinsett.

Mexico. Poinsett. August 17' 1825-April 18' 1827. Department of State. Vol. 2. Docs. 14-17, 48-85, anexo B al doc. 72. NAW.

7 de febrero de 1827. México, Poinsett a H. Clay

Sir,

I have the honor to transmit herewith a translation of a note of the Secretary of State of this republic, complaining

of an aggression committed by some persons, residing within the territory of the United States, upon the civil authorities of the Mexican town of Nacogdoches, marked A, together with a copy of my reply marked B.

I am very respectfully. . . J. R. Poinsett.

Mexico. Poinsett. August 17' 1825-April 18' 1827. Department of State. Vol. 2. Docs. 14-17, 48-85, doc. 72. NAW.

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17 de febrero de 1827. México. José Domínguez y J. Michelena a J. R. Poinsett

Most Excellent Sir,

By an article contained in the Gazette of New Orleans, we have been given to understand, that the government of the United States has transmitted to Congress two notes written by Your Excellency, a translation of which we have the honor to send herewith, in which are communicated various circumstances relative to the Assembly of Panama, and to the treaties there concluded on. At the same time, the above mentioned letters state, as appears from the words underlined, that the news contained in both had been gathered from the ministers in that Assembly.

The undersigned have been surprised on their part, because at the date of those notes, there were in this capital only one of the plenipotentiaries of Central America and the two from the Mexican States; and it would be extremely painful to them any accusation either of a weakness for having made disclosures without orders or motive, or of want of truth as containing inaccuracies.

We can assert from this moment, that our official communications in Mexico have been confined entirely to what is contained in our note of September of the preceding year transmitted to our government; and as to confidential conversations, I Michelena, recollect Y. E. that being desirous of informing myself as to the time when the Assembly of Tacubaya would meet, because this information was important in order to regulate the departure of the ministers of your government, I answered, that I judged the least delay could

be eight months which had been assigned for the exchange of the ministers of the United States from the Congress of Panama, I said to Y. E. that in a certain degree, I was glad of it, because the institutions of your government professing a perfect and absolute neutrality, their plenipotentiaries could not have assisted at the formulation of treaties of league and confederation the object of which was to make war on the common enemy of the allies and that in the future they might participate with the grave and important matters which the Assambly was to take into consideration, and which have no relation to that principle.

In adressing to Y. E. this frank and sincere communication, the undersigned are animated with no other desire, than that of doing away with any unpleasant impressions which might arise against their honor and the delicacy and dignity of their representation; and to prevent this, they reiterate that you will have the goodnees to make the proper explanations.

We have the honor to assure Your Excy. of our high and distinguished consideration.

Firmado: José Domínguez y J. M. Michelena.

Mexico. Poinsett. August 17' 1825-April 18' 1827. Department of State Vol. 2. Docs. 14-17, 48-85, anexo al doc. 76. NAW.

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18 de febrero de 1827. Washintong. H. Clay a Pablo Obregón, enviado extraordinario y ministro plenipotenciario de México en los Estados Unidos

Sir,

Information having reached this city of disturbances in the province of Texas, adjoining the territory of the U. S. which appears to threaten the peace of the United Mexican States, I hasten by the direction of the President to express to you the very great regret which he feels on account of the existence of those disturbances. The frankness which has ever characterized the government of the U. S., in all its intercourse, with foreign powers, and the friendly feelings which it cherishes for the welfare of the republic of the United Mexican States supersede altogether any necessity for the

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assurance, which nevertheless I take pleasure in making, that the government of the U. S. has not given the smallest countenance or encouragement to those disturbances. The President has directed orders to be conveyed to that portion of the Mexican frontier to give no aid or succour of any kind to those who have taken arms against or may oppose the authority of the government of the United Mexican States. And he will see the restoration of tranquility with much satisfaction.

I pray you to accept assurances of my... H. Clay.

Foreign Legations, Notes to. June 27' 1821-March 17' 1828. Department of State. Vol. 3, p. 327.

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20 de febrero de 1827. Washington. Pablo Obregón a H. Clay

Honorable señor:

El infrascrito enviado extraordinario y ministro plenipotenciario de los Estados Unidos Mexicanos ha tenido ayer el honor de recibir la nota del señor secretario de Estado, fecha del mismo día, en que le comunica los sentimientos del presidente con motivo de las noticias llegadas a esta ciudad, del movimiento de sedición ocurrido en Texas.

El que suscribe, penetrado de la exacta observancia de los principios de este gobierno y de que atento siempre a conservar las relaciones amistosas que tiene con el de México, no permitiría que los revoltosos encontrasen auxilio alguno en estos estados, ni los habría fomentado de ningún modo, luego que supo dichas ocurrencias, el punto en que han tenido lugar y el no aparecer públicamente otros nombres entre los de los sediciosos que algunos de los americanos radicados en Texas, informó a su gobierno, de que no creía que el de los Estados Unidos hubiese favorecido en lo absoluto semejante acontecimiento. Pero la ratificación de este juicio del infrascrito, verificada por el señor secretario de Estado en su nota citada, y las medidas que ha tomado el presidente en las fronteras de estos Estados hacia el punto de la mexicana en que se ha perturbado el orden, las ha recibido con la consideración y satisfacción que debe, lo mismo que los deseos

del presidente que le ha expresado el señor secretario de Estado, de que la paz de la República no será turbada, y el de saber que ésta se halle del todo restablecida.

El que suscribe pondrá inmediatamente en conocimiento de su gobierno la comunicación que sobre esta materia ha tenido el honor de recibir del señor secretario de Estado aprovechando esta ocasión para reiterarle... Pablo Obregón.

Mexico. Notes. December 30' 1821-June 1' 1831. Department of State. Vol. 1. NAW.

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21 de febrero de 1827. México. J. R. Poinsett a H. Clay

Sir,

A slight indisposition, from which I am not yet entirely relieved has prevented me from informing you earlier of the changes which have taken place and of those contemplated in the cabinet of Mexico.

Gomez Pedraza has resigned the Department of War, and General Rincon has been appointed by the President to that office. Esteva has resigned the Department of the treasury; and it is supposed that Don Thomas Salgado is somewhat timid, he is a man of good talents, and will I think reform many abuses which now operate injuriously upon foreign commerce. I have long known him as juez of the Hacienda, an officer answering to that of our comptroller, and have always found him disposed to act promptly and correctly.

There is so formidable an opposition to the Minister of Grace and Justice, Ramos Arizpe, that if the President persists in supporting him, it is probable, Congress will do away with that department altogether.

For the last month, the Mexican Congress has been occupied by discussions in secret session, arising out of a conspiracy of some monks and European Spaniards to overturn the existing order of things. It appears to me, that even if the plans of the conspirators had not been detected, they could not have seriously affected the tranquility —much less have endangered the safety of the republic.

The monks cannot brook the downfall of their influence which they have sense enough to see must be the inevitable effect of the existence of free institutions.

Since my note, num. 72, accounts have been received from Texas of an insurrection of the white settlers and Indian tribes inhabiting that part of the state which borders upon our territory. A half breed by the name of Fields, a man by the name of Edwards, to whom the legislature of Texas granted a large tract of land, and John Hunter of notorious memory are the ringleaders. They have made Nacagdoches their headquarters —have hoisted a red and white banner, —indicative of the union of the whites and indians— and declared that district of country as far as the Río Bravo del Norte independent. They are, I understand, about fifty whites, and a thousand Indians. The House of Representatives quelling this insurrection, and the debate in secret session, some of the ignorant members did not hesitate to express their opinion that the government of the United States was privy to this movement —if indeed, it had not encouraged it. The latter opinion is boldly avowed by the *Sol* a paper extremely inimical to the United States.

I believe the true cause of discontent to be the fear entertained by these people that the Mexican government is about to liberate all the slaves in the commonwealth a measure which would deprive the new settlers of a large and valuable portion of their property. I very much fear, as these people are unused to Indian warfare, that they will not be able to contend with the hostile tribes, joined as they will be by the Comanches, and led on by whites. The government is highly irritated, and the Mexicans are so exceedingly vain that they are incautious and disdain to have recourse to conciliation.

I will write more fully on this subject by the next mail, and will send you translations of the proclamations and proceeding of the insurgents.

An English brig of war arrived on the 16th instant at Veracruz, having on board Mr. Rocafuerte, who brings out a Treaty of Navigation and Commerce concluded in London between Great Britain and Mexico.

I have the honor... J. R. Poinsett.

Mexico. Poinsett. August 17' 1825-April 18' 1827. Department of State. Vol. 2. Docs. 14-17, 48-85, doc. 74. NAW.

28 de febrero de 1827. México. J. R. Poinsett a José M. Michelena y José Domínguez plenipotenciarios de México, Congreso de Tacubaya

Most Excellent Sirs.

A slight indisposition under which I have labored for a few days, has prevented me from earlier acknowledging Your Ex's. note of the 17th instant.

That note is accompanied by translations of two letters addressed by me to the Hon. Henry Clay Secretary of State at Washington, and containing such information as I had obtained with regard to the proceeding of the Congress of Panama. As it is therein stated, that this information was gathered in conversations held with the plenipotentiaries who assisted at that Congress, your excellencies imply, that such a statement may render you liable to the charge of weakness, from having made communications without orders and without motive or of want of truth as containing inaccuracies. Your Excs. go on to state the precise nature and amount of the information each one particular communicated to me in the several conversations we held upon that subject; and in conclusion, request me to give such explanations as I may judge proper, assuring me that your object in making this communication is to do away with any unpleasant impression, which might arise against the honor, and delicacy of your representation.

Appreciating fully these motives, I beg leave to remark that as soon as I learned of the adjournment of the Congress of Panama, and from the unexpected and melancholy death of Mr. Anderson, the United States of America had not been represented there, I felt anxious to learn what had been the proceedings of that body, as well as to ascertain the precise term when it was expected to reassemble at Tacubaya. I sought out therefore, and conversed freely with all the gentlemen then in Mexico, who had assisted in that Assembly, and it certainly ought not to be said, that the communications, which Y. E.'s made to me, in our conversations on that subject, were made without a motive, when it is recollected that my government would have been represented at Panama but for the fortuitous occurrence alluded above. Much less can Y. E. be charged with weakness for having freely communicated on a subject of general interest to America with the

representative of a government, which has on all occasions manifested so lively an interest in the concerns of the new American states.

With regard to the charge of a want of veracity being made against Y. E. from any inaccuracies my statements may have contained, sure I am, that these, if they exist, are rather to be imputed to my not having correctly understood the meaning of the expressions of those with whom I conversed on these subjects, than to any intention on their part to mislead me.

As I conversed more than once with Y. E., and had conversations also with others on all topics relating to the proceedings of the Congress of Panama, it is not to be supposed, that after the lapse of six months, I can take upon myself to state from memory, what particular information I derived from each individual. From the well-known character of Y. E., I am bound to believe, that you have stated the precise amount of the information you communicated to me on those occasions according to your recollection of it. In referring to the sources from which this information had been obtained, I did not intend to confine the reference exclusively to Your E.: but it is undeniable, that the whole of the information communicated by me to my government in these letters was obtained from the sources above mentioned and having been reduced to writing so soon after the date, it is equally undeniable, that the letters conveyed the exact impression made upon my mind by the conversations referred to.

I take advantage of this opportunity... J. R. Poinsett.

Mexico. Poinsett. August 17' 1825-April 18' 1827. Department of State. Vol.2. Docs. 14-17, 48-85, anexo al doc. 76. NAW.

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28 de febrero de 1827. Washington. H. Clay a J. R. Poinsett

Sir,

The President having by and with the advice and consent of the Senate appointed you Envoy Extraordinary and Minister Plenipotenciary from the United States to the Congress of American Ministers expected to assemble at Tacubaya to

act jointly and severally with Mr. Sergeant who had been, previously appointed in the same character, I now transmit to you your commission and letter of credence.

The instructions which were prepared for Mr. Anderson and Mr. Sergeant, or for either of them so far as they remain unexecuted, and were not personally confined to those gentlemen are those by which the President expects you to govern yourself. They are in the hands of Mr. Sergeant or Mr. Rochester, the secretary of the mission and will be there accessible to you.

A vote of the House of Representatives had limited the outfit which the President was authorized to allow you to the sum of \$4,500. The Senate has since stricken out the provision all together. In this shape, the bill has finally passed. Under the circumstances the President has no authority to make you any allowance in the form of outfit.

I am with great respect. . . H. Clay.

United States. Mexican Papers. Instructions. January 6' 1826-October 24' 1827. Department of State. Vol. 11, p. 256.

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5 de marzo de 1827. México. Informe del comité de relaciones exteriores de la Cámara de Diputados sobre el proyecto de tratado entre los Estados Unidos y México, firmado por Andrés Quintana Roo, José Manuel de Herrera y José María Tornel.

The committee of Foreign Relations of this Chamber has daily examined, for the space of two months the treaty of amity, navigation and commerce, concluded by the plenipotentiaries of this republic and the plenipotentiary of the United States of America. The Committee would have wished to present at a much earlier period the result of their labors and continued meditations upon one of the most important subjects, which can occupy the congress of the Union; but the necessity of procuring documents which were indispensable to for their opinion, the obscure meaning of various articles, and even the inexact translation of some of them, have withheld them from submitting to the deliberation of the Chamber

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an incompleted report, and which might hazard its judgement to the prejudice and incalculable injury of the republic. On the other hand, the Committee has not only been distrustful of their abilities, but also has wished to appear more scrupulous in the examination, because the treaty is made with a nation whose existence was half a century earlier than ours, and which is skillful in the mazes, ambiguities and transformations of diplomacy whilst we are beginning this difficult career with the candour of youth. The Committee has held repeated conferences with the Mexican plenipotenciaries; some of their objections have been removed —others not— as will appear when we come to the analysis of the various principal and additional articles which compose the treaty.

The Committee is of opinion, that this question should first be discussed; viz: has the period arrived when a treaty should be made with the United States of North America? The Committee decides affirmatively. General and special reasons of policy and expediency support their opinion.

Treaties of amity, navigation and commerce which nations make, are acts of reciprocal confidence, and express evidence of that which the stability of their respective government inspires. No civilized people in the world binds itself to another nation, without acknowledging in it sufficient moral and physical power to religiously fulfill its engagements. The formation of treaties, then, is to associate us with the civilized world, to occupy the throne of sovereignty among nations, and to compare with them in rank, in power and in dignity. These bases being acknowledged, none will doubt that the Mexican nation acquires respect and augments its importance whenever it makes treaties with nations, which have formed them with other powers. The problem, which is yet unsettled as respect the guarantees which the new nations of America offer as their organization and stability, is solved to their advantage when an elder nation treats upon an equality with our states and, confides in the validity of our promises. This has been well understood by our sister nations, who have pressed forward and, unfortunately for us, taken the lead in concluding treaties not only among themselves, but also with the United States of the north, and with Great Britain.

Treaties establish reciprocal rights and obligations. They unite nations they communicate advantages from one to the other, and predispose them to identify their interest, their principles, and their cause. They give solemnity to their inter-

course, which originates in nature, whose motive is necessity. Will any one deny the importance of such conventions?

Justice, therefore, and our own advantage call for the approbation of the treaty which is about to be discussed. We shall never forget that silence which all other nations maintained respecting the emancipation of America. Our ~~neighbours~~, obedient to calls of sympathy with the principles which we had proclaimed, declared in the face of the world, that they recognized the justice of our cause, and would henceforth receive us at their side, and on an equality with every other nation. This first decree moved the world; and from that time, an example has been imitated, which can not be deprived of the merit of its seasonableness, nor of our gratitude towards our friends the North Americans. Even now its government acts with greater frankness than others, since it receives a minister plenipotentiary of Mexico in which character our agent in England is not considered, because the treaty of amity, navigation and commerce has not yet been ratified. Even more: relations already exist between Mexico and the United States of North America, which require only to be placed on a regular footing. In this way, confidence will be augmented; capitalists, who now do not venture to come to our soil, because they wait until security to their property and persons be established by mutual obligations between the states, will augment our wealth and population, so soon as there are between us, reciprocally, those guarantees and securities that exist in other countries. It is equally undeniable, that until this convention exists and be ratified, we shall not acquire from United States of the North an acknowledgement, that they regard us as possessed of the same rights and privileges as they regarded Spain, when she possessed the territory which now forms the great and powerful Mexican nation. Should unfortunately, events like those that recently occurred in Texas, be repeated, our reclamations will be made with greater authority, and we shall even count upon the cooperation of the cabinet of Washington, which is now stipulated in different cases. But the committees of the chambers of the preceding legislature, disregarding all these invincible reasons, pretended, that the treaty should not be taken into consideration definitively, until the treaty of limits was made and approved. They did not reflect, that to make such a treaty, it is necessary to make a stipulation for that purpose in this, as no previous obligation exists. They did not bear in mind, that commercial relations now exist between both states, and that they will be

able to exist always, without the United States suffering serious evils from the want of a treaty, evils so considerable as would compel them to hasten on this account alone to conclude the Treaty of Limits. But as the object is patriotic, although not the most correct, the Committee proposes in considering the additional articles, what in their opinion is sufficient to obtain every advantage without detriment to the nation. It is now to pass to examination of each of the articles separately.

The introduction or prologue of the treaty is expressed in terms commonly used in such diplomatic papers.

The 1st article stipulates, that there shall be peace and friendship between the United Mexican States and the United States of North America, and between their people and citizens, respectively.

The 2nd article establishes the basis of perfect equality and reciprocity, and the contracting parties engage to grant no privilege to other nations, in respect to commerce and navigation which is not immediately to be extended to the other party upon the terms on which the concession may be made. That is to say, the principle of the most favored nation is adopted. It is surprising, that the members of the former Committee should have presumed to indicate the expediency of excepting Spain from this article. Spain, that tyrannized over us, that plundered us, and put to an ignominious death so many of the sons of the republic, that even yet endeavors to reduce us under her detestable yoke, certainly does not merit any regard from us. Moreover the Congress of the Union has declared to be a traitor he who shall dare to propose indemnification to Spain for the acknowledgment of an independence which has cost us our blood. The members of the Committee can be disculpated only because their zeal in favor of independence blinded them.

In the 3rd article, reciprocity of intercourse is secured, except that foreign commerce is excluded from ports which are open only to the coasting trade.

Articles 4th, 5th, and 6th, stipulate equality of duties on the importation and exportation of goods with those now paid or which may be hereafter paid by other nations, and that vessels shall pay the same duty and enjoy the same bounties and drawbacks as those of the most favored nation. In the last paragraph of the 6th article the right is reserved of contracting for an equality of duties, bounties and drawbacks,

when the Mexican marine shall be sufficient for the necessities of its commerce.

In the 7th, 8th, and 9th articles, reciprocity is secured.

The 11th article omits to say, what shall be understood by 'high seas', and it is expedient to settle this point in the event of claims. The law of Indies, 5. 6. 8. says, viz: The immunity of the coasts of my dominions shall not be designated as hitherto by the doubtful and uncertain range of cannon shot, but by the distance of two miles of 950 toises each. This law, which has not been annulled, fixes the limits of our maritime jurisdiction; and those of the United States are in other terms. The Committee thinks that in this article and in the 20th after the words high seas, should be added, it being understood by high seas that which the laws of each of the contracting parties have now or may hereafter establish.'

The Committee of the former chamber removed satisfactorily the objections which were made to the exactness of the words, 'until they be exported', with which the 12th article ends.

Equality and reciprocity are the soul of the 13th and 14th articles.

The Committee has observed, that in the 15th article it is said, that the North Americans shall continue to enjoy privileges of burial in places assigned for that purpose. It should be added, or that may hereafter be assigned for that purpose, because either no places are assigned or they are not assigned in all parts of the country.

The Committee recommends, that in lieu of the translation of the 16th and 17th article of the treaty, the accompanying version be substituted, as being more exact.

The 18th and 19th articles present no obstruction to their approval.

In the 20th article, it will be remembered what was provided in the 11th with respect to the words 'high seas'.

Since it appears, from the protocols of the conferences that took place between the plenipotentiaries, that the plenipotentiary of the United States of North America agrees to adopt the 7th article of the treaty with England, on account of this omission, the 23rd article should not be approved because passports and sea letters are easily counterfeited and this would frustrate the good effects of a navigation act.

The 24th, 25th and 26 articles are admissible.

In the 27th article, the Committee observes, that speaking of privileges, exemptions and immunities which are granted

to accredited agents, it is said which they now enjoy, whilst our laws have established nothing concerning these privileges, and abuses may perhaps exist.

The Committee thinks, that suppressing the words "now enjoy" these be substituted, "which the most favored nation may enjoy".

The 28th, 29th, 30th and 31st articles are equally advantageous to the two contracting parties. The Committee recommends the translation which it presents of the 30th article.

With respect to the 32nd article, the Committee is of opinion, that the following words of the second paragraph should be suppressed, viz: Several treaties of friendship exist between the two contracting parties and the said nations of Indians. From thence it might be inferred, that these treaties are acknowledged, and we cannot approve them without examining whether or not they are prejudicial to the republic. The Committee advises the suppression of the word purchase after the words contracting parties, in as much as it may still be expedient to permit the purchase of prisoners from the Indians, who else might deprive them of their existence; and in this case, the word ransom should be inserted after the words transmission and maintenance.

The Committee trusts, that the chamber will be pleased to reject the 33rd article respecting the restoration of slaves. The slave makers use of the inalienable right which the author of nature has conceded to him, when he procures his liberty. The chambers have shown themselves determined to erase this stain and to preserve our institutions. It is also to be observed, that the reciprocity which is established in this article, is nominal, since there are no slaves belonging to Mexico on the frontiers of the states of the north.

The committee is, moreover, aware, that in the colonies of our neighbours on the frontiers, slaves are worked, who alone can withstand the labors to which they are condemned by their deplorable fate. Who will not allow, that it is expedient for us to remove our neighbours from the frontiers even by indirect means?

The 34th and 35 articles need no further alteration than in the time fixed for the exchange of the ratifications the term appointed having expired; but this plenipotentiaries might agree upon.

The Committee recommends, that it be inserted as a part of the additional articles, viz: that the treaty of limits between the two nations shall be concluded at the latest within

two years. This will approximate an event which is of such deep interest to the republic.

As limits are spoken of in the treaty, and obligations are entered into in case of their being crossed, the Committee thinks it their duty to advise the insertion of the following additional article, viz:

“Until the contracting parties fix definitively the limits within the time appointed, the stipulations of the treaty of amity, settlement of differences and limits between the Catholic Majesty and the United States of America, signed on the 22nd of February, 1819, by D. Luis de Onís and John Quincy Adams, shall be in force.”

Mexico March 5th 1827.

Firmado: Andrés Quintana Roo, José Manuel Herrera, José María Tornel.

Mexico. Poinsett. August 17' 1825-April 18' 1827. Department of State. Vol. 2. Docs. 14-17, 48-85, anexo al doc. 82. NAW.

7 de marzo de 1827. México. J. R. Poinsett a H. Clay

I have the honor to transmit herewith copies of my correspondence with the plenipotentiaries of this government, who assisted at the Congress of Panama. They were blamed by their government for making any disclosure to me, and were compelled to address me on the subject. My reply was dictated by regard for their feelings: but I have reason to know that the information contained in my letters was substantially correct; and it is undeniable, that it was derived from the sources there alluded to.

I have the honor to be.

Firmado: J. R. Poinsett

Mexico. Poinsett. August 17' 1825-April 18' 1827. Department of State. Vol. 2. Docs. 14-17, 48-85, doc. 76. NAW.

8 de marzo de 1827. México. J. R. Poinsett a H. Clay

Sir,

General Rincon, who is to command the expedition against the insurgents in Texas, left here this morning for Vera Cruz. It is intended, that a thousand men should be embarked at that port to be landed at Matagorda, where the troops from the interior, to the number of a thousand, are to rendezvous. Congress voted half a million of dollars to defray the expenses of the expedition; but declared, that the President should be furnished with whatever amount might be necessary. A desire was manifest to evince on this occasion great promptness and energy, so as prevent similar attempts being made elsewhere.

It is proposed, likewise, to send someone by the way of New Orleans to treat with the insurgents at Nacogdoches. The troops are to be supplied with provisions from New Orleans.

The President in a conference I had with him the other day, expressed himself perfectly satisfied, that the government of the United States had in no manner encouraged these movements, and regretted that such an opinion had even been promulgated by the public papers. At the same time he evinced an earnest desire, that the President of the United States would give some public manifestation of his disapprobation of this insurrection in a frontier province, and take steps to prevent the Indians of our territory from passing over in a hostile attitude into Texas, our people from joining the insurgents. I told him, that I would communicate his wishes to the President, and doubted not, that such measures would be taken by him on this subject as the Constitution and laws permitted, and our friendly relations with Mexico required.

I have the honor to be, Sir, Your obedient servant J. R. Poinsett.

Mexico. Poinsett. August 17' 1825-April 18' 1827. Department of State. Vol. 2. Docs. 14-17, 48-85. doc. 77. NAW.

12 de marzo de 1827. Washington. H. Clay a J. R. Poinsett

Sir,

The eight months within which the exchange of the ratifications of the treaty which you lately concluded with Mexico was to take place in this city, expired on the 10th instant, without our receiving the Mexican ratification. This was not to have been anticipated. As the treaty was negotiated under the immediate eyes of the Mexican government, which must have been well informed at every stage, of the whole progress and of every incident, of the negotiation, there was less occasion, on the part of that government than on that of ours for time to deliberate on the question of the ratification of the treaty. The period was not short, which was fixed for the exchange of the ratifications; but long as it was, we are yet ignorant of the final pleasure of the Mexican government. You will communicate the surprise which the President has felt at this incomprehensible delay. All governments are entitled to ample time for full deliberation on the pacts and treaties which they may conclude with foreign nations; but when a period after mature consideration has been definitively settled for the interchange of their mutual decisions, it is not usual to allow it to pass away without communicating what are those decisions. Had Mexico been designated as the place where the exchange of ratifications was to be made, this government would not, without most solid and satisfactory reasons have failed to announce to that of Mexico, within the prescribed period its ultimate determinations, whether it was to ratify the treaty with or without modifications or not. The effect of the lapse of the limited period, without consummating the treaty, is to absolve the United States from all sort of obligations in consequence of the conclusion of the Treaty, and to leave them free to conclude a new one with similar or other stipulations. If the Senate of the United States had, before the 10th instant, given its consent and advice to the unconditional ratification of the treaty, on our part, it would have been, notwithstanding, necessary again to submit the instrument to that body, if the Mexican ratification had arrived here after that day.

As the late session of the Senate was rapidly expiring when Mr. Masson brought the treaty, the President determined, without waiting for, but in confident anticipation of the

Mexican ratification of it to lay the counterpart which you had transmitted, before the Senate for its advice and consent. The advantage of this course consisted in the saving of time. If the Senate advised the ratification of the treaty, the President would be prepared to ratify it, and to authorize the exchanges of ratifications, whenever the Mexican ratifications should be received, within the period limited for that ceremony, although the Senate might not be in session. If the Senate proposed amendments or alterations, these could be offered with less scruple when it was not known whether the Mexican Congress had given their consent to the treaty with, or without conditions. And any such modifications could be forthwith transmitted to you to reopen the negotiation, without the delay of waiting to receive the ratification of the Mexican government.

Accordingly the President, on the 12th day of last month communicated the treaty to the Senate for consideration. It was referred to the Committee of Foreign Relations, and has been maturely considered, both there, and in the Senate. The result of these deliberations will be found in the resolutions of the Senate adopted on the 26th ultimo, of which I herewith forward you a copy. You will perceive from a perusal of them, that the Senate advise and consent to most of the provisions of the treaty, but that there are certain parts of it which have not obtained the approbation of the Senate. It is my purpose now to call your attention to those parts.

The first resolution of the Senate expresses its objection to the first additional article of the treaty. According to the terms of that article, it comprehends as well persons born in the European dominions of His Catholic Majesty the King of Spain established in the United States, who may have been regularly naturalized according to our laws, as those who remain alien. Of the first mentioned class, that is, native of Spanish subjects, naturalized in the United States, there are very few. With the exception of those in Louisiana, who are presumed to be, generally favorable to the cause of the Mexican revolution, these are believed to be not a hundred in the United States. It was not, therefore on account of the extent of the operation, but to preserve inviolate an important principle, that the Senate is supposed to have object to that article. Under our institutions, the native and the naturalized citizen are invested, with few exceptions applicable to ourselves alone with the same rights, and the government would be extremely reluctant to admit of any individual distinction.

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That which is embraced in the provision of the first additional article, can be of no importance to the Mexican government. Of the few naturalized citizens who were born in the Spanish Dominions, and who are established in the United States, a very small number, if any, would probably engage in the commerce with Mexico. These as well as any native citizens of the United States whilst within the Mexican territories, would be anullable to the laws of the Mexican government, and, if they should so far forget their duty as citizens of the United States, and their obligation, of temporary allegiance to the government of Mexico, as to attempt any thing injurious to the safety of the United Mexican States, those laws would be competent to vindicate their authority. The importance of the first additional article to the security of the Mexican republic, its professed object is still further diminished by alteration which is proposed by the Senate in its second resolution.

According to that resolution, the word citizens is proposed to be substituted for that of inhabitants. The effect of this amendment, if adopted, will be to limit the privileges secured by the third article of the treaty to citizens of the respective republics, to the exclusion of the inhabitants who are not citizens. It would follow that any native born Spanish subject established, but not, in fact naturalized in the United States, could not be entitled to those privileges; and the Mexican government would consequently be free to adopt any measures of precaution, with respect to such persons not naturalized, that expediency or policy might recommend. Restricted as the third article would be, with this modification, there could remain scarcely any persons on whom the first additional article could operate. This change of phraseology in the third article was probably suggested by the Senate to obviate any repugnancy which the Mexican government might feel to the omission of the first additional article, and it is hoped that it will accordingly, have that effect.

By the third resolution of the Senate its consent and advice to the sixteenth and seventeenth article, are made to depend upon the condition of the annexation to the sixteenth article of the followin proviso: 'provided however, and it is hereby agreed that the stipulations in this article contained, declaring that the flag shall cover the property, shall be understood as applying to those powers only who recognize this principle; but if either of the two contracting parties shall be at war with a third, and the other neutral, the flag of the neutral

shall cover the property of the enemies whose governments acknowledge this principle and not of others'.

The effect on this proviso would be to limit the benefit of the liberal principle, that free ships shall make free goods to those powers who agree to it. You are aware that such is the limitation of the principle in our treaty with Colombia. It would seem difficult to resist the force of those considerations which unite in refusing to any power the benefit of a principle to which such power will not subscribe. The reason assigned by the Mexican plenipotentiaries in the twelfth conference which you had with them as appears from the protocol, that is, that they had pending negotiations with Great Britain which might be injuriously affected by their agreement to that limitation of the principle, never was entitled to any weight, but if it ever ought to have influenced their decision, it can no longer operate, as, according to our conference which you had with them as appears from the information the treaty between the Mexican and British government has been concluded.

The last amendment desired by the Senate is to the duration of the treaty which is proposed to be fixed at six years, to be computed from the day of the exchange of the ratifications, instead of twelve years. To this modifications no objection is anticipated. From the recent establishment of the Mexican government, it must be in want of experience as to the operation of commercial regulations whether made by treaty or by law. Any arrangement therefore, by which a commercial treaty will be speedier subjected to revision and amendment, if from its practical operation it should be found necessary, must be conformable to the interests of that government. As we have more commercial experience than Mexico, in consequence of our longer existence as an independent nation, the abridgement of the period of the treaty cannot be so important to us as to the republic of Mexico. Among the considerations which are supposed to have influenced the Senate, that probably, had most weight, arising out of the fact of the existing war, and the probability before the expiration of the six years, of peace between Spain and Mexico. The state of peace being common to both republics, will be more favorable to a fair and impartial consideration of the conditions by which their mutual navigation and commerce should be regulated, that when one is at war and the other at peace.

You will communicate in friendly and conciliatory manner,

to the Mexican government the conditions on which the Senate consents to, and advises the ratification of the treaty; and you will endeavor by a renewal of the negotiation, to get it modified in conformity to the views of the Senate.

If the alterations proposed shall be agreed to by the Mexican government and the treaty shall be duly ratified, when so modified, by that government the exchange of the ratifications may then be made at Washington, but not without again submitting the treaty to the Senate of the United States.

The two amendments to which the Senate may be supposed to attach the most consequence, are probably the first and the third. It is believed that, without the Senate would never advise the ratification of the treaty. You will use your best exertions, to prevail on the Mexican government to consent to all the proposed amendments and you are authorized to propose an additional article similar to that in our late convention with France, and in our treaty with the Central Republic, stipulating that the treaty shall remain in force beyond the six years, until one of the parties shall give to the other six months written notice of his desire to terminate it at the end of which term it shall accordingly cease. Such an article may reconcile the Mexican government to the abridgment of the duration of the treaty, proposed by the Senate.

If the Mexican government will not agree to the amendments proposed by the Senate, no alternative will then remain, but to terminate the negotiation.

I am with great respect... H. Clay.

United States, Mexican Papers. Instructions. January 6' 1826-October 24' 1827. Department of State. Vol 11, p. 261. NAW.

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51 de marzo de 1827. Washington. H. Clay a J. R. Poinsett

Sir,

The great extent, and the facility which appears to have attended the procurement of grants from the government of the United Mexican States, for large tract of country to citizens of the United States in the province of Texas, autho-

size the belief that but little value is placed upon the possession of the province by that government. These grants seem to have been made without any sort of equivalent, judging according to our opinions of the value of lands. They have been made to and apparently in contemplation of being settled by citizens from the United States. These emigrants will carry with them our principle of law, liberty and religion, and however much it may be hoped they might be disposed to amalgamate with the ancient inhabitants of Mexico so far as political freedom is concerned, it would be almost too much to expect that all collisions would be avoided on other subject. Already some of these collisions have manifested themselves, and others in the progress of time, may be anticipated with confidence. These collisions may insensibly enlist the sympathies and feelings of the two republics, and lead to misunderstandings.

The fixation of a line of boundary of the United States on the side of Mexico should be such as to secure, not merely certainty, and apparent safety in the respective limits of the two countries, but the consciousness of freedom from all danger of attack on either side, and the removal of all motives for such attack. That of the Sabine brings Mexico nearer our great western commercial capital than is desirable and although we now are, and, for a long time may remain perfectly satisfied with the justice and moderation of our neighbor, still it would be better for both parties, that neither should feel that he is in any condition of exposure on the remote contingency of an alteration in existing friendly sentiments.

Impressed with these views, the President has thought the present might be an auspicious period for urging a negotiation, at Mexico, to settle the boundary between the territories of the two republics. The success of the negotiation will probably be promoted by throwing into it other motives than those which strictly belong to the subject itself. If we would obtain such a boundary as we desire, the government of the United States might be disposed to pay a reasonable pecuniary consideration. The boundary which we prefer, is that which, beginning at the mouth of Río del Norte in the sea, shall ascend that river to the mouth of the Río Puerco, thence ascending this river to its source, and from its source, by a line due north to strike the 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 boundary thus described

would according to the H. S. Tanner's map published in the United States, leave Sta. Fe within the limits of Mexico, and the whole Red River, or Río Roxo, and Arkansas as far up as it is probably navigable, within the limits assigned to the United States. If that boundary, be unattainable, we would as the next most desirable agree to that of the Colorado beginning at its mouth, in the Bay of Bernardo, and ascending the river to its source, and thence by a line due north to the Arkansas, and thence, as above traced to the South Sea. This latter boundary would probably also give us the whole of the Red River, would throw us somewhat further from Santa Fe, but it would strike Arkansas, possibly at a navigable point. To obtain the first described boundary the President authorizes you to offer to the government of Mexico, a sum not exceeding one million of dollars. If you find it impracticable to procure that line, you are then authorized to offer for the above line of the Colorado the sum of five hundred thousand dollars. If either of the above offers should be accepted, you may stipulate for the payment of the sum of money as you may happen to agree within any period not less than three months after the exchange, at the city of Washington, of the ratifications of the treaty.

Should you be able to conclude a treaty, it will necessary that it should contain a stipulation for the mutual right of navigation of the Río del Norte, or the Colorado, as the one or the other of them may be agreed on and for the exercise of a common jurisdiction over the river itself. The treaty may also provide for the confirmation of all *bona fide* grants for land made prior to *its date*, with the conditions of which there shall have been a compliance. And it may contain a provision similar to that in the Louisiana and Florida treaties for the incorporation of the inhabitants into the union as soon as it can be done consistently with the principle of the federal constitution, and for their enjoyment of their liberty and religion.

There should also be a provision made for the delivery of the country to the United States simultaneously or as nearly so as practicable, with the payment of the consideration. We should be satisfied with a surrender of possession at that time, as far as the river line extends (the del Norte, or the Colorado) and to receive the residue as soon as the line to the Arkansas can be traced, which the treaty ought to provide should be done without unnecessary delay; and at all events, before a future day to be specified.

Immediately after intelligence reached us of the revolt in Texas, I addressed a note to Mr. Obregón to which I received an answer on that subject. I herewith transmit copies of both, in order to put you in possession of what has occurred here, and to enable you to efface any impression, if any impression should exist at Mexico, that the United States have given countenance to the insurrection.

United States, Mexican Papers, Instructions. January 6' 1826-October 24' 1827. Department of State. Vol. 11, p. 270. NAW.

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17 de marzo de 1827. México. J. R. Poinsett a H. Clay

Sir,

I have the honor to transmit herewith a translation of the treaty of amity, commerce and navigation, concluded at London between Great Britain and these states, which has lately been ratified by the House of Representatives here, and will probably pass the Senate in a few days.

The original consists, as I am informed, of 15 articles. This copy contains only twelve; but you can easily supply the deficiency by a reference to the former treaty, which was not ratified in London. The treaty concluded here by me has at length been presented to the House with a favorable report by the Committee of Foreign Relations, to which it had been referred. It has not yet been acted upon.

I have the honor to be very respectfully... J. R. Poinsett.

Mexico. Poinsett. August 17' 1825-April 18' 1827. Department of State. Vol. 2. Docs. 14-17, 48-85, doc. 79. NAW.

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24 de marzo de 1827. México. J. R. Poinsett a H. Clay

Sir,

Information has been just received of an insurrectionary

movement in the state of Durango, which has occasioned a great sensation here.

By the constitution of that state, the legislature ought to have been installed in the month of August; but from unforeseen causes, the members did not meet until eight months after that period. The legislature insisted, that their term of two years did not commence until the moment of their installment; and the opposition that it ought to be counted from the month of August.

Unfortunately for the peace of the country, the people appealed to the right of insurrection against the pretention of the state legislature, and it is still more to be regretted that the troops have taken an active part in the insurrection. They have arrested the governor and those who favored the views of the legislature, and have taken the government into their own hands.

The general government has determined to support the authorities of the state of Durango, and Congress has authorized the President to employ three thousand men of the local militia from the neighbouring states for the pacification of Durango, and have declared null and void all acts of the authorities of Durango during the time they are not in the full enjoyment of their liberty. This event is particularly infortunate at this period, as it compels the government to incur expenses which it is scarcely able to bear.

The expedition to Texas is ordered to proceed, although the government received information of the insurrection being checked. It will consist of about one thousand regulars; but the militia, which was to have constituted the principal numerical force, will not now join it unless the insurgents should rally.

The insurrection of the Yaqui Indians, in the state of Sonora, continues with various success and is attended with serious distress to the inhabitants. The Yaquis are not savage, warlike Indians, but agriculturists and industrious people who performed all the labor in that part of the country. They had been treated harshly and impolitically by the state authorities, which roused them to resistance. The efforts to suppress them have been hitherto very feeble.

The plans discovered by the folly of Friar Arenas are now found to have been more extensive than was at first supposed. Two European general officers in the service of Mexico have been lately arrested as accomplices in that plan, Negrete and Echavarri.

I still think from the spirit that pervades all classes of people in this country, that any attempt in favor of Spain must have proved vain, notwithstanding the efforts of the regular clergy.

I am respectfully, Sir, . . . J. R. Poinsett.

Mexico. Poinsett. August 17' 1825-April 18' 1827. Department of State. Vol. 2. Docs. 14-17, 48-85, doc. 80. NAW.

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29 de marzo de 1827. Washington. H. Clay a J. R. Poinsett

Sir,

Herewith you will receive the copy of a letter which has been sent to the attorney of the United States for the eastern district of Louisiana instructing him to investigate the complaints set forth in the note of the Secretary of State of the United Mexican States to you of the 2nd of February, a translation of which was lately received at this Department with your dispatch num. 72. You will take an early opportunity to lay before the Mexican government this new proof of the desire of the United States to maintain unimpaired the friendship and good neighbourhood of the people of the two countries, and to repress any infraction of the public law, or of the laws of the United States, by irregular and unauthorized incursions into the territories of the Mexican republic from those of the United States calculated to disturb them. These orders, it is believed will effectually tend to the repression of the offence complained of; and the punishment of the individuals engaged in the commissions of it, if it shall be discovered that the imputation of the Mexican government is made upon good grounds.

I am, Sir, respectfully. H. Clay.

United States. Mexican Papers, Instructions. January 6' 1826-October 24' 1827. Department of State. Vol. 11, p. 283.

5 de abril de 1827. México. Juan José Espinosa de los Monteros a J. R. Poinsett

Most Excellent Sir,

The government of Chihuahua by date of the 6th of March last, has transmitted to this department, a copy of a representation made by citizen Santiago Baird, a resident of Villa del Paso in that state, in which he exposes the criminal conduct of a numerous party of strangers, subjects of the United States of the north, who having entered in an improper manner, and with arms, by the frontiers of the territory of New Mexico, have penetrated to parts of the said state, and to the borders of Sonora or Sinaloa with the view of hunting the otter.

The said government transmits moreover, a copy of the report which was in consequence asked of him and given respecting this matter by the President of the Partido del Paso, who not only confirms Baird's representation, but adds that it is some time since this abuse began; that the incursions of the foreign expedition have already extended to some of the interior settlements, that they have taken a quantity of skins from the Río del Norte, that they have defrauded the revenue of its duties, and finally, that in conversation respecting their party, they have expressed themselves with extraordinary arrogance.

In view of this, of the report of the political Chief of New Mexico, and other documents which the government of Chihuahua in like manner transmits, which agree substantially as to the same facts, the Most Excellent President orders me to Your Excellency, as I now have the honor to do in full confidence that on Your Excellency is making it known to your government it will be pleased to do adopt the serious measures which may be proper to remedy these excesses, and to avoid the lamentable exigency, which may compel this government to take upon itself, as it will do, such steps, as under like circumstances, it may deem expedient to repress them.

I avail myself of this occasion to reiterate...

Juan José Espinosa de los Monteros.

México. Poinsett. August 17' 1825-April 18' 1827. Department of State. Vol. 2. Docs. 14-17, 48-85, anexo al doc. 84. NAW.

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9 de abril de 1827. México. J. R. Poinsett a J. J. Espinosa de los Monteros

Most Excellent Sir,

I have the honor to acknowledge the receipt of Y. E. 's note of the 5th instant, transmitting by order of the Most Excellent President of these States, a representation from the government of the state of Chihuahua, complaining of the conduct of certain citizens of the United States, who have entered the Mexican territory and there acted contrary to the laws of the country; and requesting me to communicate these circumstances to my government.

It is always with the utmost regret, that I learn of any infraction of the laws of this country by citizens of the United States of America; and I beg Y. E. to assure the Most Excellent President, that I will immediately submit this complaint to my government in the full confidence, that such measures as the laws allowe will be adopted there to prevent a recurrence of similar acts on the part of the citizens of the United States.

I take advantage of this occasion to reiterate... J. R. Poinsett.

Mexico. Poinsett. August 17' 1825-April 18' 1827. Department of State. Vol. 2. Docs. 14-17, 48-85. anexo al doc. 84. NAW.

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10 de abril de 1827. México. J. R. Poinsett a H. Clay

Sir,

I have the honor to transmit herewith a translation of the report of the Committee of the House of Deputies on the treaty concluded here on the 10th of July last.

This report has been discussed in secret session and sent back to the Committee with instructions. The House disapproved of some of the extraordinary principles laid down by the Committee in their report; and moreover, desired to have inserted in the treaty and additional article, declaring the treaty of limits concluded at Washington between the Uni-

ted States of America and Spain to be valid and binding upon the high contracting parties. The argument for this declaration, which was advanced in the House and supported by a large majority, is the propriety of considering this republic as having inherited all the rights of Spain. The principle has been hitherto urged effectively in all the disputes between the civil and ecclesiastical authorities; and at this particular moment it is of the utmost importance to this government to establish it beyond all controversy.

The Committee has not yet reported.

The British treaty has been ratified, having passed both houses without the slightest objection.

I have the honor to be. . . J. R. Poinsett.

Mexico. Poinsett. August 17' 1825-April 18' 1827. Department of State. Vol. 2. Docs. 14-17, 48-85, doc. 82. NAW.

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12 de abril de 1827. México. J. R. Poinsett a H. Clay

Sir,

I have the honor to transmit herewith the translation of a note from the Secretary of Foreign Affairs of this republic, marked A, complaining of the conduct of a party of our citizens, who have entered the territory of Mexico contrary to the laws of the country, to hunt the nutria (otter). In my reply marked B, I did not think proper to say, that we should not prevent these incursions, and that this government ought to exercise its own police within its territory, because such an expression of my opinion would have been immediately followed by violent measures against this hunting party.

I beg leave respectfully to suggest, that the regulations adopted by this government respecting passports, translations of which have been sent to the Department, ought to be published, especially in the western states. An ignorance of the laws of this country in this particular, subjects our countrymen to very serious inconveniences in their transit through the Mexican states.

I sent copies of those laws to the governor of the state of Louisiana, requesting that they might be published, but the

daily arrival of persons from the United States in the ports and frontier settlements of Mexico without the requisite passports, induces me to believe, that our citizens must be still ignorant of the existing regulations of this government on that subject.

The first law was confined to those strangers who entered Mexico by its sea ports and a subsequent regulation was thought necessary and adopted to prevent foreigners entering the republic by land without passports countersigned by a Mexican vice consul.

Mexico. Poinsett. August 17' 1825-April 18' 1827. Department of State. Vol. 2. Docs 14-17, 48-85, doc. 84. NAW.

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13 de abril de 1827. México. J. R. Poinsett a H. Clay (privada)

Dear Sir,

Before I present to this government the claim of Thomas Exton Dudley and Jacob G. Wilson for property plundered by the Comanche Indians, I think it proper to give you some information which I cannot well make the subject of an official dispatch and therefore hope you will not object to my making the communication in a confidential letter. The government of Mexico does not regard the Indians living within their territory as an independent people in any respect whatsoever but as a component part of the population of these states, and subject to the laws of Mexico etc... it uses its best endeavours feeble to be sure to restrain them from committing depredations upon Mexicans and foreigners.

The Comanche Indians therefore can only be regarded in the light of a lawless banditti, that attack indiscriminately the inhabitants of this country and foreigners who come within the reach of their incursions. Indeed it appears, that these Indians respect our people more than they do the Mexicans and are much more disposed to plunder the latter than the former. How far a claim can be considered valid for losses sustained by a foreigner, who while traveling through a country is attacked and plundered by robbers may be questionable.

This government entertains an unfounded jealousy of the United States, and does not view with a favorable eye the internal commerce carried on by our citizens from Missouri. Verbal complaints have been repeatedly made to me against those traders for selling arms to the Indians, and for acting with violence and arrogance towards the local authorities of the country. You may have perceived, that in the course of the late negotiations a desire was manifested by Mexico to prohibit altogether our trade with the Indian tribes within its territory; and I have reason to know that this government is disposed to discourage the trade from the United States over land to New Mexico and Texas. If therefore we give them additional motives by making reclamations for the losses our citizens may sustain in common with their own people in the prosecution of this trade, from the attacks of a lawless banditti, which all the efforts of the government cannot control, I fear we may lose that trade altogether. Not by any direct prohibition, but by the government issuing secret instructions to the local authorities of the frontier territories to throw such obstacles in the way as may effectually prevent it.

There is another reason why such a precedent ought to be established with great caution and which arises from the character of their people. Our traders are I am sure honorable men, who respect the sanctity of an oath. They would never prefer fictitious claims: not so this people, they would make business of it, and our government would be continually pressed for claims, which had not a shadow of right; and our Indians might be harassed for depredations which they had not committed. It is somewhat doubtful whether the government has not been deceived by D. Manuel Escudero. His countrymen do not believe a word of having been plundered by Osage Indians, and he is in other respects a man so utterly worthless that I doubt his story altogether. I have had occasion to inquire and knew something of this man's character from the circumstance of his having obtained money and goods to a large amount from some of our most respectable merchants in Philadelphia, who have applied to me to endeavour to recover the amount. From all I can learn this will prove a fruitless task and I much fear they have been defrauded by a man who I understand was well recommended.

The troubles in the state of Durango still continue and the conspiracy of the Friar Arenas appears to have been more extensive than was at first apprehended. I do not however

think, that there is any reason for alarm from these causes. The finances are not in so flourishing a situation as could be wished, and unfortunately the government instead of reducing expenses, seeks to anticipate the revenues of the Congress for that purpose. They are persuaded that if their resources can only be eeked out for two or three years, the mines will afford them an ample revenue thereafter. Their extreme vanity in this respect, as in every other would be diverting if it were not likely to be atended with such injurious effects.

If you still think that the claim of Messrs. Dudley and Wilson ought to be presented to this government I shall urge it as soon as I receive your answer. As the act complained of took place in 1824 I thought a few months longer delay not very important. Especially as I am aware that the government of Mexico is not now in a state to satisfy even the most undisputed claim, however small may be the armount.

With great regard and respect... J. R. Poinsett.

Mexico. Poinsett. August 17' 1825-April 18' 1827. Department of State. Docs. 14-17, 48-85, anexo al doc. 84. NAW.

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10 de mayo de 1827. México. J. R. Poinsett a H. Clay.

Sir,

I have the honor to acknowledge the receipt of your despatches, nums. 20 and 21 sent by Mr Theodore Clay.

I have already signified to this government the resolutions of the Senate of the United States with regard to the treaty, an proposed to renew the negotiations.

The treaty was still before the House; and will be withdrawn by the executive.

I am, Sir, with great respect. J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. doc. 88. NAW.

10 de mayo de 1827. México. J. R. Poinsett a H. Clay
(privada)

Dear Sir,

As your son cannot remain here the whole summer, and as the danger attending his return will be increased by every day's delay, both Mr. Sergeant and myself have thought it advisable, that he should set out at once, especially as he will now have the advantage of accompanying Mr. Rochester and Mr. Ogden. This arrangement accords with his wishes.

The decision of Senate with regard to the treaty was not unexpected by me. My only motive for consenting to insert the additional article, for I was aware of the main objection to it, was a wish not to leave the field entirely open to the British negotiations by breaking off the negotiations here a second time. You can form no idea of the difficulties of treating with these people. They want good faith themselves and are constantly afraid of being deceived.

I am much indebted to you for the interest you manifest in the affair of my outfit. I fully understand the feeling which led Congress to refuse it; but in fact am too much gratified with this renewed instance of the President's confidence to complain of the parsimony of Congress.

I send you herewith the treaties concluded by the Confederate States at Panama and beg you will permit me to observe that neither the treaty itself nor the source from whence it was obtained ought to be divulged; as it might prevent me hereafter from procuring copies of important state papers, which the Mexican government may desire to keep secret.

I cannot but regard the meeting of the Congress of Tabasco as very remote. The non existence of the ratifying power in some of the states, parties to the treaties of Panama, and the evident disinclination of this government to act upon them, lead me to this conclusion. Mexico does not think it to be her interest at present to enter into this confederation. She considers the contingent assigned her as too great, and in fact her finances are not in a stage that would allow her either to move troops for the defense of other states, or to furnish subsidies.

The deficit increases and by my latest information was not short of three million dollars

J Tear the sum offered for the territory is too small. The

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expenses of the government are so great that they don't regard so insignificant a sum as a million, as of much use to them.

As the language used by Doctor Gual in his reply to me appeared to me to require explanation, I sought a conference with him. His principal objection to attend the Congress of Tacubaya arises from the non-ratification of a convention which specifically provides for the protection and privileges of the minister from the American states during their residence within the Mexican territory. He did not feel himself at liberty to give us copy of it; but permitted Mr. Sergeant and myself to read it. To the best of my recollection the following are the chief stipulations. It provides for the transport of Congress from Panama to the town of Tacubaya in the Valley of Mexico, or to any other place they may think fit either in the territory of Mexico or elsewhere, where they can enjoy health and security. Their sessions to be of three months duration with liberty to prolong them three months beyond that term. On the arrival of the ministers within the territory of the government where the assembly is to be held, they are to be considered as invested with all the right, privileges and immunities which minister plenipotentiary duly accredited to the government to which the territory may belong, enjoy: and for this purpose they are to send in a list of the persons composing their suite in order that they may be invested with the same privileges and immunities as the families of ambassadors are entitled to. The correspondence of the ministers to be free from postage, Tacubaya or any other place fixed upon to be free from any garrison of troops unless at the desire and petition of the Congress. Nor any authority of this government to be allowed to enter the town without permission of the Congress, or any pretext whatever, except the civil and municipal authorities of the place.

This concentration not having been acted upon by this government, in whose territory the Congress was expected to meet, Doctor Gual regards the invitation given by the Mexican plenipotentiaries to the Congress of Panama to transfer their sessions to Tacubaya as not approved of by their government: for the Congress might have ratified separately that convention if it thought it expedient to confirm the invitation. He says therefore that he will not attend the Congress if it should meet at Tacubaya before this convention is ratified, because such an assemblage would not have the sanction of the government in whose territory they are.

I asked him if we were at liberty to mention the conven-

tion and his aims [?] of it our government; he replied that we were so.

It appears to me a strong case. It would perhaps have been better to have made no such special convention; but being at Panama under the protection of treaties it was not thought advisable to remove to any other place without positive stipulations for the privileges of the members and the sanctity of the place of meeting.

Your son will give you an account of the state of things here. I presented him to the President and to my friend general Guerrero and am sorry that I saw so little of him; but Mr. Sergeant monopolized him.

I am with great respect... J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, anexo al doc. 90. NAW.

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12 de mayo de 1827. México. J. R. Poinsett a H. Clay

Sir,

I transmit herewith a translation of an act of Congress, depriving all native born Spaniards of their employments, military, civil and ecclesiastical. The passage of this law is a consequence of the late conspiracy. The great objection to it, is augmentation of expense it occasions, which, in the present state of the finances of this country, cannot but be regarded as a serious evil. The government is induced to incur this great additional expense, in order to avoid the danger which might arise from the discontent of these people a danger, which will be produced by the measure in despite of the conciliatory provision.

This government has this instant received advices by a especial messenger, despatched by Capitan Porter, that an expedition is fitting out in Colombia for the invasion of either Cuba or Puerto Rico; that an embargo is laid in all the Atlantic ports of that republic; that the capitan general of Puerto Rico has asked assistance of General Vives; and that Laborde, with all his squadron, has been called off to Havana. In the present state of general Bolivar's affairs, I should not

wonder if they were to attempt something of the sort. His means are certainly inadequate to make a serious impression on the island of Cuba; but it is possible, that the emigrants from that island, of whom I spoke in a former despatch, may have prevailed upon him to make a rash attempt. In that event, the invaders could found their hopes of success only upon arming the Negroes. An expedition against Puerto Rico is to be deprecated, but is not of such vital importance to the United States. The means of Colombia are better suited to such an enterprise; for although I regard the fortifications of the town of San Juan as much stronger than those of Havana, the island is not so well garrisoned, nor in other respect provided with the equal means of defense as Cuba.

This government will view any such attempts on the part of Colombia with great jealousy.

I am, Sir, very respectfully. . . J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121 doc. 89. NAW.

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Guadalupe Victoria al cerrar las sesiones ordinarias del Congreso

Las relaciones que existen tiempo ha entre el gobierno de S. M. B. y el de la república, se han fortificado en el período corrido del presente año. Nuestro encargado de negocios en aquel reino condujo personalmente el tratado de amistad, navegación y comercio, concluído felizmente por el enviado extraordinario y ministro plenipotenciario de la república, que firmado en Londres el 26 del último diciembre, mereció la aprobación de las cámaras; y habiendo obtenido la ratificación del gobierno, volvió a aquella corte para su canje. Los pueblos, señores, os bendicen porque dísteis término a esta interesante negociación, que tanto ha de influir en el progreso de nuestro crédito en el mundo civilizado. Se nos ha prometido para la vuelta de los tratados un ministro plenipotenciario, y el de la nación mexicana, nombrado oportunamente, disfrutará de este rango honorífico en la capital de la nación que tanto influye en los destinos de la Europa. Entre tanto, ha queda-

do autorizado el secretario de la legación de la Gran Bretaña, como encargado de negocios, y el gobierno de México ha dado el mismo carácter a su agente en Londres.

El de la república en París ha sido admitido por el gobierno de S. M. Cristianísima al ejercicio de sus funciones de agente general de comercio; pero el modo y forma de esta recepción, así como el arreglo definitivo de otros puntos importantes ha sido reservado para el momento de la llegada a Francia del expresado enviado extraordinario, a quien se le expidieron los pasaportes necesarios del gobierno francés, y ha salido de Londres para aquella corte el día 19 de marzo. Los agentes mexicanos de comercio continúan con la misma consideración en los puertos de aquel reino.

La ciudad libre de Lubeck ha admitido un agente mexicano de comercio, que desempeñe sus funciones con separación del que antes existía con ese carácter en Hamburgo.

El gobernador general de las Antillas Danesas nombró, por órdenes terminantes de su gobierno, un cónsul de Dinamarca en la república, más careciendo el despacho del indispensable requisito de la sanción inmediata del rey, se ha diferido, hasta que la obtenga, la concesión del *Exequatur*. Debe esperarse que el gobierno de Dinamarca no pulsará embarazo en mandar expedir este nombramiento conforme a los usos generalmente recibidos; y el de México se apresurará entonces a mostrar con su admisión la sinceridad de sus sentimientos para con todas las naciones.

S. M. el rey de Hannover ha dado a un individuo el carácter de agente consular para residir en la república. Sus patentes, que se suponen concebidas en las formas de estilo, serán obsequiadas luego que se presenten.

Los tratados de amistad, navegación y comercio con los Estados Unidos de Norte América, han sido aprobados por el senado de aquella república con algunas reformas y modificaciones: lo que nos conducirá a renovar las negociaciones, teniendo presente los deseos de la Cámara de Representantes, que se ha ocupado del negocio cuando le permitieron otras graves y urgentes atenciones. Entre ambos gobiernos continúa la mejor armonía, y están de acuerdo en celebrar lo más pronto posible el Tratado de Límites, que es tan necesario para la conservación de la buena inteligencia de dos naciones con-finantes y amigas.

El pronunciamiento del ejército colombiano que salvó al Perú, a favor de la constitución de su patria, dejó al pueblo peruano en la libertad de reclamar las leyes fundamentales

que le dieron sus legítimos representantes. La administración del Perú ha cambiado, y las noticias más recientes confirman que esta mudanza se ha obrado conforme a los intereses y a los deseos del Perú.

La guerra de la República Argentina con el emperador del Brasil se sostenía, aunque es muy probable se terminen estas diferencias, especialmente desde que el gabinete de Río de Janeiro, autorizando ministros plenipotenciarios para la Asamblea de Tacubaya, ha explicado las intenciones de fraternidad que lo animan para con los nuevos Estados americanos.

No se sabe que algún suceso haya alterado la marcha próspera de los negocios de la República Chilena.

Al punto de alterarse la paz en la república de Colombia, regresó a ella su presidente Simón Bolívar; y todos los datos y noticias oficiales acreditan que van desapareciendo los temores de una retrogradación en aquella República aliada; retrogradación que pudiera ser funesta en sus resultados a la causa de su libertad.

Aunque sean muy sensibles los acontecimientos de los Estados Unidos del Centro de América, no contemplo muy distante la época del restablecimiento de la tranquilidad, alterada allí por la inexperiencia, que ha producido palpables equivocaciones, que desaparecerán sin duda luego que los ánimos agitados escuchen los consejos de la prudencia y los de los amigos sinceros de esa preciosa parte del nuevo mundo.

México y todas las naciones americanas se mantienen dichosamente unidas por sus votos y por la conformidad de intereses y obligaciones.

España, comprometida con Portugal, por su conducta solapada y páfida ha tenido que esforzarse para ocurrir a su propia defensa, después de que sus antiguos aliados parece la han abandonado a la suerte de sus caprichos.

Ninguna probabilidad ofrece la actual situación de España de que pueda renovar sus desesperadas tentativas contra América.

Nuestro crédito en las naciones extranjeras se mantiene con superioridad al de las otras repúblicas modernas. Hasta el mes de marzo nuestros bonos habían tomado en Londres un alto precio.

Nuestros negocios eclesiásticos, aunque hasta ahora no han podido arreglarse, no ofrecen embarazos capaces de perturbar o impedir de algún modo la marcha de la pública administración. Nuestro enviado a Roma continúa en Bruselas,

esperando las instrucciones con que el Congreso crea que debe entablar su comunicación y relación con la Silla Apostólica.

(Era oficial mayor de Relaciones Exteriores encargado del Despacho, don Juan José Espinosa de los Monteros.)

Genaro Estrada, *op. cit.*, p. 19-21. También se encuentra en mi *Historia de las...*, p. 15, cita 82.

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16 de junio de 1827. México. J. R. Poinsett a H. Clay

Sir,

There arrived here last night a messenger despatched by Mr. Camacho, the plenipotentiary of this government who negotiated the treaty lately concluded between Great Britain and Mexico. This gentleman, before he left London, concluded a commercial agreement with the minister of Prussia at that court; and in Paris, has entered into similar arrangements with France, of which the despatches that arrived last night bring the official advices.

By this informal arrangement, which will probably place the commerce and shipping of France upon the footing of the most favored nation, the cabinet of the Tuilleries will silence the clamors of the merchants and manufacturers of that kingdom, who were loudly demanding the recognition of these countries, and will secure all the advantages of a commercial treaty without committing the nation with Spain or the other members of the Holy Alliance.

This people by accepting such an agreement, will deprive themselves of the means now in their power of aiding the clamors of the liberal party in France, which might perhaps compel that court to treat with the Americas on the terms of independent nations.

I will not hazard a conjecture as to the conduct of this government in this delicate affair. I am inclined to think, that

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the executive will be disposed to sanction the agreement made by Mr. Camacho, and the Congress to insist upon Mexico being treated with by France on the same footing of an independent nation.

The latter course appears to me to be the wisest. For if these countries could be prevailed upon, as it is possible they may be in the Congress of Tacubaya, to frame their treaties with the nations which have recognised their independence upon the footing of perfect reciprocity, an increase of tonnage and importation duties upon all foreign vessels might compel those nations that have an extensive commerce with Spanish America to enter into similar treaties with them; and as it would be a general measure, it could not be complained of.

The evil likely to result from accumulating troops at any one point in this country, which I have always apprehended, has lately been experienced in the state of Vera Cruz, where the army destined for Texas has been for some time assembled. The legislature of that state, thinking itself secure of the support of those forces, has passed several decrees in direct violation of the federal constitution. That, however, which may be attended with serious consequences, is the refusal to permit the ex-Secretary of the Treasury, Mr. Esteva, to take possession of the employment of Commissary General of the Customs of Vera Cruz, an office purely executive and federal. They compelled this officer to leave the State and he is on his way to the capital. The government has sent orders to withdraw the troops from Vera Cruz, and the whole expedition destined for Texas will probably retire to the capital. This is the wisest measure they could have adopted, and I have little doubt that order will be restored at Vera Cruz so soon as this force is removed. Every other part of the country is tranquil. The government is experiencing great embarrassment occasioned by too lavish an expenditure of the public money, and is forced to anticipate its revenues in order to provide for the occurrent expenses.

I have the honor to be, Sir, . . . J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. 86-121, doc. 92. NAW.

4 de julio de 1827. México. Informe de J. R. Poinsett a H. Clay

An exposition of the policy of the United States towards the new republics of America.

So long as the attacks which have been made in Mexico upon the character and policy of the government of the United States of America and upon the honor and reputation of the undersigned were confined to anonymous publications, they excited no other feeling than that of contempt, and have been passed over with silent scorn. But when the respectable legislature of Vera Cruz embodies in a solemn appeal to the Mexican nation the substance of these unfounded calumnies, he feels that he would be wanting to himself and to the government he represents, if he forbore any longer from vindicating the character and conduct of the United States in their relations with these countries, or if he suffered such misrepresentations to go forth to the world, sanctioned by so respectable authority unanswered and unrefuted.

Vera Cruz suspects, that a "sagacious and hypocritical foreign minister" (alluding to the undersigned), equally zealous for the prosperity of his own country as inimical to that of Mexico, calculating that the agrandizement and glory of his nation must be in the inverse ratio of the glory and aggrandizement of the United Mexican State, so that the former would lose all the latter might gain and vice versa; calculating that the agriculture of Mexico must swell its limits so immensely as to render insignificant and almost null that of the north, provided Mexico is permitted to move forward peaceably in the new order of things; calculating, that in time the commercial and friendly relations between Mexico and Great Britain might prove disadvantageous to the interests of his country, conceived and brought forth the most terrible and disorganizing project for the republic the project of propagating and maintaining hatred and want of confidence and consequently division and parties between simple and worthy Mexicans —he established the rite of York!!!

It is not the intention of the undersigned to analyse the effects, which, according to the opinion of the legislature of Vera Cruz, have been produced by the establishment of this rite. nor to enter into the question whether or not it has

proved "*More dangerous and destructive than would have done the landing of twenty battalions of Spanish troops in the country*". He will confine himself to a plain exposition of the conduct of the United States of America towards these countries and of his own during his residence here, and endeavor to answer by a simple statement of facts the *suspensions* of the legislature of the state of Vera Cruz, which appear to be founded on the vituperations of *venal writers, who to use the words of that legislature "in order to maintain themselves, are under the dreadful necessity of prostituting their consciences by calumniating and sullyng the conduct of good men"*.

From the first dawning of the independence of Spanish America, the feelings and sympathies of the people of the United States were enlisted in favor of the cause of liberty and the sentiments of the government were in perfect harmony with those of the people. Their policy, their interests and their feelings all concurred to lead them to favor the cause of the independence of these countries; and a short exposition of their conduct will prove, that they used every effort to assist that cause consistent with the character of neutrality which their duties towards Spain obliged them to maintain between the contending parties.

As early as August 1818, the United States made a formal proposal to the British government for a concerted and contemporary recognition of the independence of Buenos Aires, at that time the only one of the south American states which, having declared its independence, could be regarded having actually archived its emancipation from Spain. It did not suit the policy of the British government to accede to this proposal, and they declined it.

This avowal on the part of the United States of its readiness to recognize the independence of Buenos Aires became a subject of consideration at the deliberations of Aix-la-Champelle; and there is reason to believe that the plan which was proposed and matured there, of a joint mediation of the European alliance between Spain and her colonies for restoring them to her authority, failed from the well known intentions of the United States and the refusal of Great Britain to accede to the conditions of employing force eventually against the South Americans for its accomplishment.

On the 30th of January, 1822, a resolution passed the House of Representatives of the United States, of which body the undersigned was then a member, requesting the President

to lay before the House communications from the agents of the United States with governments south of them, which had declared their independence; and those from the agents of such governments in Washington with the Secretary of State, tending to show the political condition of the governments and state of the war between them and Spain.

In transmitting to the House the papers called for by the resolution, the President, in his message of the 8th of March, 1822, declared his own persuasion, that the time had arrived, when in strict conformity to the law of nations, and in fulfillment of the duties of equal and impartial justice to all parties, the acknowledgment of the independence declared by the Spanish American colonies could no longer be withheld.

On the day after the President's message of the 8th of March was received by the House, the Spanish Minister, Anduaga, addressed to the Secretary of State a remonstrance against the measure it recommended and a solemn protest against the recognition of the Governments of the insurgent provinces of South America. Was answered on the 6th of April by a letter recapitulating the circumstances under which the United States had yielded to an obligation of the duty of the highest order, *by recognizing, as independent states, nations which, after deliberately asserting their right to that character, and established and maintained it against all the resistance which had been or could be brought to oppose it.*

On the 24th of April, the Minister gave notice, that the Spanish government had disavowed the treaty of the 24th of August between O'Donohue and Iturbide, and had denied the authority of the former to conclude it.

On the 12th of February 1822, the Spanish extraordinary Cortes adopted the report of a committee, proposing the appointment of commissioners to proceed to South America to negotiate with the revolutionary patriots concerning the relations to be established thereafter in regard to their connection with Spain, they declared at the same time all treaties made with them before that period by Spanish commanders, implying an acknowledgment of their independence null and void, as not having been authorized by the Cortes; and on the next day they passed three resolutions: the first annulling expressly the treaty between O' Donohue and Iturbide, the second that the Spanish government, by a declaration to all others with which it has friendly relations, makes known to them, that the Spanish Nation will regard *at any epoch* as a violation of treaties, the recognition either partial or absolute

of the independence of the Spanish provinces of ultramar, so long as the dissensions which exist between some of them and the metropolis are not terminated, with whatever else may serve to convince foreign governments that Spain has not yet renounced any of the rights belonging to it in these countries; the third resolution recommended to the government to take all necessary measures and to apply to the Cortes for the needful resources to preserve and recover the authority of Spain in the ultramarine provinces.

These measures of the Cortes were not known to the President of the United States when he sent to Congress his message of the 8th March; but they were known to the Congress of the United States, when it passed almost unanimously the resolution by which they frankly and unreservedly recognized the independence of the American states without making their acknowledgment the price of any favor for themselves although at the hazard of incurring the displeasure of Spain. In the passage of this resolution, the undersigned took an active part.

This review of the proceedings of the United States in relation to the independence of Spanish America, has been taken only to show the consistency of the principles by which they were uniformly dictated, and that they have always been desinterested and eminently friendly to the new republics, but, likewise to disprove the *suspitions* of the legislature of Vera Cruz.

How different then, has been the conduct of the United States from that which is imputed to them by the state of Vera Cruz. If they really had regarded the aggrandizement of these countries as destructive of that of their own, is it probable they would have been so short sighted as not to have foreseen that the best and easiest mode to prevent this aggrandizement was to assist Spain to maintain her sovereignty over them? or at least not to exert their utmost efforts to favor Vera Cruz gives the undersigned credit for the sagacity and zeal for the prosperity his country, at the same time that it accuses him of being hostile to that of Mexico. With the exertion of a small portion of that sagacity, he ought to have formed the opinion in 1822 which is now attributed to him. He must have been aware, that the measure which the urged with so much zeal would be followed by other nations— that the recognition of the new states of America would contribute to secure the independence of Mexico and to call into existence all those resources of this great nation which he is

now representing desirous of destroying as incompatible with the prosperity of his country. In a discourse pronounced in favor of the recognition of the independence of the American states, he used these words:

'It has been supposed by some, that the independence of these colonies would injure the prosperity of the United States; possessing a more fertile soil and raising the same productions, they would drive us from the markets of Europe. It has been said that the colonies are safer neighbours than free states, and that so long as they were bound by the oppressive restrictions of Spain, they could neither be dangerous rivals nor formidable competitors. It is unwise, therefore, in us to offer them encouragement—. Not only the best feelings of the heart revolt at such a conclusion, but it is manifestly false it is our interest that they should not be free. With an extensive line of coast, with numerous navigable rivers facilitating their internal trade, with a population of more than fifteen millions, almost without manufactures, with a demand for one hundred millions of dollars, and without the means of carrying on their foreign commerce, these countries present a market for the skill and industry of our merchants, which promises the greatest advantage'.

The intercourse of the provinces of Spanish America with these countries will augment their means of information and will enlighten them on the subject of government, on public welfare and private happiness. With the increase of knowledge, will arise free and well organized instructions, the refinements and various wants of civilization. This cannot fail to produce a demand for all the manufactures of this country, and for all the object of trade.

He has seen no reason since to change the opinion he expressed on that occasion.

If the legislature of Vera Cruz, instead of listening to their suspicions, had consulted the history of the policy pursued by the United States in their intercourse with foreign nations, they would have seen that government pursuing an open, frank and magnanimous course toward them all neither attempting to wrong the most feeble, nor suffering wrong from the most powerful. Neither do they fear a fair competition with any nation. If nature has denied them the fertile soil, the fine climate, and the rich mines of gold and silver which Mexico possesses, they are more than compensated, in their estimation, by the noble harbours, and bays, which indent their coast, by the bold and navigable streams which facilitate

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their internal trade, and above all, by the industry and enterprise of their hardy and virtuous population. Guided by enlightened views of political economy and by motives of the soundest policy, they are desirous to see their neighbours wealthy and more profitable customers. They are more advanced in the arts and in commerce than Mexico or Colombia, but what would this profit them, if neither Mexico nor Colombia possessed the means of purchasing their manufactures or of employing their shipping? They are united to these nations so intimately by common interests, that if the liberties of America were to be attacked through them, the United States would be compelled to stand forth in their defense. What, then, would it avail those states, that their neighbours should be reduced to poverty and weakness?

The legislature of Vera Cruz *suspects* that the commercial and friendly relations which exist between this country and Great Britain may in time prove disadvantageous to the interest of the United States. In what manner, the sagacity of the undersigned is at a loss to understand. Here too, the government of the United States, if the *suspensions* of the legislature of Vera Cruz have any foundation in truth, has proceeded with equal improvidence. So far were the United States from believing that the friendly relations which might be formed between Great Britain and the new American states, would ever become prejudicial to their interest, that they invited Great Britain to join them in recognizing the independence of these countries. They afterwards urged the cabinet of Saint James to follow their example, and they have constantly and earnestly used their good offices to induce the government of Europe, including Spain, to treat with those of Spanish America on the footing of independent nations. They exulted in seeing their example followed by Great Britain and are satisfied, that the interests of the two countries, with respect to the new states of America, are identified.

Having thus answered the *suspicion* of the legislature of Vera Cruz by a simple statement of facts, the undersigned feels it a duty to himself to disprove the assertion made by that legislature that in order to engender discord among the worthy inhabitants of Mexico, who were living in perfect harmony before his arrival *under the dominion of the Scotch Masons*, he established the rite of York!

The rite of York existed before his arrival in this country. He found five lodges already established, and he did nothing

more than send for charters for them from the Gran Lodge of New York at their request, and install the Gran Lodge of Mexico.

If the undersigned had found in Mexico a despotic government, he would not have taken even this small part in the establishment of masonry in the country; but he could not suppose that any objection could be made in a republic against the formation of an institution so purely and perfectly republican as that of the Ancient York Masons. If this institution, dedicated exclusively in his own country to charitable and philanthropic purposes, has here been perverted to those of political combinations, he has had no part in its application to such uses, and embraces with eagerness the opportunity now afforded him of declaring that he never has assisted in any lodge where political principles were discussed or political combinations formed and that since the public voice has accused the Ancient York Masons of following the pernicious example of the Scotch masons by using their institution for political purposes, he has withdrawn himself entirely from their meetings.

He did not therefore *conceive and bring forth this project*, and whether the establishment of the rite of York in Mexico has been productive of good or evil, he has stated the only part he had in its creation. And he can declare that he has never taken any part in the internal concerns of Mexico, unless to advocate, in a republic, on every fitting occasion the superiority of a republican form of government over all others, to explain the practical benefits of the institutions of the United States and the blessings which his countrymen have enjoyed and still continue to enjoy under them, be considered an interference with the internal concerns of this country.

That the undersigned or the government he represents would be desirous to see established in this country a monarchy, and a Borbon or a descendent of Iturbide planted on the throne of Mexico, is too absurd to merit a serious answer. The government of the United States holds, that every nation has an undoubted right to chose whatever form of government it may judge proper, and they have not interfered nor will they ever interfere with that right; but both that government and the people of the United States are republicans, and hailed with the most heartfelt satisfaction the establishment of a federal government in Mexico. On that subject, the opinions of the undersigned are recorded.

The mistake committed by the legislature of Vera Cruz in

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supposing the prevailing party to be governed by the undersigned, is apparent from the single circumstance of the extraordinary delay which has attended the conclusion of the negotiations which brought him to this country.

It is with deep regret, that the undersigned has found himself under the necessity of exposing the fallacy of the manifest issued by the legislature of the state of Vera Cruz. The legislature of a responsible and sovereign state ought to have been more cautious than to publish serious charges against the character and conduct of a foreign government on *suspitions* which are not only unfounded, but which have been clearly and uncontrovertibly disproved; or to hazard assertions affecting the reputation of a foreign minister, unsubstantiated by the slightest proof and which have been shown to be utterly false.

Firmado: J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 26' 1828. Department of State. Vol. 5. Docs. 86-121, anexo B al doc. 94 NAW.

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8 de julio de 1827. México. J. R. Poinsett a H. Clay

I have the honor to transmit herewith a copy, original and translation of a manifesto issued by the legislature of the state of Vera Cruz. This most extraordinary document was published, ostensibly, to vindicate the state from the charge of having acted rebelliously by expelling from its territory a federal officer, for no other motive than, that he was enrolled among the members of a party adverse to that which governs the state of Vera Cruz. But the real object of this publication appears to have been to expose what the legislature of Vera Cruz suspects to be the policy of the United States towards Mexico, and my efforts to carry that policy into effect.

Viewing the peculiar situation in which this government is placed with regard to the state of Vera Cruz, which has committed acts of rebellion against the sovereignty of the federal government, I have abstained from demanding satisfaction for this unprovoked and unjustifiable insult offered

to the United States by a member of this union; and have contented myself with replying to the suspicions and assertions of the legislature of Vera Cruz, and with proving them to be as false and unfounded as they are absurd and infamous. You will receive herewith a copy of my reply, both original and translation marked B.

I adopted this course after long and anxious reflection. To have required from this government satisfaction for the insult offered to the United States would have placed me under the necessity of ~~demanding~~ my passports and leaving the country, if that satisfaction had not been promptly and fully rendered. This step would have placed the two governments in collision, and have produced the very result, which the faction that governs the state of Vera Cruz had in view when they published this manifesto: the general government has hitherto wanted energy or power to make itself respected and obeyed in that state. The executive has thought it prudent to act cautiously, and has commenced its operations by removing the means of revolution. They have withdrawn the troops and the public funds which were in Jalapa and Vera Cruz, and I presume will do nothing more until the extraordinary meeting of Congress, which, it is believed, will take place in all the ensuing month.

In order that the President may be in possession of the real state of things in this country and become fully acquainted with the motives which gave rise to the publication of this manifesto, it is necessary to expose the state of parties both as I found them on my arrival in Mexico, and as they now exist.

The statement made in the manifesto of the legislature of Vera Cruz, that before my arrival in Mexico, the Escoceses or Scotch Masons were the only organized party in the country and that it governed the state uncontrolled and unopposed is very correct. That legislature further states, that this party was composed of ambitious men, enemies of the federal government and Centralists, which is likewise undeniable. This party, which at the period of my arrival, possessed exclusively all the power, was composed of a majority of the higher orders of the clergy who had originally favored the separation of Mexico from the mother country with other views and other hopes than the establishment of liberal institutions and a federal form of government of a large majority of the aristocracy — of the monarchists —, many of whom conscientiously believe their countrymen to be incapable of self government,

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and still regard as visionary the existence of a republic in Mexico they were opposed to the usurpation of Iturbide, and still wish to see planted on the throne of Mexico a prince of the house of Bourbon. The plan of Iguala and treaties of Cordoba corresponded with the views of these three classes of persons, and they have not abandoned all hopes of seeing these compacts carried into effect. The Centralists likewise belonged to this party, men who were anxious to see established a central republic, and who do not appear to have been aware that a government sufficiently energetic singly to rule over this extensive country, composed of so many provinces having distinct and many of them contending interests, would sooner or later have assumed the form of a military despotism. The European Spaniards, who cling together with all the pride and prejudices of a privileged caste, were ranked among the members of this party. I do not believe that these men, for the most part wealthy merchants, take a very decided or active part in the politics of the country; but they have naturally attached themselves to a party whose principles are monarchial.

The members of this party, many of whom are men of distinguished abilities, are associated together in secret societies, governed by the rules and regulations of the Scotch masonry, which they brought with them from Spain, were they learned to pervert an institution, intended only for humane and charitable purposes, to those of political intrigue.

A large majority of the nation was then and still is in favor of the federal and republican form of government but that majority was not organized, and its opposition to the views of the dominant party was unconnected and feeble.

Long before my arrival in this country, the Scotch party had manifested its hostility to the United States. Their leaders had frequently declared both in Congress and in their private meetings, that Mexico ought to regard the United States as natural enemies, and they constantly made use of the same absurd reasoning on this subject as that which distinguishes the manifesto of the legislature of Vera Cruz. No doubt they regarded the United States with some jealousy but their feelings of hatred are to be attributed to other causes. The firm basis on which our republican institutions are established, and the unexampled prosperity and happiness which they have produced in our country, form a practical refutation of the doctrines of these men and afford an incontrovertible proof of their absurdity and falsehood. It is their interest,

therefore, to render the government of the United States odious to the people of this country. Consonant to these principles and feelings, this party has behaved towards me, from the moment of my arrival, in a most unfriendly manner, and has not hesitated to make use of the most unfair even the basest means to prejudice the public mind against me personally and against the government I represent. My well-known addiction to the cause of the liberties and independence of the Americas has been represented as the effect of a turbulent and revolutionary spirit. The generous, disinterested and magnanimous policy pursued by the United States towards these new republics was utterly denied, and the people, until my arrival, have been taught to believe that Great Britain had set the example to other nations in the recognition of the independence of this country.

I paid no regard to the calumnies and abuse which were lavished upon me by the gazette caled the *Sol*, the organ of that party, nor to the unfounded charges brought forward in that paper against the political conduct of the United States towards these countries. It would have been absurd in a citizen of the United States to have complained of the liberty of the press, to whatever extreme it might be carried, nor did I ever entertain any such feelings or intentions. I cannot, however, abstain, while on this subject, from recording one of the basest attempts to calumniate and defame an individual that was ever devised. For some after the arrest and trial of the Friar Arenas, of whose crime you are already informed, frequent allusions were made in the *Sol* to the important disclosures about to be made by the Friar, by which it would be made to appear that a personage of high rank was implicated in this conspiracy, in order, as it would seem, to prepare the public mind for the reception of the false accusations these persons were endeavoring to prevail upon this wretched man to make against me. Rumors of this attempt to calumniate me and the government I represent, reached me, but were disregarded as idle and improbable. But after the execution of the Friar, the officer who has conducted his defense, delivered me a message from the unfortunate man entrusted to him, shortly before he was led out to execution, and which he repeated while on the way to the place where he was shot. Desirous of making his peace with God and man, he earnestly requested this officer to see me and to entreat for him my pardon that he should have entertained the dark design of falsely implicating me by

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this declaration in the hope of thereby saving his own life. At my request this message was reduced to writing and signed by the officer who had thus honorably discharged the last duty imposed upon him by his unfortunate client.

That this design was suggested to the Friar by the malice of others I can have no doubt from the tenor of the articles in the *Sol*. Their object appears to have been to show, that in order to check the rising prosperity and greatness of Mexico, which these people affect to believe to be the aim of the United States, I had framed a conspiracy which should have desolated this country, if it had not produced the effect of restoring it to the dominion of Spain.

With a party constituted in the manner I have described, I could have little communication, and however anxious to keep aloof from all parties and to avoid being mingled in the disputes which agitated the country, I was compelled to choose my friends and associates from among the opposers of the Scotch party. The only alternative would have been to have withdrawn from society altogether and to have abandoned the fulfillment of my public duties.

You will perceive in the manifesto of the legislature of Vera Cruz, that the principal charge brought against me, is, that I established the Grand Lodge of Ancient York Masons. I regret that masonry should have been made an instrument of political intrigue, and most certainly had no part in perverting to such uses the most liberal, humane, and charitable of all institutions. I had been a very short time in the country, when I was informed of the existence of five lodges of Ancient York Masons, but upon inquiry found that they had no charters and were not legally constituted as such. Knowing my rank as a mason, the officers of these lodges waited upon me and requested me to procure charters for their respective lodges from the Gran Lodge of New York. This I did not hesitate to do, because I felt every disposition to promote in this republic the establishment of an institution calculated to expand liberal views and to bind together men of every rank by the strongest and best feelings of the human heart. Besides, the persons who made this application to me, were all members of the government who were interested in maintaining the existing order of things and in preserving the tranquility of the country. They were General Guerrero, one of the most distinguished officers of the revolution; the Secretary of the Treasury, D. Jose Ignacio Esteva; Don Miguel Ramos Arispe, a priest and the Secretary of Grace and

Justice and a man distinguished for his attachment to the federal constitution; Don Lorenzo Zavala, at that time a distinguished member of the Senate, and present Governor of the state of Mexico; Don José María Alpuche a respectable priest and a member of the Senate. How could I imagine that such men had in view any project that might tend to disorganize the government? On the contrary, I was bound to believe that they were the friends of order and were animated by the purest motives. I did believe so, and my long and intimate acquaintance with them has since confirmed the opinion I then formed of them. At the request of these persons I installed the Grand Lodge of Mexico. But from the moment the public voice accused them of perverting this philanthropic institution to political purposes, I withdrew myself from their meetings. That the two great parties which divide the country, are arrayed each under the banner of its respective masonic rite I am well aware, but I had no other part in creating this state of things than that which I have stated. The Scotch party has long been organized under that rite. Their opponents have followed their example, and have gained the ascendancy. Since this period the progress of liberal principles has been most rapid so much so as to lead the people to regard that progress as the effect of some secret cause. In what is really nothing more than the natural course of events they see the direction of some able hand, and have thought proper to attribute the success of the republican party, the consolidation of the federal system, and the establishment of liberal principles exclusively to my influence.

That the state of Vera Cruz, under the direction of a faction in the capital, should have exceeded its powers and have violated the federal constitution, is to be lamented but this solitary instance of defection ought not to be regarded as denoting the instability of the federal government. The remaining eighteen states are preparing to give proofs of their attachment to the union, and to offer their support to the general government. The states of Vera Cruz will be compelled to submit; and I can have no doubt, order will soon be restored there. There are in that state many patriotic and good men, and the people cannot be deceived much longer by the faction which has thrown it into such confusion.

We ought in the United States to view the errors committed by these people with great indulgence. The science of government is new to them, and they have committed the radical error in the formation of their constitution, to constitute

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the general Congress the judge of the constitutionality of its own acts and of those of the different states of power which cannot fail to bring into frequent collision the general state governments.

In examining the civil and political condition of these countries, it ought to be taken into consideration, that the revolution found them surrounded by an impenetrable barrier which had for ages shut out all access to the ordinary means of information. Foreigners were not permitted to enter the country, the study of foreign languages was discouraged and the introduction of some of the best and most useful books prohibited. The improvements in the arts and sciences, which made such rapid progress in the eighteenth and nineteenth centuries were to the inhabitants of this country as a sealed book. From almost utter darkness a full blaze of light has suddenly burst upon them, and it is not to be wondered at, that they should be dazzled and confused. From the most abject slavery, they have passed almost instantaneously and without any preparation to the enjoyment of the freest and most liberal form of government, and it is not, therefore surprising that the different branches of such a government should not, at the outset, confine themselves within their respective limits.

I have deeply regretted that the legislature of Vera Cruz should have been induced to take a measure subversive of the constitution, and still more that they should have sought to defend their conduct by interfering with the foreign relations of the federation—a most pernicious example—violating the laws of nations and every principle of decency and good faith, by giving to the world a document, in which they publish suspicions derogatory to the character of a friendly nation and assertions injurious to the reputation of a foreign minister, both utterly false and unfounded.

Both as a republican and an American, I have deeply lamented this event, as being calculated to discredit the federal republican institutions and to degrade the American character. These people unfortunately forget that Mexico is no longer surrounded as formerly that impenetrable barrier; which, while it impeded the entrance of foreigners prevented their own actions from being known to the world.

The only excuse which can be pleaded for them, is the state of society as it existed previously to the revolution, and which was due entirely to the nature of the colonial government under which they lived. The inhabitants of Spanish

America lived in continual state of irritation and animosity one with the other. Born with strong passions, living without occupation and without incentives either to industry or study, divided by nature and by their interest into distinct classes, their only excitement consisted in mutual hatreds and jealousies, and they waged against each other a perpetual war. The authors of the secret report to Ferdinand the 6th, on the administration of the Spanish colonies, give a true and melancholy picture of these domestic wars. Speaking on this subject, they say, 'the whole land is a field of domestic battle; not a spot but has its combat. In the interior especially, where the intestine war is carried on with most vigor, the mass of the inhabitants, who have little or no intercourse with foreigners, may be said to pass their lives in purgatory, so entirely is everything like peace taken away and every occurrence made to augment, in some shape or other, the eternal hatred'.

This dreadful state of society existed throughout all Spanish America, and it is not to be expected, that milder and better feelings should immediately succeed the change from slavery to liberty. This most desirable alteration in the character of this people must be a work of time, and years will pass away and another generation arise before they will cease to slander and vilify and calumniate each other and every foreigner they may think proper to mingle in their domestic squabbles, and that without the slightest regard to the truth or falsehood of the charges which they may bring against them. There exists, moreover, an inbred distrust of foreigners; a most inordinate vanity on the subject of the vast superiority of the natural resources of Mexico over those of any other nation: an unfounded jealousy of their neighbours, and a still more unfounded idea, that their neighbours are jealous of their rising prosperity. Thus it appears that inveterate habit, ignorance and prejudice all commined to drive the legislature of Vera Cruz into the publication of this libel.

It is painful to my feelings to be obliged to speak of myself; but the open accusations brought against my conduct in that document, leave me no alternative.

From the first moment of my arrival in Mexico, I have made use of every effort in my power to convince the government and people of this country of the friendly disposition cherished by the United States towards them. I have always

cheerfully rendered every service in my power to those persons who have applied to me for advice and assistance either in framing their laws or in interpreting and illustrating such parts of their constitutions as resemble our own by the practice of our government. I have on all fitting occasions endeavored to confirm their republican sentiments by explaining the practice and principles of our own institutions, and by pointing out the unexampled prosperity and manifold blessings they have produced throughout our happy country. So far have I been from attempting to introduce discord among the inhabitants of this country, that I have uniformly exhorted them to submit to any temporary evil rather than resort to violence. Indreed, so sensible am I of the policy not to say, the absolute necessity of preserving these countries from all revolutionary movements that had I found established in Mexico the very worst description of government instead of one best, I would have used every exertion, compatible with the duties of my station, to have supported the existing order of things. It is this disposition and this course of conduct that has drawn upon me the odium of the enemies of the existing institutions of the country persons who seek to overthrow them, and at the hazard of a civil war to establish an order of things more congenial to their own feeling and principles.

As some of the reasons given in the first part of this note for not demanding satisfaction of this government for the unprovoked insult offered to the United States by the publication of the manifesto of Vera Cruz, might seem to imply that an unfriendly disposition existed on the part of Mexico towards us, I ought to observe that the general government has not evinced any such feeling; but on the contrary, has lamented the imprudent conduct of the legislature of Vera Cruz. But no business is promptly despatched here; and in a case of this nature delay ought not and would not have been brooked.

I have thought it better, therefore, to submit all the circumstances connected with this transaction to the consideration of the President, and to await his instructions.

I have the honor. . . J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 5. Docs. 86-121, doc. 94. NAW.

18 de julio de 1827. J. R. Poinsett a J. J. Espinosa de los Monteros

Most Excellent Sir,

I am instructed by the President of the United States to bring to the notice of the government of Mexico the use which Commodore Porter is making of the position he occupies at Key West a use totally incompatible with the state of neutrality in which the United States stand in relation to the existing war between Mexico and Spain.

So long as the Mexican squadron under the command of that office was blockaded by a superior Spanish force, and his egress from that port thereby rendered hazardous, it was perfectly consistent with the neutral character of the United States to extend to it that hospitality which they are ever ready to dispense to the vessels of all friendly foreign countries. But the government of the United States has received information that Commodore Porter is availing himself of this position to increase his force, and to send out cruisers to harrass the Spanish commerce, This belligerent use of a port within the jurisdiction of the United States is, as Your Excellency must be aware, a direct violation of their neutrality; and my government, while it is ever ready and anxious to fulfill all the obligations of the most liberal hospitality, cannot allow any departure, within their jurisdiction, from the line of strict and impartial neutrality.

I am instructed, therefore, to claim from the justice of this government the immediate adoption of such measures as will correct the irregularity complained of and prevent any further proceeding on the part of Commodore Porter in violation of the neutrality of the United States.

I beg you to accept the assurances... J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, A anexo el 101. NAW.

19 de julio de 1827. Washington, Pablo Obregón a H. Clay

Honorable señor:

Siéndome conocidas las disposiciones tomadas por el presidente de los Estados Unidos para impedir que los sediciosos de Nacogdoches, en Texas, tomasen auxilios de ellos, como tuve el honor de ser impuesto por usted en su nota de 19 de febrero del presente año, pongo ahora en su conocimiento que habiendo sido dispersos, dichos sediciosos se han refugiado algunos en el territorio de estos estados; y que en otro acontecimiento tomaron parte varios ciudadanos de los mismos estados por lo que manifestaré a usted todo lo ocurrido para que el presidente adapte las medidas que juzgue convenientes y conformes al derecho público contra tales agresores.

En la mañana del 22 de noviembre de 1826, fueron sorprendidos Samuel Noris, alcalde de Nacogdoches, y Sepúlveda, capitán de la milicia nacional, por unos cuarenta hombres mandados por Martín Pama, que se decía coronel, Juan Robens, mayor de plaza, y Berel Torent, capitán, y puestos presos por cinco días en cuyo espacio les intimaron que los habían sentenciado a muerte; registraron el archivo público; nombraron por alcalde a José Doile, y por alguacil a José Adams, habiéndose retirado en las inmediaciones algunos milicianos e indios para repeler su agresión. A poco tiempo volvieron los sediciosos a Nacogdoches y formaron una convención con algunos indios, cuya copia legalizada tengo el honor de acompañar a usted y por la que verá que B. W. Edwards, siendo un ciudadano de estos estados a quien se había antes expelido de Texas, volvió al territorio mexicano con el objeto que manifiesta dicha copia. En tal virtud según me previene el presidente de la república, pido a usted que siendo Edwards uno de los principales motores de aquellos acontecimientos se le castigue; así como a los otros ciudadanos americanos que le acompañaron a la agresión y cuyos nombres he referido.

Finalmente tengo la satisfacción de decir a usted conforme a los deseos del presidente de estos estados, que me manifestó en su nota de 19 de febrero citado, de saber el pronto y feliz término de los acontecimientos en Texas, que éste se ha verificado así según los partes oficiales que he visto en los periódicos de la ciudad de México y que mi gobierno está penetrado de la constante amistad y buenos deseos de estos estados hacia él.

Aprovecho la ocasión para presentar a Ud. ...
Pablo Obregón.

Mexico. Notes. December 30' 1821-June 1' 1831. Department of State. Vol. 1. NAW.

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27 de julio de 1827. *México. J. R. Poinsett a H. Clay*

Sir,

In conformity with the instructions contained in your despatch num. 23, I sent a note to this government on the 18th instant on the subject of the permanence of the Mexican squadron in the port of Key West and of the use made of that position by Commodore Porter. I have not yet received an answer.

The civil war in Guatemala still rages. The troops under the command of President Arce, were defeated in an attack upon the town of San Salvador and forced to retire. As a part only of the province of San Salvador is opposed to the general government, it is to be hoped that the contest will ultimately terminate in favor of the constituted authorities of the Central Republic. The malcontents are led on by foreign officers.

The plenipotentiaries of this government to the Congress of Tacubaya have addressed notes to the ministers of Colombia and Guatemala, in order to learn if they were duly authorized to represent their respective governments in the Congress, or whether the presence of their colleagues was requisite for that purpose. The representative of Colombia, Don Pedro Gual, insists upon the ratification of the treaties of Panama as a necessary preliminary. I am given to understand, that the Minister from Lima cannot be expected before October or November. It is said that the Panama treaties will be taken into consideration by this government during the approaching extraordinary session of this Congress to commence on the first of September.

I have received no notice as yet from this government on the subject of renewing the negotiations.

There is no essential change in the political state of things

in this country. The general government continues to take measures of precaution in the state of Vera Cruz. The troops formerly in garrison there have returned to the capital and the commanders of those regimes which were disposed to favor the revolutionists, have been displaced and substituted by officers who are supposed to be attached to the federal government.

The legislature of Vera Cruz, in order to give a convincing proof of their attachment to the federal constitution invited the general government to send General Guerrero to take the command of that state. The President was disposed to comply with their request, but, I believe, that Guerrero will not go. He has declined on the plea of ill health.

I have the honor to be, Sir, . . . J. R. Poinsett.

Mexico. Poinsett. May 7 1827-April 23 1828. Department of State. Vol. 3. Docs. 86-21, doc. 95. NAW.

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8 de agosto de 1827. México. J. R. Poinsett a H. Clay

Sir,

The violent state of things which I stated in my preceding communications to exist in the state of Vera Cruz, appears to be rapidly approaching a crisis.

On the twenty-fifth of July, the printing press of the *Veracruzano Libre*, a violent party paper supported by the European faction in Vera Cruz, was destroyed by a few individuals. Colonel Rincón, the military commandant of town and castle, who had been attacked by the editors of that paper with great virulence, was supposed to have been the secret instigator of this outrage; and on this suspicion Gen. Barragán, the Governor of the State, caused him to be arrested, and appointed Gen. Santanna to the command of the town and castle. The general government sanctioned this appointment although not strictly legal, as Gen. Santanna was not in active service. But before the express, that con-

veyed the approbation of government to this act of Gen. Barragán reached Vera Cruz, Colonel Rincón was relieved from his arrest by a military movement of his own regiment (the ninth infantry) and a battalion of artillery in garrison at that place. United they declared their resolution to obey no orders but those of the general government, as they regarded the Governor and those who acted with him to be inimical to the republican institutions of Mexico. In consequence of these resolutions, a committee of officers waited upon Gen. Barragán with an offer from Col. Rincón to place himself under the command of the Governor, on condition that things should remain as they then were until the wishes of the federal Government could be ascertained, and provided the three military editors of the *Veracruzano Libre* were banished from the city. The General accepted these conditions. The Cols. Santana, Landero, and Vasquez y Portilla were banished and Col. Rincón, when the last advices reached us, remained at liberty at the head of his regiment and commanding the place of Vera Cruz and the castle of San Juan de Ulúa.

So soon as the government received these advices it was resolved to send Gen. Guerrero to Vera Cruz, and this meritorious officer, notwithstanding the infirm state of his health, set out on the 4th instant. Things are to remain there as they are until his arrival. Two regiments and a small train of artillery left this city yesterday under the orders of Guerrero. At this distance it is hazardous to form an opinion of the probable result, but I am disposed to think, from all the information I have obtained, that the affairs of Vera Cruz will be terminated favorably for the general government and without bloodshed. General Guerrero left this place fully impressed with the policy and even necessity of using the most mild and conciliatory measures, and great reliance may be placed upon his zeal and patriotism.

I am, Sir... J. R. Poinsett.

P. S. I have directed Mr. Taylor to inform you by this opportunity of any essential changes which may take place in Vera Cruz before the sailing of the vessel which carries this dispatch.

Mexico. Poinsett. May 7' 1827-April 25' 1828. Department of State, Vol. 3. Docs. 86-121, doc 96. NAW.

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10 de agosto de 1827. México. J. R. Poinsett a H. Clay

Sir,

I have the honor to transmit herewith a translation of the convention, which, under the title of *declarations*, was signed at Paris by the Baron de Damas and the Señor Camacho, Ministers of Foreign Relations of the respective governments of France and Mexico.

The President yesterday, in alluding to this convention, stated, that France had held out the expectation that within the term of eighteen months she would be ready to conclude with Mexico a formal treaty on the same conditions.

Similar conventions have been negotiated and signed by Mr. Camacho with Hanover and the Hansatowns.

I am, Sir, respectfully... J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 98. NAW.

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10 de agosto de 1827. México. J. R. Poinsett a H. Clay

Sir,

I called at the palace yesterday, at the request of the President, for the first time since the publication of the manifesto in the legislature of Vera Cruz. He received me with unusual cordiality, and at once expressed his earnest desire that the negotiations between the two countries should be renewed with as little delay as possible. He assured me, that the delay which had taken place was to be attributed entirely to the neglect of the secretaries of the House of Representatives in not earlier delivering up to the executive the papers and documents relating thereto. He hinted that this government

was disposed to yield the points which, in the late negotiations, had been insisted upon as a *sine qua non*, and the insertion of which had occasioned the rejection of the treaty by the Senate of the United States. He further said, that although the commissioner on the part of the Mexican government was about to proceed to the boundary in order to examine that part of the country, according to the arrangement which had been communicated to me, still he was disposed at once to enter into negotiations upon that subject; and in the event of our concluding a treaty of limits, the Mexican commissioner would be upon the spot to join one to be sent on our part. I reiterated to him my readiness to enter upon these questions without delay, and he declared his determination to nominate the plenipotentiaries the very next day. In the course of conversation, he requested me to state to the President, that he had seen with regret the manifesto of the legislature of Vera Cruz and other indications of a hostile spirit towards the United States and towards me personally, and to assure him, that such were not the sentiments entertained in relation to us either by the government or by the people of Mexico. He assured me, confidentially, that he was now perfectly aware of the plans and intentions of the monarchical party and was determined to counteract them and to promote the success of the republicans by every means in his power. I believe that he was sincere in his declaration. The late occurrences in Vera Cruz and the conduct of the Scotch party here too clearly indicate the tendency of their plans to overthrow the existing institutions of the country for the most unwarlike to be any longer deceived by their professions of attachment to the federal government. I regard it as very important to the safety of the state that the eyes of the President should at length have been opened to the designs of these enemies of American freedom, and not less so that the Secretary of War, for whose character I have always entertained a high respect, should after ascertaining the extent of their iniquitous plans, have abandoned that party altogether and placed himself in the rank of the republicans.

I have the honor to be... J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 97. NAW.

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5 de septiembre de 1827. México. J. R. Poinsett a H. Clay

Sir,

I have the honor to transmit herewith a translation of the discourse pronounced by the President of these states at the opening of the extraordinary session of this Congress on the first of this month.

Tranquility is restored to the state of Vera Cruz, and there is reason to believe that the prudence and resolution of gen. Guerroero will overcome entirely the rebellious spirit which had lately manifested itself in so alarming a manner in that state.

The legislatures of most of the states are in session, and in some of them propositions have been discussed for the expulsion of the European Spaniards. Although these persons have acted in many instances with great imprudence to use no harsher term, still they are too weak as a body to be feared; and their expulsion would seriously affect the trade of this country, as they are the only large capitalists in it who are engaged in commerce. This circumstance ought not to protect them from expulsion, if the safety of the state required such a measure. In my opinion, it does not at this juncture.

In this state, in the neighbourhood of Acapulco, there has been a partial rising of the creoles with the avowed object of massacring the European Spaniards. Few lives have been lost, the Spaniards having for the most part taken refuge in the town of Acapulco.

In Guatemala, from the last accounts, the constituted authorities are likely to prevail, a result I regard as highly desirable for the future welfare of that country.

I have the honor. . . J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 99. NAW.

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3 de octubre de 1827. México. J. J. Espinosa de los Monteros a J. R. Poinsett

Most Excellent Sir,

H. E. the Minister of War and Navy, by date of the 20th September last, informs this department, that the vessels of war which were under the command of Commodore David Porter have retired from the anchorage of Key West, and that if any still remain in that port, it is on account of blockade by the enemy, which obstacle being removed, no Mexican force shall remain in the anchorage alluded to. I have the honor to communicate this to Your Excellency by order of the Most Excellent President, in answer to your note of the 18th July last relating to this subject.

I avail myself of this occasion to reiterate to...

Juan José Espinosa de los Monteros.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, anexo B al 101. NAW.

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4 de octubre de 1827. México. J. R. Poinsett a H. Clay

Sir,

Being desirous of ascertaining the probable period of the meeting of the Congress of American States at Tacubaya, I addressed a note to the plenipotentiaries of this government, a copy of which marked A, is transmitted herewith. I was further induced to send this note from having understood that a correspondence had taken place between the Mexican plenipotentiaries and Dr. Gual, the representative of Columbia, directed on the part of the former to ascertain whether Dr. Gual was authorized to represent his government jointly and severally with the minister who carried the treaties of Panama to Bogota, and could take part in the deliberations of the Congress immediately, or would be compelled by his instructions to wait the arrival of his colleague. Dr. Gual without replying to this question, confines his answer to a remonstrance against the conduct of this government in not acting upon the treaties of Panama, and declines taking any part in the deliberations of the Congress of Tacubaya until the convention, which provides for the privileges and honorable treatment of the members of the Congress during its per-

manence in the Mexican states, shall have been ratified. The Mexican plenipotentiaries, in their reply, advert to the present condition of Peru and Colombia as furnishing a sufficient justification for the caution this government has manifested in relation to the treaties of Panama, and declare that the existence of the original treaty between Mexico and Columbia, on the faith of which the Congress was held at Panama, affords ample security for the honorable treatment of the representatives who may assemble in Tacubaya, and renders in their opinion unnecessary the ratification of the convention alluded to by Dr. Gual. The latter, however, persists in his refusal to attend the Congress until some disposition shall be made by this government of the previous treaties.

I had hoped to have drawn from the Mexican plenipotentiaries copies of this correspondence.

They have not however alluded to it in their reply, a translation of which, marked B, is transmitted herewith.

I have the honor, J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 100. NAW.

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6 de octubre de 1827. México. J. R. Poinsett a H. Clay

Sir,

The state of this country is not yet entirely tranquil. The disturbances which agitated the people in Vera Cruz, are quieted by the prudence and firmness of General Guerrero; and those which existed in Durango are entirely at the end. But these disturbances and the ill concerted conspiracies which have been discovered in this city and in Oaxaca being attributed to the restless spirit of the European Spaniards and to the improper use made by them of their wealth influence, this belief has called into action that inextinguishable hatred which is felt by the creoles against their former oppressors. The people generally call loudly for the expulsion of the European Spaniards. The legislature of Jalisco has passed an act expelling them from that state, and that of Mexico is deliberating upon a similar measure. Other states will pro-

bably follow their example. This question is likely to bring into collision the state and federal governments. From motives of policy, the general government is opposed to the expulsion of the European Spaniards; for it is admitted that such a measure would tend to impoverish the state. The principal merchants are Europeans, and indeed, nearly all the capital engaged in commerce belongs to this class. Moreover the impolicy of partial measures in relation to them is obvious. They will retire from the states where they were objects of watchful jealousy of the public authorities and of the people to others, such as Valladolid and Vera Cruz, where they will be received with favor, and where, being concentrated and their intrigues disregarded, they will be much more formidable enemies of the liberties of this republic. It would appear to us that the right to expel a class of citizens from a state ought to belong only to the federal government. This question has, however, become complicated here from a singular and somewhat unintelligible distinction made by their constitution between naturalization and citizenship. The first is one of attribution of the general government, while the right of conferring the latter is reserved to the individual state.

I mentioned some time back, that the general government has the right to qualify the acts of the state legislatures and to decide whether or not they are constitutional. This right is derived from a very constrained construction of the constitution.

In the sixth title, second section, and ninth article of the federal constitution, are these words: "It shall be the duty of the states to transmit to the House of Congress and during their recess to the council of government and likewise to the Supreme Executive Government authenticated copies of their constitutions, laws, and decrees". This clause authorizes the general government, in their own opinion, to discuss the constitutionality of the several acts of the states and to decide upon their validity a right, which however disputable at first, has already been exercised so often as to be now no longer disputed but which tends evidently to destroy the independence of the states and to centralize the power in the general government.

Although the excitement against the Europeans has been much augmented of late by the information, this government pretends to have received of news of the arrival at Havana of General Morales with a reinforcement of ships and men

and money, still I cannot believe that any violent general measure will be adopted against the Spaniards resident here.

I think if we have an agent in Havana, it would be important that he should be instructed to correspond with this legation. There is now a young man here by the name of Montenegro, who formerly lived in the family of General Vives in Havana, and was for many years previous attached to the Court of Madrid, living familiarly with the infants. He came here through the United States, having proffered services to this government, and is now engaged in furnishing information respecting the island of Cuba, plans of invasion etc. I view him in the light of a double spy.

The only act, passed by the Congress since the commencement of their session of any importance, is the appropriation of fifteen thousand dollars towards defraying the expenses of the commissioner, general Teran, appointed by this government to examine and report upon the country which lies near and upon the boundary between the United States and Mexico, agreeably to the views of this government as expressed in their communication of the [falta la fecha] of August 1825. The commission has not set out on this expedition for want of funds, Congress having appropriated what the treasury does not at this moment contain. In private conversations with the President and Secretaries, I have sought to convince them of the uselessness of this expedition until the treaty of limits is definitively settled. They say in reply, that the public is so anxious to have that question settled, that they think it political so to act at present, and assure me of their earnest desire to adjust that delicate point as soon as possible. The President appointed to José Ignacio Esteva and Don Juan José Espinosa plenipotentiaries to treat with me; but having understood that Mr. Camacho is hourly expected from London, he prefers waiting the arrival of that gentleman, in order that the former plenipotentiaries may continue the negotiations.

The subject which most immediately engages the attention of the Mexican Congress at present, is the state of the treasury. The pecuniary distresses of the government, as might have been foreseen for some time past, are extremely great. They have not with what to pay the dividends of the loan which are due in London, nor the means of satisfying other demands equally urgent, and where neglect of payment may be attended with fatal effects. The only remedy which sug-

gests itself to the executive is to propose to Congress to pass a resolution authorizing them to anticipate the revenue of the next year in the following manner. To receive the debt due by government at 56 per cent (they are not worth 20 in the market) on condition of an equal amount of cash being paid to government, the whole to be reimbursed by orders on the custom houses for duties and on the states for monies to become due for the purchase of tobacco, the two most important branches of their revenue. The sum proposed to be raised in this manner is four millions. The terms are very advantageous to the contractor but such is the scarcity of money here, that there is only one house that can undertake the operation the agents of Messrs. Baring, Brother and Co. of London. Money is worth in this market from two to three per cent a month on good security.

The subject of the new tariff is still before Congress and I very much fear, that notwithstanding all our efforts, such a duty will be laid on low priced cotton goods as will amount to a prohibition of that article. This will affect the British manufacturers and traders even more than those of the United States.

Although the account I have given you of the present condition of this country is far from being flattering, I regard it as much more prosperous and tranquil than any other portion of Spanish America.

By latest advices from Guatemala, the civil war which has raged there for some months past had not yet ceased. The people of San Salvador had proposed to send commissioners to Guatemala for the purpose of treating a proposition which was acceded to by that government. Their financial concerns are represented to be in a deplorable state.

In Colombia the finances are much more reduced and the whole country is violently agitated as to be considered on the eve of a civil war. The contest in that unhappy country will be and in all human probability is either in the establishment of a military despotism or in a dissolution of the heterogeneous parts of which it was constituted.

Peru, so lately saved from the despotic sway of the creatures of Bolivar, must be suffering cruelly from the want of means to defray the ordinary expenses of the government.

Chile is suffering under the same want. Such indeed, is the poverty of that government, that the missions to the

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United States and to the Congress of Tacubaya cannot set out for their several destinations for want of funds to defray their expenses. The election of Pinto to the Presidency of that republic must be regarded as a fortunate event. I knew him as an honorable and excellent young man of great application, good talents, and devotedly attached to his country and to the free institutions. I cannot but hope that under his administration, the finances of Chile may be restored to order and to a better condition. Its natural resources are more than sufficient for all its necessary expenditure.

Our latest accounts from Bolivia render it probable, that not event the bayonts of general Sucre will be able to preserve that country much longer from a counter-revolution.

The wretched condition of the finances of Buenos Aires and the distracted state of the interior provinces must be well known to you.

Mexico, therefore, is better off than her sister republics. With a little better management and something more of honesty in the officers of government the finances of the country might be placed upon a respectable footing, and I entertain a hope that their republican and federal institutions are now safe. The monarchical parties have been foiled in all their atempms to excite a revolution, and if the government continues to act with the same prudence and vigilance as it has done lately, there is no reason to fear any violent movement.

I forgot to mention, that in the neighbourhood of Acapulco some disorder had been committed by a band of men under the command of one Gonzalez, who, under the pretext of driving out the European Spaniards, have plundered some of their estates. Another party composed of partisans as they call themselves, of the rights of Spain and of Spaniards, have, on their part, committed disorders. These partial disorders are incident to the usual state of things that exist in a country which ought to be regarded as not entirely recovered from a state of revolution but ought not in my opinion to excite any serious alarm. Government has detached a body of troops to quell both these faction parties.

I have the honor to be, Sir, . . . J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121. doc. 102. NAW.

17 de octubre de 1827. México. J. J. Espinosa de los Monteros a J. R. Poinsett

Most Excellent Sir,

General Manuel de Mier y Teran being about to leave this capital with the individuals appointed for the discharge of the commission with which he has been entrusted by this government to conduct scientific operations, reconnaissances, discoveries and whatever may be useful in acquiring sufficient information on which to proceed to the conclusion of the treaty of limits between this republic and that of the United States of North America, the Most Excellent President requests that Your Excellency will make out and transmit to this Department the proper passport for the entrance of the commission into that territory, and likewise give due notice to your government, in order that it may furnish to the commission, on its arrival in said territory, whatever may be necessary for it to proceed into the interior, and that the authorities of the country through which it may pass may lend to it every assistance it may stand in need of. Annexed is a list of the individuals appointed to compose the said commission.

I have the honor...

Juan José Espinosa de los Monteros.

List of the individuals composing the commission charged with marking reconnaissances previous to negotiating upon the limits between this republic and the United States of North America.

D. Manuel de Mier y Terán, General of Brigade.

D. Constantino Tarnava, Lt. Coronel of Cavalry.

D. José Batres, Lt. Coronel of Cavalry.

Don José María Sánchez, Lt. of Artillery.

Don Rafael Chovel, Mineralogist.

Don Luis Berlandier, Botanist.

18 de octubre de 1827. Firmado Espinosa

Mexico. Poinsett. May 7 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, anexo al doc. 104. NAW.

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22 de octubre de 1827. México. J. R. Poinsett a J. J. Espinosa de los Monteros

Most Excellent Sir,

I have the honor to transmit herewith the passport which you have requested for brigadier General D. Manuel de Mier y Teran together with letters of introduction to the governors of the frontier territory of Arkansas and the state of Louisiana.

I pray your Excy. to accept. . . J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, anexo B al doc. 104. NAW.

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23 de octubre de 1827. México. J. R. Poinsett a H. Clay

Sir,

I have the honor to transmit herewith the translation of a note from this government requesting a passport for Brigadier General Mier y Teran, who has been appointed to explore the country situated near the limits of the two states, together with a copy of my answer, marked A. and B.

The pasport was sent to the Mexican Secretary of Relations.

I have the honor. . . J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 104. NAW.

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1º de noviembre de 1827. México. Vicente Guerrero a J. R. Poinsett. (*Traducción de la época*)

My distinguished friend,

Your favor of the 26th ultimo informs me of your visit to San Agustín and of the reports current there on account

of a letter of mine addressed to a friend, who is a good patriot.

On this subject it appears to me proper to assure you, that my political conduct can never vary from that which you, with justice, attribute to me in your above cited kind letter; for had I thought differently, I should have acted long ago whereas I reckon upon my patriotic friends, who, for the affair which interest me, possess elements and resources more than sufficient.

No, my, friend, I have too much discretion and have made already too many sacrifices in favor of the existing order of things to attempt any revolution directly or indirectly.

Rest satisfied, that my sword shall never be unsheathed but when the enemies of Mexico attempt to attack it or when traitors conspire against its liberty and independence, except in such cases, the law is and shall always continue to be my guide, and I never will act but in conformity with it.

You have too much penetration, my friend, not to know that there are men obstinate in error whom it is impossible to convince at once. In these difficult circumstances I have found myself in keeping up a correspondence with some excellent Americans, who are filled with the fire of patriotism, but ignorant of what the true interests of the country require.

Notwithstanding this, my communications contain only general phrases reduced to satisfy questions and elicited by solicitations that proceed from a patriotic zeal in other respects praiseworthy. The necessity of preserving the best understanding with a certain class of people has compelled me very often to make use of their own ideas and principles in order to keep them within the limits of prudence a kind of sacrifice which it appeared to me my country required from me, when the object is the maintenance of its institutions. I have spoken to you with all the frankness which characterizes me.

I feel grateful to you as I ought, for the friendly feelings which lead you to desire for me a post in the republic which I am incapable to fill. I know myself too well, and am persuaded that I am far from being able properly to discharge duties of the high office which you announce to me. It is true that I have used every means in my power in favor of the independence and liberty of my country; but it is also true that my country has rewarded these services more than sufficiently: in short, my dear friend, Guerrero is fit only to command soldiers.

We shall meet very soon, when I shall have the pleasure

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to talk with you as we are accustomed to do. In the meantime, receive the wishes for your health from.

Your most affectionate friend who kisses your hands:
Vicente Guerrero

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 107.

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9 de noviembre de 1827. México. J. R. Poinsett a H. Clay

Sir,

I transmit herewith copies of my correspondence with this government on the subject of the capture of the two American vessels *Liberty* and *Superior*. By the answers of the Mexican Secretary of Foreign Affairs, marked B, and D, you will perceive he takes the ground, that the officers who make captures are liable to be sued in the Mexican courts of justice if it appears to the owners that they have proceeded illegally. This principle is established by the laws of Spain, which prevail in this country whenever they are not contrary to the constitution of the United Mexican States. To sue officers who are worth nothing, in the courts of Mexico, where litigation is so very expensive and subject to no fixed rules, is a measure I could not advise the owners of these vessels to adopt. However, until this form is complied with, I do not understand on what ground I can prosecute these claims against this government. On this subject I beg to be instructed, as a similar case may again occur.

I have the honor to be Sir . . . J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 106. NAW.

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10 de noviembre de 1827. México. J. R. Poinsett a H. Clay

Sir,

The changes which I announced in my despatch num. 105, have all taken place, except that of the Minister of Grace and Justice. Ramos Arizpe is still in office, although his separation is talked of as certain.

General Rincón, who succeeded the Marquis of Vivanco as chief of the staff, holds that command only temporarily, the intention of the President being to appoint general Guerrero immediately upon his return from Vera Cruz.

The ex-Secretary of the Treasury, Don José Ignacio Esteva will probably be appointed Governor of the District, in the place of Elizalde, who is of the opposite party and whom the President is resolved to remove. The next elections, which must, I think, terminate favorably for the popular or republican party, will fix their ascendancy for some time. The difficulty now lies in restraining that party within the bounds of the constitution. I mentioned in my communications, nums. 102 and 105, that there existed a party on the east of the Pacific, which was in arms and insisted upon the expulsion of the Spaniards. This insurrection has been calmed, but is not put down. Another has arisen, professing the same purpose, in the state of Michoacan, where the legislature is composed of the European party. In all the states where the legislatures have appeared inclined to that party, there have been partial insurrections; and very serious ones were apprehended in Vera Cruz and Puebla. They have been kept down by the judicious interference of the leaders of the popular party in the capital, who have urged upon the revolutionists the necessity of maintaining the principles of the federal constitution, and have exhorted their friends to preserve peace and good order in the several states. I believe that Congress will find it necessary to comply with the wishes of the people thus strongly pronounced and pass a law expelling the Spaniards from Mexico. The measure in contemplation is to expel from the country all the unmarried European Spaniards, giving those who are married to creoles the strongest guarantees for their future protection. It is thought that this measure will calm the spirit of revolt which has manifested itself so generally throughout the states, and rid the country of the most dangerous class of Spaniards, while it will retain those who, by their industry and capital must be regarded as the most useful members of the community.

Every day confirms the view I had taken of the intentions

of the Scotch party. The Secretary of War told me a few days ago, that there existed in his office the most undoubted proof of their determination to have commenced hostilities against the government in the state of Vera Cruz, if he had not destroyed their plans by removing the troops and army which were there, and which amounted to seven hundred thousand dollars.

García, the new Secretary of the Treasury, a man who has hitherto been neutral and who is lauded constantly by the editors of the *Sol* in the hope of fawning him, said to me, on my first interview with him after his appointment, that he regretted extremely to see the efforts of a faction to divide the two great republics of North America, united as they ought to be by so many causes: that he was aware, this feeling arose out of the desire of the members of that party to see a foreign prince seated on the throne of Mexico, and therefore, they regarded the United States with deadly hostility, as from them alone they apprehended any opposition to the execution of their plan. This is strong language and has great weight, coming from a person who has hitherto kept aloof from both parties.

The fears I entertain with respect to the conduct which General Guerrero might pursue when removed from the presence of those who could exert a salutary influence over his actions, had nearly been realized. The General could not hear the murmurs of the old revolutionists against the ancient oppressors of the country without being roused to take a part in the impending contest. His friends were alarmed by some letters from him to his old companions in arms, in which he announced his intention of sustaining the efforts of those who sought to expel the European Spaniards by force. They applied to me to write to him on the subject, and to endeavor to persuade him to lay aside so rash an intention and to await patiently the effects of the efforts on his friends in his favor to elect him the successor of Victoria. Finding that it was the wish of the government as well as of his private friends and being sincerely desirous of contributing by every means in my power to preserve the peace and tranquility of the country, I wrote him a private letter. I sent you a copy of his reply, which is characteristic of the man.

The last time I saw Victoria, he thanked me for having written to Guerrero on this subject and expressed himself satisfied with the effect my letter had produced. I mention

this circumstance only because I wish the President to be convinced, that on this as on all former occasions I have never taken any step, that could be interpreted as an interference in the domestic concerns of the country, without the knowledge and consent and, generally, at the solicitation of the government; and that all my efforts have been directed to preserve the existing institutions of the country and to prevent civil war.

The instructions for the envoy to Rome have at length been despatched after a delay of two years and a half. They are in substance as follows, viz :

1st. The envoy will endeavor to obtain from His Holiness the confirmation of the episcopal see of this district, of the bishoprics which ought to be erected in all the states of the union, and of the auxiliary bishoprics of New Mexico and the Californias, for such individuals as may be presented to him by the President of the republic conformably to the law that may govern this subject.

2nd. That in future, the metropolitan, or in his default the senior bishop in the republic may ratify all new erections, aggregations, dismemberments and suppressions of such archbishoprics or bishoprics as the General Congress may decree.

3rd. Finally, that the metropolitan aforesaid, or in his default the senior bishop, may confirm such persons as may be present to him, in conformity to the regulations that may be adopted by the General Congress, for the archepiscopal or episcopal sees, which may become vacant or which may hereafter be erected.

On my arrival in this country, I met the envoy to Rome on his road to the coast. He embarked shortly after for Europe, and has been ever since waiting for these instructions! Camacho has been indisposed since his arrival, which is the cause assigned for the delay in commencing the negotiations. The President repeated to me the other day his disposition to conclude them *as soon as possible*, and his willingness to cede the points in dispute between the two governments.

From present appearances I see no cause to apprehend a civil war in Mexico. The discussions on the loan of money proposed by government are still going on, and it is impossible to say when they will be terminated, although the want of funds is urgent. The government asked for two millions; the House of Representatives passed a resolution granting four millions; the Senate reduced it to two, and sent it back to the House. The new Secretary now declares, that the

necessities of the government cannot be relieved by a grant of money under six millions. It am inclined to believe that it would be much better for the government at once to negotiate a loan for twenty millions than to anticipate their resources by the proposed operation, and thus continue and even increase their embarrassments from month to month. Unless, however, some reform takes place, it will be impracticable long to provide for the expenses of this government.

In a few years, the mines will become more productive, and the gradual augmentation of the class of consumers must be attended by a proportionate increase of commerce. The alcabala or tax on internal trade, and the old system of monopolies must yield shortly to more enlightened views of political economy. But notwithstanding these certain causes of the increasing prosperity and resources of the country, there exists such a disposition to the prodigal waste, such excessive corruption on the part of those who collect and administer the finances of the state, and such an insatiable desire for places and pensions, that no income, however great, can suffice.

Commodore Porter arrived at Vera Cruz a few days ago with his squadron.

The President of this republic requested me to send for the Melish's map published in 1818, which is cited in the treaty of limits. The one I brought with me was published in 1821. I will be obliged to you to cause it to be sent by the earliest opportunity. I have the honor. . . J. R. Poinsett.

Mexico. Poinsett. May 7 1827-April 23 1828. Department of State. Vol 3. Docs. 86-121, anexo al doc. 107. NAW.

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16 de noviembre de 1827. Veracruz. David Porter al Escuadrón y al Departamento de Marina en Veracruz

By order of the supreme government, dated the 23rd of July last, and in conformity with the provisions of the ordinances and laws that prevail on this subject, every vessel, on board of which may be found effects belonging to an enemy, shall be brought to this port for release or condemnation;

also, every vessel on board of which may be found contraband goods intended for the service of an enemy: it being understood, that contraband goods are mortars, cannon, guns, pistols, and other fire-arms; in like manner, swords sabers, bayonets, and other offensive weapons, powder, ball, grenades and every kind of munition of war; ship timber, cordage, canvass and other equipments proper for the construction and arming of vessels; troops, sailors, harness and clothing; and generally every thing which may be of service in war as well by sea and land.

I give this notice to the public for the full understanding of those concerned in commerce, and that it may have the necessary effect and that ignorance may not be pleaded.

I also make it known for the information of those who are disposed to solicit letters of marque and of those who are cruising against the enemy.

David Porter.

Mexico. Poinsett. May 7 1827-April 23 1828. Department of State. Vol. 3. Docs. 86-121, anexo al doc. 108. NAW.

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6 de diciembre de 1827. México. J. R. Poinsett a H. Clay

Sir,

I have the honor to transmit herewith an order published by Commodore Porter, by direction of this government, which has an important bearing upon the commerce of the United States with the islands of Cuba.

Since the cruisers of the Mexican republic have been actively engaged on the coast of Cuba, the merchants of that island have found it necessary to employ foreign shipping altogether, and that government has been compelled to permit the entrance of Spanish goods in neutral bottoms on the same terms and paying the same duties as if they had been imported in Spanish vessels, so that a good many of our ships are profitably employed in that trade, and will be exposed to capture and detention under this order.

If the government can raise the necessary funds, the Mexican squadron will soon be at sea again. The intention is to

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send it to Carthagena, where the Commodore is expected to use his best endeavors to induce the Colombian Government to carry into effect the secret convention concluded here between Mexico and Colombia about twelve months ago, having for this object, as I stated to you at the time, an union of the fleets of the two countries. The intention of this junction of their maritime forces was the invasion of Cuba; but I have reason to believe, that this cabinet has abandoned for the present any attempt against that island; and that the combined forces, if the junction be effected, is now destined to proceed to the coast of Spain. At Cartagena, the squadron of Commodore Porter will be augmented by one frigate at least, for I have understood that the debt due by the Colombia government to Mexico for monies, lent in London to pay the dividend on the Colombia loan, will be settled in this way. The Mexican squadron will consist of the *Congress*, 74 guns, expected soon from the Pacific; the *Libertad*, now a small frigate, but to be cut down to a corvette she will then be about the size and force of the John Adams; the corvette *Tepeyac*, built in Philadelphia; the brig of war *Guerrero*, built in New York and the two small brigs, *Bravo* and *Victoria*. To these will be added at least one frigate, supposed the *Cundinamarca*, of Colombia: the whole to rendezvous at Cartagena. The government, however wants the means to equip even this small force, and it cannot be conjectured when it will be sent to sea.

I have the honor to be, with great respect. . . J. R. Poinsett. From the manner in which I have obtained this information of the future movements of the Mexican squadron it would be unfair to make them public.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 108. NAW.

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7 de diciembre de 1827. México. J. R. Poinsett a H. Clay

Sir,

I send herewith a letter from Mr. Tudor, addressed to Mr. Sergeant, which contains particulars of several interviews

between the President of Peru, General La Mar, and Mr. Tudor on the subject of the American Congress intended to be held at Tacubaya. It would appear that the government of Peru does not deem it expedient to ratify the treaties signed by their plenipotentiary at Panama; but contemplates sending a minister to Mexico to signify its determination to take no further part in the deliberations of the American Congress.

Mr. Sergeant will no doubt communicate to you the contents of this letter, likewise of one of Mr. Corley on the same subject and to the same effect, and which I send herewith under cover to that gentleman.

I have the honor... J. R. Poinsett.

Mexico. Poinset. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 109. NAW.

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8 de diciembre de 1827. México. J. R. Poinsett a H. Clay

Sir,

The movements so long anticipated have taken place both in the states of Puebla and of Vera Cruz, where the legislatures were hostile to the public sentiment. In the latter state, the meeting of the people was conducted in a very orderly manner, and the civil authorities united with them in calling upon the legislature to pass a law for the expulsion of the Spanish inhabitants of the state. The legislature yielded immediately to the wishes of their constituents, and in order to remove the stigma under which they labored of being under Spanish influence, passed a law much more general in its application and harsh in its details than any similar law which has been passed by the most decidedly patriotic legislature of any of the states of the union.

In Puebla, there was some bloodshed, which produced considerable excitement here. The Governor very imprudently ordered out a small party of militia, under the command of a violent officer of the Scotch party, to quell a slight disturbance originating in the same cause—the expulsion of Spaniards. The insurgents were surprised and

fired upon some, few were killed and others wounded. The populace of Puebla was excited by this act of violence and a party marched out against the aggressors, took them prisoners, and brought them to the city. The general government was much distressed at this incident and it has endeavored to compound with the insurgents, and by promises and caresses, has succeeded in most instances in dispersing them. This is what appears upon the face of things, and what the executive itself believes; but the fact is, that the same hand which raised the storm has allayed it. About twelve months ago, I was informed that the leading members of the York party were about to organize a secret society on the plan of the carbonari of Italy, of which some Italian emigrants who are here gave them the plan. I disapproved of this intention at the time, and thought no more about it, until I observed that the movements in the different states were made with a degree of regularity that argued a directing hand. This remark led me to inquire into the organization and extent of the new society. The leading members did not hesitate to give me all the information I sought. I find that under the popular name of Guadalupe, this society has spread from Chihuahua to Chiapas, and is in possession of almost all the strength of the country. As the organization of the carbonari is so generally understood, I will not take up your time with an account of that of the Guadalupe—they are exactly similar, and peculiarly well adapted to engage the common people of these countries in promoting party views. A vast number of soldiers, and a large proportion of the country people belong to this secret society, and the chamber of honor in Mexico moves at will the whole machine. Thus insurrectionary movements in the states where the legislatures were hostile to the views of the dominant party here, have been organized, and the armed bands have kept together, have acted, and have dispersed at the word of command issued from the leader of the society in Mexico. This is certainly a most dangerous instrument of political power and it is fortunate for the country that it is wielded by the friends of the existing institutions. The general Government feels its influence and obeys its impulse without being fully aware of the means it employs to control their measures. It is a singular fact that the adversaries of this party are ignorant of the existence of a society, whose numbers are so great and means of influence so extensive. It appears that the chamber of honor in Mexico is composed

of a very few persons, and the councils of ancients in the different states and districts are likewise composed of a select few. This machinery will, as you may suppose, be put in motion to secure the election of General Guerrero to the presidency.

As I conjectured in my last, an act for the expulsion of the Spanish inhabitants of Mexico has been brought before the House of Representatives. I transmit herewith a translation of it. This will most probably pass into a law, as the three first articles have been approved by a very large majority.

This government continues to labor under great financial difficulties. García found his situation so extremely irksome, continued demands being made upon an empty treasury, that he has already resigned. He had repeatedly declared in his place in Senate, that the pecuniary embarrassments of the government arose altogether from the ignorance of the head of the Department of the Treasury. When placed there himself, he proved unable to carry on the financial operations of the government with even equal ability to that of his predecessor. The government still has in view a loan upon a pledge of its revenues, and thus anticipating its resources. A law was passed authorizing the government to make such operation, but as the terms were indicated and were not sufficiently favorable to the contractor, nothing has been nor will be done under it, and they will be compelled to recur again to Congress. In the meantime, the government subsists by borrowing small sums from the merchants, and what they can get from the states in advance for tobaccos.

I had an interview yesterday with President Victoria. He began as usual by apologizing for the delay in recommencing our negotiations, and attributed it to the continued indispositions of Mr. Camacho, the Secretary of Foreign Relations: but he assured me, that as that gentleman was now partially recovered, I should receive an invitation to renew the negotiations in the course of the next week; and begged me like wise to assure the President of the United States of his earnest desire to conclude the pending treaties. He appeared to be much irritated by the refusal of the House of Baring to pay the October dividend on the Mexican loan: and I regret it, because it has put a stop to their exertions to remedy the desperate state of their finances. Their credit is gone in Europe, and cannot be reinstated for some time to come. They will become, therefore, indifferent to it.

The chief clerk of the Treasury Department, Pavon, will be charged with the duties of Secretary of the Treasury ad interim, until Esteva shall be ready to resume that office. Esteva is certainly the most efficient officer this government has ever had in that department; and I shall be very glad to see him reinstated in it. He is now Governor of the District.

The elections for the municipal authorities of this capital take place tomorrow. As they are popular, it is supposed that they will occasion some excitement, and again test the strength of the two parties. It appears to me, that the liberal party is by far the strongest.

I have the honor, etc. J. R. Poinsett.

Mexico. Poinset. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 110. NAW.

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24 de diciembre de 1827. México. Guadalupe Victoria al cerrar las sesiones extraordinarias del Congreso

El grave asunto de instrucciones para nuestro enviado a Roma, que había sido el objeto de detenidas discusiones en las legislaturas precedentes, y sujetándose por seis años a un maduro y rígido examen de la nación entera, terminó felizmente; y el gobierno en 13 de octubre decretó que se formasen las instrucciones que le corresponden, según las bases acordadas por ambas cámaras, que se le comunicaron en 9 del mismo mes. Estas se han dirigido a nuestro enviado, y el gobierno redobla sus trabajos para acabar de expeditar un asunto en que ve justamente enlazados los intereses de la república y de la religión que profesa, según la Constitución federal.

Entre los objetos sobre que se llamó la atención del Congreso General en las sesiones extraordinarias, era uno de los más urgentes el proyecto de ley iniciado por el gobierno en 20 de abril de este año, para perfeccionar la organización de los tribunales federales de justicia. Una y otra Cámara han discutido detenidamente este negocio; y sólo resta para

su conclusión, el que se despachen algunas ligeras adiciones pendientes en el Senado.

El tratado de amistad, navegación y comercio concluido felizmente entre el plenipotenciario de la república y S. M. el rey de los Países Bajos, ha merecido la aprobación de las cámaras; y ratificado por mí se remitirá en breve para que reciba la sanción de aquel gobierno.

Por la ley de 6 de septiembre último se aprobó el presupuesto de gastos para la comisión encomendada de reconocer los límites de esta república y de la de los Estados Unidos del Norte y América. La comisión ha partido a su destino, expeditándose toda dificultad que pudiera ofrecerse por parte de las autoridades locales o de las de la nación nuestra vecina. Sin perjuicio de este reconocimiento ha dispuesto el ejecutivo que se abran nuevamente las negociaciones con el ministro plenipotenciario de aquella república, tomando en consideración las observaciones de la Cámara de Representantes sobre tan interesante asunto.

(Era Oficial Mayor de la Secretaría de Relaciones Exteriores, Encargado del Despacho, don Juan José Espinosa de los Monteros.)

Genaro Estrada, *op. cit.*, p. 22 y 23. También se encuentra en mi *Historia de las...*, p. 83, cita 90.

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8 de enero de 1828. México. Protocolo de la conferencia sostenida entre los plenipotenciarios de los Estados Unidos y de México para la conclusión del tratado de límites

Presentes: los Excelentísimos señores don Sebastián Camacho y don José Ignacio Esteva, plenipotenciarios de los Estados Unidos de México, y el señor J. R. Poinsett, plenipotenciario de los Estados Unidos de América.

Los plenipotenciarios de México leyeron un acuerdo de la Cámara de Diputados concebido en los términos siguientes:

A saber: Esta Cámara no tomará en consideración el Tratado que el gobierno ha concluido con los Estados Unidos de América, mientras no se inserte en él, o contenga un artículo que declare válido y vigente el tratado celebrado por el gabi-

nete de Madrid en el año de mil ochocientos diez y nueve, con el de Washington relativo a los límites territoriales de las dos partes contratantes.

Este acuerdo fue aprobado el dos de abril de mil ochocientos veinte y siete, y en consecuencia se devolvió el tratado al presidente de los Estados Unidos Mexicanos.

Los plenipotenciarios observaron que por este acuerdo, se verá forzado el ejecutivo; primero, a arreglar esta cuestión importante; y por el tenor de la nota que les fue dirigida por el plenipotenciario de los Estados Unidos de América, ellos juzgaban que no podía tener objeción alguna en considerar el referido tratado como vigente y obligatorio para los Estados Unidos de América.

El plenipotenciario de los Estados Unidos contestó que, aunque los límites, según el arreglo hecho por el tratado de Washington, eran susceptibles de algunas objeciones y podrían variarse ventajosamente para ambas partes contratantes, como repetidas veces lo había demostrado antes, no obstante si el gobierno de México insistía en la ejecución de los artículos tercero y cuarto de aquel tratado, por su parte no había dificultad alguna.

Los plenipotenciarios mexicanos dijeron que su gobierno había adoptado por principio invariable de su conducta, respetar los tratados de la monarquía española con una potencia cualquiera anteriores a la declaración de su independencia como ejemplo, la Gran Bretaña había adquirido derechos de la España dentro del territorio de México (en la Bahía de Honduras), que por más perjudiciales que fuesen a este gobierno se había propuesto no disfrutar de dichos derechos cuya existencia se había reconocido por el reciente tratado con aquella potencia.

El plenipotenciario de los Estados Unidos de América rehusó que no intentaba disputar la validez de un tratado concluido entre los Estados Unidos de América y España en una época en que México formaba una parte integrante de la monarquía española; y que era evidente por las conferencias anteriores y por su nota sobre la materia que jamás había controvertido este principio. Cualquiera variación del tratado de Washington debía depender del mutuo consentimiento de las partes actualmente contratantes, pero como el gobierno y la Cámara de Diputados de México parecían determinados a insistir en la ejecución de los artículos tercero y cuatro de aquel tratado, no creía deber oponerse más a él.

Se convino pues, entonces, que el tratado de límites se haría

separadamente en atención a ser éste un convenio permanente, mientras que el de Amistad, Navegación y Comercio no se esperaba que existiese más que por un periodo limitado.

S. Camacho, J. I. Esteva, J. R. Poinsett.

Mexico. Poinset. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, anexo al doc. 118. NAW.

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8 de enero de 1828. México. J. R. Poinsett a H. Clay

Sir,

The negotiations were renewed this day; and from the disposition manifested by the Mexican plenipotentiaries in this first conference, I have every expectation of concluding the treaty of friendship, navigation, and commerce favorably and promptly.

The Mexican Chamber of Duties passed a resolution, when the treaty was formerly before them, on which I understand, they will insist. It is in these words, viz "This Chamber will not take into consideration the treaty which the government concluded with that of the United States of America, until an article shall be inserted in it recognizing the validity of that which was celebrated by the Cabinet of Madrid in the year 1819, with the government of Washington, respecting the limits of the territories of the two contracting parties"

The plenipotentiaries, in reply to all my observations on the subject and to my proposals to alter the limits, insisted that Mexico had a right to consider that treaty binding upon the United States as being invested with all the rights of Spain and bound by all the obligations of the mother country. They instanced the cession made by Spain to Great Britain of certain rights in the Bay Honduras, which, however inconvenient to the Mexican government, it had nevertheless felt itself bound to ratify; and in short, declared, that if I did not consent to comply with the resolution of the Chamber of deputies, it would be useless to discuss the other articles of

the treaty, as it was certain that Congress would not ratify any treaty which did not contain such a provision.

I withdrew my opposition; but observed, that as the treaty of navigation and Commerce 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.

I have taken great pains to ascertain what prospect of success there would be of Congress ratifying the treaty if I could have prevailed upon the plenipotentiaries to alter the limits in the manner suggested by you, and am convinced that the attempt would fail and only excite an unfriendly feeling. I have therefore abandoned it altogether. In a private conversation with one of the plenipotentiaries, I hinted at a remuneration in money to the Mexican government as an inducement to extend our boundary to the Río del Norte; but he assured me it would be impossible to obtain either the consent of the government or of the Congress to such a measure because it would be considered a dismemberment of the Mexican territory, which is prohibited by the constitution. If both governments should fix upon the Río del Norte or any other points as the limits of the two republics, the state of Texas would have no right to complain; but the general government could not sell any part of that state to us without violating the constitution and the legitimate rights of Texas.

Believing, therefore, that any attempts to alter the former treaty of limits could prove ineffective and only excite unfriendly feelings, I shall accept the proposal of the Mexican plenipotentiaries and renew the treaty of Washington of 1819.

I have the honor to be. . . J. R. Poinsett.

Mexico. Poinset. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 113. NAW.

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9 de enero de 1828. México. J. R. Poinsett a H. Clay

Sir,

The party in opposition to the government of Mexico and to the existing federal institutions, known here by the name

of the Scotch party, having been defeated in all the elections and failed in all their political combinations and attempts to regain the power they had lost, have at length appealed to arms. I confess that I had not foreseen this result of the contest between the two great parties which divide the state. On a careful investigation of their relative strength, it appeared to me improbable that the leaders of the opposition would take so rash a step. I was not ignorant of their designs nor of their determination to carry them to effect by force if possible; but I could not believe, that, aware as they must have been of their weakness, they could hazard so much upon such slander means and so remote a prospect of success.

The event has proved, that if I was mistaken in my opinion of their rashness, I estimated correctly their strength.

On the 23rd of December, one Manuel Montaña overseer of the states of D. Ignacio Adalid, united a small band of mounted countrymen, and instigated by the party in Mexico proclaimed the following plan, pledging themselves not to lay down their arms until the government should carry into effect the measures it dictated:

Article 1. The supreme government shall present to the general Congress of the union the project of a law for the extermination in the republic of all secret societies whatever may be their origin or denomination.

Article 2. The supreme government shall positively dismiss the present secretaries of State appointing in their places men of approved probity, virtue and merit.

Article 3. The supreme government shall, without an instant's delay, furnish the envoy of the United States to this republic with his passports to leave the country.

Article 4. It shall cause our constitution and the existing laws to be strictly observed.

By the manner in which the plan is drawn up, it would appear to have been the object of the petitioners to gain time, supposing that the government would treat with them, as it had with those who, with arms in their hands had so lately demanded the expulsion of the Spaniards from the Mexican territories. By the fourth article, which is artfully drawn up, the intention was to have declared the existing Congress, which is composed of a large majority of their opponents, unconstitutionally elected, and to annul the laws of the 10th of May, depriving the Spaniards of their offices, and of the 20th of December, expelling certain Spaniards from the Mexican United States, as contrary to existing laws

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and compacts. If they could have gained these important points, it would have laid the foundation of the revolution they are so enxiuous to effect in the existing institutions of the country. With respect to the third article, it originated in the same motive. These people persist in regarding me as the principal obstacle to their success and as directing not only the operations of the opposit party but of the government. The progress of the trials for high treason of those general officers engaged in the conspiracy against the liberaties of this country, probably contributed to precipitate the measures of the Scotch party. They were certainly aware of the views and designs of those conspirators, and encouraged them to hope for their aid to carry into effect the plan of Iguala and the treaties of Cordoba and to establish on the throne of Mexico a prince of the house of Bourbon in the person of don Francisco de Paula.

So soon as the plan of Montañio was published the President of the republic determined to suppress the insurrection by force, and General Guerrero was despatched at the had of a respectable division to atack and disperse the desultory forces of Montañio. General Guerrero toock up his position in Otumba, near the plains of Apam, within a few leagues of Montañio's camp. His name proved a ghost; and on his appearance the people who had joined in the cry against the government deserted their chief and went over to Guerrero, until the former was left with only 150 men.

As soon as Montañio had promulgated his plan, it was easy to perceive by the demeanor of the opposition in Mexico, that the revolt was instigated and fomented by them, but we soon had more convincing proofs of this by the desertation of several officers from this garrison, who joined the insurgents, and finally, by the clandestine departure of the Vice President, General Nicolas Bravo, who placed himself at the head of the malcontents. This person has always been considered the chief of the *Scotch* faction, when in point of fact he is a tool in their hands. He was a distinguished military leader in the revolutionary contest of this country, and the party required his name to grace their cause. Unfortunately, most of the principal men in this country, presidentt Victoria is one of the few exceptions, are addicted to gambling and the wealth of the Europeans and Mexican partisans of Gen. Bravo enabled them to command his services by fostering his favorite passion.

It was supposed by these misguided men, that the name of

Bravo would bring over to their standard a large proportion of the troops and the numerous bands of patriots who had followed his fortunes in the revolutionary war. Similar movements to that of Montañó were to have been made in different parts of the union, and General Barragan, the governor of revolt in that state. In other parts of the federation the active measures of government have prevented the intentions of the rebels, and in almost all the states the uttermost devotion has been shown to the general government and to the federal constitution.

General Bravo, after wandering about the country for five or six days without any force, and deserted by the few regulars who had united themselves with Montañó, was joined by that chief at the head of 150 men, and shut himself up in the small town of Tulancingo, situated about 25 leagues north east of the capital. Guerrero, who was in hot pursuit with his division, here came up with him, and after a very slight skirmish, captured him and all the officers who had joined him. This blow, by depriving those faction demagogues of a leader whose name gave some weight to their cause, has, I trust and believe, put an end to the civil war.

I am at a loss to account for the conduct of the members of the diplomatic corps in Mexico on this occasion. They openly advocated the cause of the insurgents and publicly expressed their wishes for the success of General Bravo. I am unwilling to believe that they acted thus in consequence of instructions from their courts, but think it more probable they have been seduced by the society they frequent in Mexico. The aristocracy in the capital is almost entirely of the party of General Bravo, and that aristocracy compose the principal and the most agreeable part of the society of Mexico.

It is needless to say, that I have pursued a different course. The cause of free institutions is the cause of America, and although I have taken no part in the contest and obtruded no advice, I have not withheld my opinion and counsel whenever it has been asked by this government or by those connected with it.

The evil I apprehend from the course the charge d'affaires of Great Britain and the consul general of France have thought fit to pursue, is that they will be made some day to feel the public indignation, which has been strongly excited and expressed against them. If that event should take place and the interests of their respective governments ultimately

suffer in this country, the cause can be attributed to their own imprudence alone.

The accompanying documents A and B and C will give you a view of the events of this revolutionary movement and the alarm which prevailed in the government.

Having resulted in the utter discomfiture of this faction, I regard the movement they made as a fortunate event for this country. Their threats and plots kept the government in a constant state of uneasiness, and the people in continual agitation. The triumph of the liberal party is now secure, and it is to be hoped that the country will soon be restored to perfect tranquility.

I have the honor to be... J. R. Poinsett.

Mexico. Poinset. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, doc. 114. NAW.

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10 de enero de 1828. México. Protocolo de la segunda conferencia sostenida entre los plenipotenciarios de los Estados Unidos y de México sobre límites

Present, the plenipotentiaries

The following preamble and article were drawn up and agreed to: viz;

The limits of the United States of America with the bordering territories of Mexico having been fixed and designated by a solemn treaty concluded and signed at Washington on the 22nd day of February, in the year of our Lord one thousand eight hundred and nineteen, the respective plenipotentiaries of the government of the United States of America on the one part, and of that of Spain on the other: and whereas, the said treaty having been sanctioned at a period when Mexico constituted a part of the Spanish monarchy it is deemed necessary now to confirm the validity of the aforesaid Treaty of limits, regarding it as still in force and binding between the United States of America and the United Mexican States.

Article one:

The dividing limits of the respective bordering territories

of the United States of America and of United Mexican States being the same as were agreed and fixed upon by the above mentioned treaty of Washington concluded and signed on the 22nd of February in the year of 1819, the two high contracting parties will proceed forthwith to carry into full effect the third and fourth articles of said treaty which are herein recited as follows.

Firman J. R. Poinsett, S. Camacho y J. I. Esteva.

Protocolo II de la segunda conferencia entre los plenipotenciarios de los Estados Unidos de México y el plenipotenciario de los Estados Unidos de América habida el 10 de enero de 1828.

Presentes, Los plenipotenciarios:

Se entendió y quedó acordado el siguiente preámbulo a saber:

Habiéndose fijado y designado los límites de los Estados Unidos de México con los territorios limítrofes de los Estados Unidos de América, por un tratado solemne concluido y firmado en Washington a 22 de febrero de 1819 entre los plenipotenciarios respectivos del gobierno de dichos Estados Unidos de América, por una parte, y de España, por la otra, por tanto, y en consideración a que dicho tratado recibió su sanción en una época en que México formaba una parte de la monarquía española, se ha creído necesario para el presente declarar y confirmar la validez de dicho tratado de límites considerándolo vigente y obligatorio entre los Estados Unidos de México y los Estados Unidos de América.

Artículo I:

Siendo los límites divisorios de los Estados Unidos de México y de los Estados Unidos de América en los términos colindantes de ambas repúblicas, los mismos que se acordaron y fijaron en el dicho tratado de Washington concluido y firmado a 22 de febrero de 1819, se procederá inmediatamente a poner en ejecución entre las dos altas partes actualmente contratantes los artículos tercero y cuarto de dicho tratado que a continuación se insertan.

Firmado: S. Camacho, J. I. Esteva, J. R. Poinsett.

Mexico. Poinsett. May 7' 1827-April 23' 1828. Department of State. Vol. 3. Docs. 86-121, anexo al doc. 115. NAW.